

April 2013



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

Продовольственная и
сельскохозяйственная
организация
Объединенных
Наций

Organización
de las
Naciones Unidas
para la
Alimentación y la
Agricultura

COMMISSION ON PHYTOSANITARY MEASURES

Eighth Session

Rome, 8 -12 April

**Proposed Amendments to the Rules of Procedure of the Commission on
Phytosanitary Measures and Guidelines for Rotation of the CPM
Chairperson an Vice-Chairperson and Selection and Nomination of Bureau
Member**

Agenda items 7.12; 7.2.1 and 7.3

Prepared by IPPC Secretariat

1. During CPM-8 (2013), Friends of the Chair (FoC) discussed the issues related to the rules of rotation of the CPM Chairperson and Vice-Chairperson, as well as those related to Observers and the Rules of Procedure of the CPM Bureau.
2. Several papers referred to these subjects and this introduction to the Attachments I and II explain briefly the proposals of the FoC.
3. Attachment I contains the Rules of Procedure (RoP) of the CPM as adopted by CPM-2 (2007) with changes proposed by the FoC evidenced in italics and underline. Rule VII of the CPM RoP was presented in document CPM 2013/31 and transferred into the CPM RoP, containing also minor additional changes. Hence Rule VII has already been presented, but for ease of understanding evidenced also in italics and underline.
4. Annex 1 of the the CPM RoP (i.e. of Attachment II) contains the RoP for the CPM Bureau, as presented in document CPM 2013/23, with the proposed changes integrated, but not evidenced.
5. Attachment II contains guidelines for the rotation of the CPM Chairperson and Vice-Chairperson, and for the selection and nomination of Bureau members. The guidelines were presented in document CPM 2013/22 and modified by the FoC.

This document is printed in limited numbers to minimize the environmental impact of FAO's processes and contribute to climate neutrality. Delegates and observers are kindly requested to bring their copies to meetings and to avoid asking for additional copies. Most FAO meeting documents are available on the Internet at www.fao.org

Attachment I**PROPOSED AMENDMENTS TO THE 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, a Vice-Chairperson and other persons from among the delegates to form a Commission Bureau of seven persons, so that each FAO region is represented. The Commission shall elect a rapporteur for each regular session from among the delegates. No delegate shall be eligible without the concurrence of the respective head of delegation. The Commission Bureau shall be elected under the FAO Rules and Regulations at the end of a regular session and shall hold office for a term of two years *And, subject to the agreement of the region, shall be eligible for re-election for another two consecutive terms. In exceptional circumstances, an FAO region may submit a request to the CPM for an exception to allow a member to serve an additional term(s).* The Chairperson, or in the absence of the Chairperson, a Vice-Chairperson, 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 a Chairperson shall have the same powers and duties as the Chairperson. The purpose of the Commission Bureau is to provide guidance to the Commission on the strategic direction, financial and operational management of its activities in cooperation with others as approved by the Commission. *Detailed rules of procedure for the Bureau are attached in the Annex which shall constitute an integral part of these Rules of Procedure.*
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 Secretariat in accordance with the policies of the Commission. The Secretary shall report to the Commission on the activities assigned to the Secretariat.

Rule IV: Sessions

1. The Commission shall 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 dispatched 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. Regional plant protection organizations (RPPOs) recognized by the Commission under article IX of the IPPC shall participate only as observers in all meetings of the Commission.

2. Countries can participate as observers in meetings of the Commission as follows:

- i) Any Country that is not a contracting party but is a Member of FAO, as well as the United Nations, any of its specialized agencies and the International Atomic Energy Agency, may upon request communicated to the IPPC Secretary and endorsement by the CPM Bureau, participate as an observer in meetings of the Commission.
- ii) Any Country that is not a Member of FAO or an IPPC contracting party, but is a Member of the United Nations, any of its specialized agencies or the International Atomic Energy Agency may, upon request communicated to the FAO Director General, and subject to the relevant provisions of the Basic Texts of the Organization, be invited to participate as observers in meetings of the Commission.
- iii) Any Country that is not a Member of FAO or a member of the United Nations, any of its specialized agencies or the International Atomic Energy Agency shall not be permitted to send observers to meetings of the Commission.

3. International organizations, whether intergovernmental or non-governmental, may, subject to the relevant provisions of the Basic Texts of the Organization participate as observers in meetings of the Commission. Relations with the concerned organization shall be dealt with by the Director-General, FAO, taking into account guidance given by the Commission.

- i) Intergovernmental organizations (IGOs):
 - a) IGOs should meet the following criteria: it should have been set up by an intergovernmental convention (a convention to which the parties are States); the governing body of the organization should be composed of members designated by governments; the income of the organization should be made up mainly, if not exclusively, of contributions from governments.
 - b) IGOs that have established formal relations with FAO may, upon request communicated to the IPPC Secretary and endorsement by the Bureau, participate as observers in meetings of the Commission.
 - c) IGOs that have not established formal relations with FAO may, upon request communicated to the IPPC Secretary, participate as observers in meetings of the Commission if, in the judgment of the IPPC Secretary and the CPM Bureau, there are concrete reasons for allowing their participation which would forward the work of the Commission.
 - ii) International non-governmental organizations (INGOs):
 - a) INGOs that have been granted formal status by FAO may participate in meetings of the Commission.
 - b) INGOs that have not been granted formal status by FAO may, upon request communicated to the IPPC Secretary, participate as observers in meetings of the Commission if, in the judgment of the IPPC Secretary and the CPM Bureau, there are concrete reasons for allowing their participation which would forward the work of the Commission.
 - c) INGOs that have not been granted formal status by FAO shall be examined in light of the following criteria: they should be international in structure and scope of activity, and representative of the specialized field of interest in which they operate; they should be concerned with matters covering a part or all of the Commission's field of activity; they should have aims and purposes in conformity with the IPPC; they should have a permanent directing body and Secretariat, authorized representatives and systematic procedures and machinery for communicating with its membership in various countries; and they should have been established at least three years before they request participating in the meetings of the Commission.
4. Observers to CPM meetings may : i) participate in the discussions, subject to the approval of the Chairman of the Commission and without the right to vote; ii) receive the documents other than those of a restricted nature, and iii) circulate, without abridgement, the views of the organization or country which they represent on particular items of the agenda.
5. CPM Bureau meetings are not open to observers.
6. Each CPM Subsidiary Body shall establish its own rules on observers which shall conform to these Rules and the relevant provisions of the FAO Basic Texts.

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. The terms of reference and procedures of the subsidiary bodies shall be determined by the Commission.
3. Membership in these subsidiary bodies shall consist of selected members of the Commission, or of individuals appointed in their personal capacity as respectively determined by the Commission.
4. The representatives of subsidiary bodies shall be specialists in the fields of activity of the respective subsidiary bodies.
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. Developing countries delegates may request financial assistance to attend sessions of the Commission or its subsidiary bodies.
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 and its subsidiary bodies 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.2 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.

ANNEX I**RULES OF PROCEDURE FOR THE BUREAU OF THE
COMMISSION ON PHYTOSANITARY MEASURES****Rule 1. Purpose of the Bureau**

1. The purpose of the Bureau is to provide guidance to the CPM on the strategic direction, financial and operational management of its activities in cooperation with others as approved by CPM.
2. As appropriate, members of the Bureau will also assist the CPM in its administrative and operational duties. The Bureau provides continuity in the management of the CPM and, through representation of all FAO regions, facilitates the expression of all viewpoints on strategic, administrative and procedural matters on an ongoing basis.

Rule 2. Functions of the Bureau

1. The Bureau shall have the following functions:
 - a) Ensuring the efficient implementation of the CPM work programme in coordination with the Secretariat.
 - b) Making recommendations to improve CPM management and delivery of strategic directions, financial and operational activities.
 - c) Assisting with the administrative, and operational duties of the CPM in areas such as:
 - i) delivery of the IPPC Strategic Framework
 - ii) financial planning and management

- d) Providing advice, guidance and strategic direction to subsidiary and other bodies in between plenary sessions of the CPM, in accordance with CPM decisions.
- e) Addressing specific issues assigned to it by the CPM.

Rule 3. Membership

1. The members of the Bureau shall be elected by the CPM as per Rule II of the Rules of Procedure of the CPM.
2. FAO regions select their candidates for membership of the Bureau on the basis of the procedures agreed within each region.

Rule 4. Replacement of members

1. FAO regions shall nominate replacements for members of the Bureau and submit them to the CPM for election. Replacements should be eligible to be members as set forth in these Rules. Each FAO region shall select a maximum of two replacements for CPM election. If a member of the Bureau, other than the Chairperson, becomes unavailable for a meeting their respective replacement may substitute them during that specific meeting. If a member of the Bureau becomes unavailable on a long term basis, for unavoidable reasons, resigns or no longer meets the qualifications required for being member of the Bureau, the replacement will substitute the member of the Bureau for the remainder of the term of office for which he/she has been elected. The replacement should be from the same region as the member of the Bureau being replaced.

Rule 5. Chairperson

1. The Chairperson of the CPM shall be the Chairperson of the Bureau.

Rule 6. Meetings

1. Bureau meetings shall be convened by the IPPC Secretary. Four members of the Bureau shall constitute a quorum. The Bureau shall meet at least twice a year. The IPPC Secretary may also convene meetings of the Bureau as necessary to enable any outstanding specific activities to be undertaken before the following CPM session or scheduled Bureau meeting.
2. In the absence of the Chairperson, the Vice Chairperson will chair the meeting.
3. Meetings of the Bureau shall be closed unless otherwise determined by the Bureau. The Bureau may invite experts to provide advice or information on specific matters. The IPPC Secretary or a representative designated by him/her shall attend the meetings of the Bureau.

Rule 7. Decision making

1. Decisions will be made by consensus. Situations where consensus cannot be reached shall be described in the meeting reports detailing all positions maintained and presented to the CPM for guidance and appropriate action.

Rule 8. Documentation, records and reports

1. The Secretariat is responsible for coordinating the activities of the Bureau and providing administrative, technical and editorial support, as required by the Bureau.
2. The Secretary, in consultation with the Chairperson of the CPM, shall prepare a provisional agenda for the Bureau meetings and make it available to members of the Bureau preferably four weeks prior to the beginning of each meeting.
3. The Secretariat shall make meeting documents available to Bureau members as soon as possible after the preparation of the provisional agenda.

4. The Secretariat shall keep the records of the Bureau and minutes of the Bureau meetings. A report should be available within one month after each meeting and posted on the International Phytosanitary Portal.
5. The Chairperson shall submit a yearly report to the CPM on the activities of the Bureau.

Rule 9. Language

1. The business of the Bureau shall be conducted in English, unless otherwise decided by the Bureau.

Rule 10. Amendment

1. These Rules and amendments or additions thereto shall be adopted by 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 addition has been given.

Attachment II**GUIDELINES FOR ROTATION OF THE CPM CHAIRPERSON AND VICE-CHAIRPERSON AND NOMINATION OF BUREAU****Rotation of the CPM Chairperson and Vice-Chairperson**

1. The Chairperson of the Commission on Phytosanitary Measures will be rotated among the seven (7) FAO regions in the following sequence: Asia, Southwest Pacific, Latin America and the Caribbean, Africa, North America, Near East and Europe, followed by a grouping that would include only the four (4) largest regions (those regions with the largest number of countries): Asia, Latin America and the Caribbean, Europe, Africa, and then followed by the first seven listed above, and so forth. The rotation scheme would thus be: 7-4-7-4.
2. Following the rotation scheme identified above, the region which is next in line for occupying the position of the Chairperson will propose a candidate for the Vice-Chairperson. In the following term the region occupying the position of the Vice-Chairperson will propose a candidate for the position of the Chairperson.

Selection and Nomination of Bureau members

1. When selecting candidates, regions should take due account of the need for competences relevant to participation in the Bureau. Candidates should be selected on the basis of individual qualifications and experience relevant to the mandate of the CPM and where appropriate on the basis of their potential to take on the chairing of the CPM.
2. In putting forward candidates for the Bureau, regions should consider the individual's experience and expertise on technical and operational IPPC issues and their capacity to contribute to CPM and Bureau activities and functions. In particular, consideration should be given to the individual's:
 - Knowledge of the IPPC purpose, objectives, strategies, functions, roles and operational and internal processes.
 - Understanding of IPPC related international organizations, for example: WTO-SPS and its related standard setting bodies, CBD, etc.
 - Experience in financial management.
 - Knowledge of national phytosanitary systems, regulations and practices.
 - Experience in guiding or directing the operations of an organization or governance body to accomplish its mission, goals and objectives.
 - Communication and collaboration skills including the ability to clarify, summarize and seek consensus.
 - Experience in chairing and facilitating large fora, including supporting decision-making, negotiation and enabling compromise in such fora.
 - Ability to act in an impartial and objective way.
 - Ability to be flexible and resilient.
3. The following considerations would be desirable:
 - The role of Chairperson is a substantial one and a candidate should be prepared to devote a significant amount of time and energy to fulfil the responsibilities attached to this role. The employer should provide the time and where appropriate, the necessary resources to enable the Chairperson to fulfil the responsibilities attached to this role. Vice-Chairpersons should have the same competence and expertise, as the Chairperson, but may have less experience.
 - The candidates for Bureau membership (including Chairperson and Vice-Chairpersons) should be employed by an NPPO.

-
- Candidates for Chairperson should have served for at least one term (two years) in the Bureau.
 - It may be desirable that the Chairperson has served previously as a Vice-Chairperson.
4. These guidelines are not intended to set precedents for other FAO or Article XIV bodies and are neither intended to establish nor recognise the FAO regions mentioned therein and their rotational weightings.