



منظمة الأغذية
والزراعة
للأمم المتحدة

联合国
粮食及
农业组织

Food
and
Agriculture
Organization
of
the
United
Nations

Organisation
des
Nations
Unies
pour
l'alimentation
et
l'agriculture

Organización
de las
Naciones
Unidas
para la
Agricultura
y la
Alimentación

COMMISSION ON PHYTOSANITARY MEASURES

First Session

Rome, 3 – 7 April 2006

Rules of Procedure of the Commission on Phytosanitary Measures

Agenda Item 4 of the Provisional Agenda

1. Pursuant to Article 11.1 of the IPPC, contracting parties agree to establish the Commission on Phytosanitary Measures (CPM) within the framework of the Food and Agriculture Organization of the United Nations.
2. To facilitate the future activities and deliberations of the CPM, the Secretariat has prepared draft "Rules of Procedure for the CPM" (in Annex 1). These rules are based on the "Rules of Procedure for the ICPM", which were adopted by the ICPM at its first session. Adjustments were made to substitute the term "Interim Commission on Phytosanitary Measures" with the term "Commission on Phytosanitary Measures". Furthermore the membership provisions for the CPM were adjusted to provide that only contracting parties to the IPPC can be members of the CPM. This change is also reflected in several provisions such as observers, agenda and documents as well as records and reports. Finally, paragraphs have been added to describe the functions of the chairperson. These paragraphs are based on the General rules of the Organization.
3. The CPM is invited to:
 1. *Adopt* the Rules of Procedure of the CPM.

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Annex 1**DRAFT RULES OF PROCEDURE OF THE COMMISSION ON
PHYTOSANITARY MEASURES****RULE I****MEMBERSHIP**

1. Membership of the Commission on Phytosanitary Measures (hereafter referred to as “the Commission”) consists of all contracting parties to the International Plant Protection Convention (hereafter referred to as “the IPPC”).
2. Before the opening of each session of the Commission, each contracting party (hereafter referred to as “member of the Commission”) shall communicate to the Director-General (hereafter referred to as “the Director-General”) of the Food and Agriculture Organization of the United Nations (hereafter referred to as “the Organization”) the names of all the persons (the head of the delegation, as well as alternates, experts and advisers) appointed by such member of the Commission to represent it during the session mentioned above. For the purpose of these Rules, the term “delegates” means the persons so appointed.

RULE II**OFFICERS**

1. The Commission shall elect a Chairperson and not more than two Vice-Chairpersons (hereinafter collectively referred to as “the Bureau”), and a rapporteur, from among the delegates; it being understood that no delegate shall be eligible without the concurrence of the respective head of delegation. The Bureau shall be elected at the end of a regular session and shall hold office for a term of two years. The Chairperson, or in the absence of the Chairperson another member of the Bureau, shall preside at all meetings of the Commission and shall exercise such other functions as may be required to facilitate the work of the Commission. A Vice-Chairperson acting as Chairperson shall have the same powers and duties as the Chairperson.
2. The Chairperson shall declare the opening and closing of each plenary meeting of the session. He/she shall direct the discussions in plenary meetings, and at such meetings ensure observance of these Rules, accord the right to speak, put questions and announce decisions. He/she shall rule on points of order and, subject to these Rules, shall have complete control over the proceedings at any meetings. He/she may, in the course of the discussion of an item, propose to the Commission the limitation of the time to be allowed to speakers, the number of times each delegation may speak on any question, the closure of the list of speakers, the suspension or adjournment of the meeting, or the adjournment or closure of the debate on the item under discussion.
3. The Chairperson, or a Vice-Chairperson acting as Chairperson, shall not vote but may appoint an alternate, associate or adviser from his/her delegation to vote in his/her place.
4. The Chairperson, in the exercise of his/her functions, remains under the authority of the Commission.

RULE III**SECRETARY**

1. The Secretary of the IPPC shall be responsible for implementing the activities assigned to the Secretary in accordance with the policies of the Commission. The Secretary shall report to the Commission on the activities assigned to the Secretary.

RULE IV
SESSIONS

1. The Commission shall in principle hold one regular session each year. Special sessions shall be held as considered necessary by the Commission or at the written request of at least one third of the members of the Commission.
2. Sessions of the Commission shall be convened by the Chairperson of the Commission, after consultation with the Director-General.
3. Notice of the date and place of each session of the Commission shall be communicated to all the members of the Commission at least two months before the session.
4. Each member of the Commission shall have one representative, head of delegation, who may be accompanied by one or more alternates, experts and advisers. An alternate, expert or adviser shall not have the right to vote except when substituting for the head of delegation.
5. Meetings of the Commission shall be held in public unless the Commission decides otherwise.
6. A majority of the members of the Commission shall constitute a quorum.

RULE V
AGENDA AND DOCUMENTS

1. The Director-General, in consultation with the Chairperson of the Commission, shall prepare a provisional agenda.
2. The first item on the provisional agenda shall be the adoption of the Agenda.
3. Any member of the Commission may request the Director-General to include specific items in the Provisional Agenda.
4. The Provisional Agenda shall normally be circulated by the Director-General at least two months in advance of the session to all members of the Commission and to all observers invited to attend the session.
5. Any member of the Commission, and the Director-General, may, after the despatch of the Provisional Agenda, propose the inclusion of specific items on the Agenda with respect to matters of an urgent nature. These items should be placed on a supplementary list, which, if time permits before the opening of the session, shall be dispatched by the Director-General to all members of the Commission, failing which the supplementary list shall be communicated to the Chairperson for submission to the Commission.
6. After the Agenda has been adopted, the Commission may, by a two-thirds majority of the members of the Commission present and voting, amend the Agenda by the deletion, addition or modification of any item. No matter referred to the Commission by the Conference or Council of the Organization may be omitted from the Agenda.
7. Documents to be submitted to the Commission at any Session shall be furnished by the Director-General to all the members of the Commission and to observers invited to the session, at the time the Agenda is despatched or as soon as possible thereafter.
8. Formal proposals relating to items on the Agenda and amendments thereto introduced during a session of the Commission shall be made in writing and handed to the Chairperson, who shall arrange for copies to be circulated to all delegates.

RULE VI
VOTING PROCEDURES

1. Subject to the provisions of Article II of the Constitution of the Organization, each member of the Commission shall have one vote.

2. The Commission shall make every effort to reach agreement on all matters by consensus. If all efforts to reach consensus have been exhausted and no agreement has been reached, the decision shall, as the last resort be taken by a two-thirds majority of the members of the Commission present and voting.
3. For the purpose of these Rules, the phrase “members present and voting” means members of the Commission casting an affirmative or negative vote. Members who abstain from voting or cast a defective ballot are considered as not voting.
4. Upon the request of any member of the Commission, voting shall be by roll-call vote, in which case the vote of each member shall be recorded.
5. When the Commission so decides, voting shall be by secret ballot.
6. The provisions of Rule XII of the General Rules of the Organization shall apply *mutatis mutandis* to all matters not specifically dealt with under this Rule.

RULE VII

OBSERVERS

1. Any non-contracting Member of the Organization, as well as of the United Nations, any of its specialized agencies and the International Atomic Energy Agency, may, upon request communicated to the Director-General, attend sessions of the Commission, its subsidiary bodies, as an observer. Any such observer may submit memoranda and participate in discussions without a vote. Non contracting parties that are not Members of the Organization, but that are Members of the United Nations, any of its specialized agencies or the International Atomic Energy Agency, may, upon their request and subject to the provisions relating to the granting of the Observer Status in respect of Nations as provided for by the Basic Texts of the Organization, be invited to attend, in an observer capacity, sessions of the Commission or of its subsidiary bodies. The status of such Nations shall be governed by the relevant provisions of the Basic Texts of the Organization.
2. Subject to the provisions of paragraph 3 of this Rule, the Director-General, taking into account guidance given by the Commission, may invite international (intergovernmental and non-governmental) organizations to attend sessions of the Commission in an observer capacity. Representatives of regional plant protection organizations shall be invited to attend all sessions of the Commission as observers.
3. Participation of international organizations in the work of the Commission and the relations between the Commission and such organizations shall be governed by the relevant provisions of the Constitution and other pertinent Basic Texts of the Organization. All such relations shall be dealt with by the Director-General, taking into account guidance given by the Commission.

RULE VIII

RECORDS AND REPORTS

1. At each session, the Commission shall approve a report embodying its views, recommendations and conclusions, including, when requested, a statement of minority views. Such other records, for its own use, as the Commission may on occasion decide, shall also be maintained.
2. The report of the Commission shall be transmitted at the close of each session to the Director-General who shall circulate it to all members of the Commission and observers that were represented at the session, for their information, and, upon request, to other Members and Associate Members of the Organization.
3. Recommendations of the Commission having policy, programme or financial implications for the Organization shall be brought by the Director-General to the attention of the Conference and/or of the Council of the Organization for appropriate action.

4. Subject to the provisions of the preceding paragraph the Director-General may request members of the Commission to supply the Commission with information on action taken on the basis of recommendations made by the Commission.

RULE IX

SUBSIDIARY BODIES

1. The Commission may establish such subsidiary bodies as it deems necessary for the accomplishment of its functions.
2. Membership in these subsidiary bodies shall comprise such members of the Commission as have notified the Director-General of their desire to be considered as members of the subsidiary bodies, or shall consist of selected members of the Commission, as determined by the Commission itself, or of individuals appointed in their personal capacity.
3. The representatives of subsidiary bodies shall, insofar as possible, serve in a continuing capacity and be specialists in the fields of activity of the respective subsidiary bodies.
4. The terms of reference and procedures of the subsidiary bodies shall be determined by the Commission.
5. The establishment of subsidiary bodies shall be subject to the availability of the necessary funds in the relevant chapter of the approved budget of the Organization. Before taking any decision involving expenditure in connection with the establishment of subsidiary bodies, the Commission shall have before it a report from the Director-General on the administrative and financial implications thereof.
6. Each subsidiary body shall elect its own officers, unless appointed by the Commission.

RULE X

DEVELOPMENT AND ADOPTION OF INTERNATIONAL STANDARDS

1. The procedures for the development and adoption of international standards are set out in the Annex I to these Rules and shall form an integral part thereof.
2. Notwithstanding the provisions of Rule VI.2, where consensus is not reached on a proposal for the adoption of a standard which has been introduced before the Commission for the first time, the proposed standard shall be referred back to the appropriate body of the Commission, together with its comments thereon, for further consideration.

RULE XI

EXPENSES

1. Expenses incurred by delegates when attending sessions of the Commission or of its subsidiary bodies, as well as the expenses incurred by observers at sessions, shall be borne by their respective governments or organizations. Should experts be invited by the Director-General to attend sessions of the Commission and its subsidiary bodies in their individual capacity, their expenses, unless otherwise determined by the Commission, shall be borne by the Organization.
2. Any financial operations of the Commission and its subsidiary bodies shall be governed by the appropriate provisions of the Financial Regulations of the Organization.

RULE XII

LANGUAGES

1. Pursuant to Rule XLVII of the General Rules of the Organization, the languages of the Commission shall be the languages of the Organization.
2. Any representative using a language other than one of the languages of the Commission shall provide for interpretation into one of the languages of the Commission.

RULE XIII**AMENDMENT AND SUSPENSION OF THE RULES**

1. Amendment of or additions to these Rules may be adopted by a two-thirds majority of the members of the Commission present and voting, provided that not less than 24 hours notice of the proposal for the amendment or the addition has been given.
2. Any of the above Rules of the Commission, other than Rule I.1, Rule IV.2 and 6, Rule V.6, Rule VI.1 and 2, Rule VII, Rule VIII.3 and 4, Rule IX.4 and 5, Rule XI, Rule XIII.1 and Rule XIV may be suspended by a two thirds majority of the members of the Commission present and voting, provided that not less than 24 hours notice of the proposal for suspension has been given. Such notice may be waived if no representative of the members of the Commission objects.

RULE XIV**ENTRY INTO FORCE**

1. These Rules and any amendments or additions thereto shall come into force upon approval by the Director-General of the Organization.