

**DECISIONS FROM THE SECOND SESSION OF THE
COMMISSION ON PHYTOSANITARY MEASURES**

Communication by the Secretariat of the International Plant Protection Convention (IPPC)

The following communication, received on 21 June 2007, is being circulated at the request of IPPC.

1. The second session of the Commission on Phytosanitary Measures (CPM-2) took place in Rome, 26-30 March 2007. Three hundred and nineteen participants registered, representing 129 members of the Commission (i.e. contracting parties to the IPPC), plus eight countries who were not contracting parties and 17 observer organizations. The Session was opened by the Director-General of the FAO.

**I. THE DEVELOPMENT, ADOPTION AND MONITORING OF THE
IMPLEMENTATION OF INTERNATIONAL STANDARDS FOR PHYTOSANITARY
MEASURES**

A. ADOPTION OF INTERNATIONAL STANDARDS FOR PHYTOSANITARY MEASURES (ISPMs)

2. The Secretariat introduced six draft texts for consideration by the CPM, which consisted of three new standards (Recognition of pest-free areas and areas of low pest prevalence, Establishment of areas of low pest prevalence for fruit flies (Tephritidae), Phytosanitary treatments for regulated pests), the revision of ISPM No. 2 (Framework for pest risk analysis), a supplement to ISPM No. 5 (Debarked and bark free wood) and some amendments to ISPM No. 5 (Glossary of phytosanitary terms)

Framework for pest risk analysis (revision of ISPM 2)

3. This standard provides a framework that describes the pest risk analysis (PRA) process within the scope of the IPPC. It introduces the three stages of pest risk analysis – initiation, pest risk assessment and pest risk management. The standard focuses on the initiation stage. Generic issues of information gathering, documentation, risk communication, uncertainty and consistency are addressed.

4. The CPM:

- (i) *Adopted* as ISPM No. 2 (2007), Framework for pest risk analysis

Phytosanitary treatments for regulated pests

5. This ISPM presents in Annex 1 phytosanitary treatments evaluated and adopted by the CPM. It also describes the requirements for submission and evaluation of the efficacy data and other relevant information on a phytosanitary treatment that can be used as a phytosanitary measure and that will be included in Annex 1 after its adoption.

6. The treatments are for the control of regulated pests on regulated articles, primarily those moving in international trade. The adopted treatments provide the minimum requirements necessary to control a regulated pest at a stated efficacy. The scope of this standard does not include issues related to pesticide registration or other domestic requirements for approval of treatments (e.g. irradiation).

7. The CPM:

- (i) *Adopted* as ISPM No. 28: Phytosanitary treatments for regulated pests

Recognition of pest-free areas and areas of low pest prevalence

8. This standard provides guidance and describes a procedure for the bilateral recognition of pest-free areas and areas of low pest prevalence. This standard does not include specified timelines for the recognition procedure. This standard also provides some considerations regarding pest free places of production and pest free production sites.

9. The CPM:

- (i) *Adopted* as ISPM No. 29: Recognition of pest-free areas and areas of low pest prevalence, contained in Appendix 5.
- (ii) *Requested* the Secretariat to provide information on this standard to the WTO SPS Committee.

Establishment of areas of low pest prevalence for fruit flies (Tephritidae)

10. This standard was not approved by the CPM. A working group met during the CPM and it was agreed that the steward would revise the draft ISPM taking into account the comments made in the working group meeting and at the CPM. A final draft would be given to the Secretariat, for submission to the Standards Committee in May 2007, where it was subsequently given priority in their work plan and submitted again for member consultation.

Debarked and bark-free wood

11. This standard was also not approved by the CPM. A working group met and discussed the draft during the CPM and recommended that the CPM send the topic back to the next meeting of the SC and request it to continue its work to develop a draft ISPM. In particular, the SC should consider a two-step approach, i.e. the first step being to work on the development of more detailed text to accompany the definitions and as a second step to consider the relationship between pest risk and bark. The SC should also decide on the best way to move this topic forward urgently, making every effort possible to present a revised draft to the third session of the CPM (CPM 3).

B. IPPC STANDARD SETTING WORK PROGRAMME

12. The Secretariat introduced the IPPC standard setting work programme and the status of topics under development. It was noted that no new proposals for topics for standards were presented. New topics placed on the work programme by technical panels (TPs) with the approval of the SC were also presented.

13. The CPM:

- (i) *Noted* the IPPC standard setting work programme and requested that no new topics be put on the work programme by technical panels through the Standards Committee until the CPM considered the outcome of the **Focus Group on the standard setting process** (see paragraph 27).

C. TERMS OF REFERENCE AND RULES OF PROCEDURE FOR TECHNICAL PANELS

14. The Secretariat introduced a paper on the terms of reference and rules of procedure for technical panels. These had been considered and amended by both the Informal Working Group on Strategic Planning and Technical Assistance (SPTA) and the SC, with the SC approving a final version. Several issues relating to the membership of technical panels were raised which would require further consideration.

15. A common decision was taken for items under I-B, C, D, F and II-A and is reported under paragraph 27.

D. PROCEDURE AND CRITERIA FOR IDENTIFYING TOPICS FOR INCLUSION IN THE IPPC STANDARD SETTING WORK PROGRAMME

16. The Secretariat explained that the original procedures were adopted by ICPM-4 (2002) and were identified as needing to be updated, primarily due to subsequent decisions made at ICPM-6 (2004), which had modified them. Several members indicated that issues such as a link to the aim of the IPPC and biodiversity should be added.

17. A common decision was taken for items under I-B, C, D, F and II-A is reported under paragraph 27.

E. IPPC SURVEY ON BARK ON ISPM NO. 15 MARKED WOOD PACKAGING

18. The Secretariat introduced the survey, indicating that, for the revision of ISPM No. 15, new data on potential pest risks associated with bark on wood packaging marked in accordance with ISPM No. 15 was needed. The Technical Panel on Forest Quarantine, with the approval of the SC, had consequently developed a survey protocol to assist with the collection of the relevant data.

19. The CPM:

- (i) *Encouraged* contracting parties to participate in the survey and submit data to the IPPC Secretariat no later than 31 May 2007.

F. TRANSPARENCY IN THE STANDARD SETTING PROCESS

20. A representative of Brazil, on behalf of Brazil, Chile and Paraguay, introduced a paper relating to transparency in the standard setting process. The aim was to seek the best decision-making procedures and to avoid subsequent changes of priorities. He outlined several recommendations for

improved transparency and highlighted the role of the International Phytosanitary Portal (IPP) for informing contracting parties of their role in all steps of standard setting and to promote full participation.

21. A common decision was taken for items under I-B, C, D, F and II-A is reported under paragraph 27.

II. THE MAINTENANCE OF AN EFFECTIVE AND EFFICIENT ADMINISTRATIVE FRAMEWORK

Modifications to the Rules of Procedure of the Commission on Phytosanitary Measures

Amendment of Rules II and VII of the Rules of Procedure of the Commission on Phytosanitary Measures

22. A CPM Vice-Chairperson referred to the adoption of the rules of procedure of the CPM during CPM-1 (2006) as laid down in Article XI.7 of the IPPC and recalled that CPM-1 had decided to extend the Bureau from three to seven persons (one per FAO region). An amendment of Rule II.1 (Officers) of the rules of procedure had therefore been prepared.

23. Amendment of Rule VII (Observers) was also proposed to specify that any contracting party may attend subsidiary body meetings as an observer.

24. The CPM:

- (i) *Adopted* unanimously Rule II.1 (as amended) and Rule VII of the rules of procedure of the Commission on Phytosanitary Measures (as presented in Appendix 7);
- (ii) *Noted* that a Bureau (consisting of one Chair, two Vice-Chairs and four additional members) would be elected at CPM-3 (2008);
- (iii) *Agreed* that the Bureau would develop its rules of procedures for adoption at a later CPM.

A. UPDATE OF ANNEX I OF THE RULES OF PROCEDURE OF THE CPM ON DEVELOPMENT AND ADOPTION OF INTERNATIONAL STANDARDS

25. The Secretariat introduced the revised Annex I to the rules of procedure of the CPM on the development and adoption of international standards as was requested by CPM-1 (2006). The revised annex outlined the process for the development of ISPMs and was divided into four stages: developing the IPPC standard setting work programme; drafting; member consultation; adoption and publication.

26. A common decision was taken for items under I-B, C, D, F and II-A and is reported below under paragraph 27.

27. The CPM:

- (i) *Decided* to convene a Focus Group to review the IPPC standard setting procedures, in particular areas discussed under CPM-2 agenda items 9.4, 9.5, 9.7 and 10.1.2, and invited members to submit comments to the Secretariat on these agenda items by 1 May 2007;
- (ii) *Decided* that the Focus Group would be composed of 10 persons consisting of one person per FAO region and three other members;

- (iii) *Agreed* that, at the meeting of the SPTA in October 2007, a two-day session be held to analyze the findings of the Focus Group, and that the outcome be considered by the SC and CPM.

Informal Working Group on Strategic Planning and Technical Assistance

Continuation of the CPM Informal Working Group on Strategic Planning and Technical Assistance

28. The Chairperson of the SPTA recalled that CPM-1 (2006) had decided that the SPTA should be formalized and that the enlarged Bureau would form its core group. Proposed terms of reference and rules of procedure had been developed by the SPTA in 2006. It was recommended that the SPTA should not be formalized but remains informal and open-ended to ensure that the whole membership could participate in its work on an equal basis.

29. The CPM:

- (i) *Adopted* the terms of reference and rules of procedure for the SPTA, as amended.

Statement of commitment

30. The document was presented by the Secretariat. The purpose of the document was to ensure that individuals nominated for IPPC bodies such as the SC, expert working groups and technical panels were aware of the work and expectations involved in membership of the bodies before accepting their nomination. The form also encouraged nominees to discuss the nomination and associated commitment with their supervisor and/or government as often experts nominated and selected for bodies were not able to attend meetings because their supervisor or government would not release them. The commitment was not meant to be binding, but rather was seen as a means to communicate the role and responsibility of a nominee for a body and to help the Secretariat ensure that experts were available and would attend meetings.

31. The CPM:

- (i) *Agreed* to the concept of a written statement of commitment from nominees;

Declaration of interests of experts within the framework of the IPPC

32. The declaration was presented by the Secretariat. It was explained that the Director-General of FAO required that the form be submitted by those experts selected by the Director-General or by the Secretariat to take part in FAO meetings. Experts nominated or selected by a government or intergovernmental organization would not have to complete and submit the form. For the IPPC, the need for the use of the declaration form would mostly be limited to those experts chosen in their individual capacity by the Secretariat.

33. The CPM:

- (i) *Noted* the declaration of interests form for experts participating in IPPC meetings as presented in Appendix 12.

Acceptance of documents in electronic format

34. The Secretariat presented a form aimed at identifying those NPPOs and RPPOs that would agree to use electronic versions of documents for correspondence from the IPPC Secretariat that was

sent to all NPPOs and RPPOs. This would not affect the current processes for specific IPPC meetings or FAO Director-General correspondence.

35. The CPM:

- (i) *Requested* contact points in NPPOs and RPPOs to inform the Secretariat by mail before 31 August 2007, if they no longer required hard copies of correspondence.

Business plan

Revised Business Plan 2007 - 2011 (including the Strategic Plan)

36. The revised business plan was presented by a CPM Vice-Chairperson (Ralf Lopian). The revised business plan had been drafted by the Bureau and the Secretariat and was submitted to the CPM through the SPTA. The Bureau considered that it was the business plan of the CPM, not the IPPC, and it presented the vision of the governing body, not of the Convention itself. The Vice-Chair stated that the business plan was based on expectations and projections rather than availability of resources.

37. Members welcomed the new business plan and agreed that it was a useful tool for the promotion of the IPPC with FAO Conference and other relevant bodies. Some minor suggestions for additions and revisions were made. Members supported the proposal for a full-time Secretary of the IPPC.

38. The CPM:

- (i) *Noted* that the business plan had been revised and included a section on the strategic directions for the CPM, which contained seven five-year goals;
- (ii) *Agreed* that the business plan be reconsidered annually by the SPTA in order to recommend whether or not any changes were needed. There should be a major review every five years. The business plan would be supported each year by an annual operational plan, with an associated budget that would describe the activities for the forthcoming year aimed at meeting the five-year goals;
- (iii) *Agreed* that the goals covered the core activities of the CPM.

Operational plan for 2007

39. The Secretariat presented the operational plan (based on the 2006 strategic plan) and associated budget for 2007, which described the activities that would be carried out by the Secretariat using the resources from the FAO regular programme and from the various trust funds. Activities had been prioritized by the SPTA and some would need to remain on hold unless additional funding became available.

40. The CPM:

- (i) *Noted* the anticipated revenues and budgeted expenses for 2007;
- (ii) *Noted* that as no additional contributions to the Trust Fund for the IPPC had been made to date, various activities planned for 2007 may not be undertaken.

Budget for the Trust Fund for the IPPC for 2007

41. The Secretariat presented the budget for 2007 for the Trust Fund for the IPPC, and the proposed allocation of funds. No indication had been received of new contributions in 2007.

42. The CPM:

- (i) *Noted* that as of March 2007, the Secretariat has received no indication from any contracting party of an intention to contribute to the Trust Fund in 2007.

Potential funding arrangements of the IPPC

43. A CPM Vice-Chairperson (Mr Lopian) gave a presentation on potential funding arrangements of the IPPC, reflecting on past funding arrangements and the outcomes of discussions at the SPTA meeting. Voluntary contributions and fees or service charges had been envisaged but it was suggested not to pursue those options. In-kind contributions were considered a favoured way to provide contributions and he suggested that the CPM develop and implement a strategy to encourage such contributions. A promotion strategy for multilateral trust funds was also needed. More project-oriented trust fund contributions could also be promoted. He insisted that providing sufficient staff resources to the IPPC Secretariat was imperative in order to maintain its efficacy.

44. The Vice-Chairperson recalled the Director-General's suggestion, in his opening speech, that a high level ministerial meeting be held. This would contribute to better awareness of the IPPC/CPM, but would require careful planning. He suggested that possible topics could be considered by the SPTA and then presented to CPM-3 (2008) so that such a meeting could be planned for CPM-4 (2009). Many members expressed support for the proposal.

45. The CPM:

- (i) *Decided* that the subject of mandatory assessed contributions should not be further pursued as a mechanism to supplement the IPPC budget, unless in the framework of a possible future general revision of the IPPC;
- (ii) *Decided* that the subject of voluntary assessed contributions should not be further pursued as a mechanism to supplement the IPPC budget, unless recommendations of the independent evaluation of the IPPC or a possible future general revision of the IPPC warranted it;
- (iii) *Noted* investigations made into service charges or fees and the consensus of the SPTA that this was impractical at this time. However, the CPM also noted that it did not preclude investigation of further service charges or fees options that could occur in the future;
- (iv) *Invited* countries to provide in-kind contributions and the IPPC Secretariat to develop and implement a strategy to promote the provision of these;
- (v) *Stressed* again the need for a promotion strategy, developed by the IPPC Secretariat, for the Trust Fund for the IPPC, and for a more project-oriented planning of the activities carried out under the trust fund, with costing of activities and potential donors invited to pledge their financial support to projects;
- (vi) *Agreed* on actions pertaining to the above, and in particular:
 - to promote the establishment of bilateral trust funds;
 - to develop project-oriented planning for the multilateral trust fund for consideration by the SPTA in 2007;

- to develop a promotion strategy to invite contributions to the trust funds for consideration by the SPTA in 2007.
- (vii) *Agreed* that recommendations on topics, goals, agenda and timing for a high level ministerial event for CPM-4 (2009) be prepared by the Bureau with assistance from the IPPC Secretariat to be submitted to CPM-3 through SPTA.

International recognition of pest-free areas

Composition and Terms of Reference for a Working Group to Undertake a Feasibility Study on the International Recognition of Pest-Free Areas

46. The Secretariat presented a follow-on report based on a decision at ICPM-7 (2005) to undertake a feasibility study on the international recognition of PFAs taking into account legal, technical and economic factors, and assess the feasibility and sustainability of such a system. The terms of reference of the working group were developed by a focus group, reviewed by the SPTA and adopted by CPM-1 (2006).

47. The CPM:

- (i) *Agreed* that an open-ended working group be established to undertake a feasibility study on the international recognition of pest-free areas;
- (ii) *Confirmed* that the terms of reference adopted by CPM-1 and revised by CPM-2 be used for the open-ended working group;
- (iii) *Agreed* that the open-ended working group present the results of its study to CPM-4 through the SPTA;
- (iv) *Agreed* that as an outcome of CPM-4 a smaller working group of experts may be established to develop this further.

IPPC evaluation

Update from the IPPC Evaluation Team

48. The evaluation team leader presented the draft report and findings of the evaluation of the IPPC. The evaluation team undertook various activities during the evaluation, such as visiting countries, meeting with NPPOs and RPPOs and sending out a comprehensive questionnaire. The main findings for standard setting, information exchange, technical assistance, dispute settlement, the Secretariat, governance structures and financial resources were outlined.

49. Comments and feedback were given on many aspects of the report. The CPM discussed the need for further consideration of the report prior to its presentation to the FAO Programme Committee in September 2007, and a friends of the chair meeting was convened to discuss the issue. Suggestions, which are detailed below and were endorsed by the CPM, were proposed for an extraordinary meeting of the SPTA to consider.

50. The CPM:

- (i) *Noted* that the final evaluation report would be presented to the FAO Programme Committee at its 98th session in September 2007;

- (ii) *Agreed* that a key opportunity existed to influence the FAO Programme Committee thinking and decisions in September 2007 regarding future funding and support for the IPPC;
- (iii) *Agreed* that an extraordinary meeting of the SPTA should be convened during the week of 18 June 2007 to review the recommendations of the final evaluation report and generate CPM positions and other input for the Programme Committee;
- (iv) *Agreed* that the SPTA should focus on the recommendations that were FAO-relevant, to ensure a coherent and targeted response on decisions affecting the IPPC which fell within the jurisdiction of FAO;
- (v) *Requested* the Secretariat to distribute copies of the final evaluation report as soon as it was available;
- (vi) *Agreed* that only positions established by consensus in the extraordinary meeting of the SPTA would go forward to the Programme Committee;
- (vii) *Agreed* that the SPTA would in its analysis refer to the adopted 5-year business plan to illustrate and support its positions to the FAO Programme Committee;
- (viii) *Agreed* that the same report that went to the Programme Committee would be posted on the IPP;
- (ix) *Encouraged* members to use the report posted on the IPP to inform their respective delegations participating in the FAO Programme Committee, FAO Council and FAO Conference.
- (x) *Noted* that the final evaluation report and its implications for the budget would be further discussed at CPM-3.

III. INFORMATION EXCHANGE

Details on information exchange and the International Phytosanitary Portal (IPP)

51. The Secretariat provided a summary of information exchange activities for 2006 and highlighted areas of work to be undertaken in 2007. There had been a marked increase in the reliability of contact information for IPPC contact points but their maintenance was an ongoing process and relied on countries maintaining the information or providing it to the Secretariat in a timely manner.

52. It was noted that the IPP was being increasingly utilized by contracting parties to meet their information exchange obligations under the IPPC. This was largely as a result of significant capacity building efforts for information exchange under the IPPC over the past 18 months. The capacity building programme was ongoing.

53. The IPP had been available in Arabic as a navigation language since 1 March 2007. Navigation in Chinese should be available by the end of July 2007.

54. The next information management and IPP development phase would include improving data retrieval for official information, revision of the phytosanitary capacity evaluation (PCE) programme, and storage of information in support of the implementation of the IPPC and the management of information for reporting to the CPM.

55. The CPM:

- (i) *Requested* the IPP Support Group to consider the need and if appropriate develop terms of reference for a possible working group for the development of an IPPC information management system. Recommendations by the IPP Support Group should be considered by the SPTA before further consideration by CPM-3.

IV. THE PROVISION OF DISPUTE SETTLEMENT MECHANISMS

56. The IPPC Dispute Settlement Manual and advocacy document had been finalized and would be available in FAO languages by the end of May 2007. The documents would be used to describe the IPPC Dispute Settlement system when it was presented by a CPM Vice-Chairperson to an informal WTO SPS Committee meeting in June 2007.

57. In the future when FAO was consulted by members on phytosanitary disputes, these would be handled by the IPPC Secretariat. FAO may supply "Good Offices" to assist in informal discussions to solve such disputes. The Subsidiary Body on Dispute Settlement (SBDS) would monitor such requests and provide advice as appropriate.

58. Detailed discussions were held on the proposed open-ended working group (OEWG) on compliance scheduled for September 2007. The meeting agreed that discussion at the OEWG would be exploratory in nature and the outcome of the meeting should be discussed by the SBDS and SPTA before going to CPM-4 (2009) for consideration.

Amendment of the Terms of Reference and Rules of Procedure of the SBDS

59. Revised rules of procedure for the SBDS were presented.

60. The CPM:

- (i) *Adopted* the amended rules of procedure for the SBDS.
- (ii) *Agreed* that the SBDS should continue to work in English until additional resources become available.

V. THE DEVELOPMENT OF THE PHYTOSANITARY CAPACITY OF MEMBERS BY PROMOTING THE PROVISION OF TECHNICAL ASSISTANCE

Analysis of the application of the PCE tool

Informal Working Group on Phytosanitary Capacity Evaluation

61. The representative of CAB International reported on the analysis of the application of the phytosanitary capacity evaluation tool (PCE) which was commissioned by ICPM-6. He noted the positive impacts of the PCE with respect to its intended use, in particular on national strategic planning, justification for budgetary allocation, legal frameworks, training and awareness raising. The report noted however that the PCE results were not often used externally, for instance in seeking external funding for phytosanitary capacity building.

62. The report identified possible options for the improvement of the PCE and other tools which could address the broader objectives of the phytosanitary evaluation process.

63. The CPM:

- (i) *Agreed* that the recommendations provided by CABI and the comments of the International Working Group-PCE should be further considered by the 19th Technical Consultation among Regional Plant Protection Organizations and then by the SPTA for final presentation to CPM-3.

VI. PROMOTION OF THE IPPC AND COOPERATION WITH RELEVANT INTERNATIONAL ORGANIZATIONS

Liaison with research, education and other institutes

64. The Secretariat provided a summary of the proposed work programme for Liaison with Research, Education and Other Institutes. It was recommended that the implementation of such a programme depended on extra-budgetary resources and should be viewed as a first phase of work in that area. Further phases of work would be subject to CPM approval.

65. The CPM:

- (i) *Adopted* the work programme
- (ii) *Agreed* that the IPPC Secretariat only implement the adopted work programme if extra-budgetary resources become available.

Report on the promotion of the IPPC and cooperation with relevant international organizations

66. The Secretariat provided a brief overview of cooperation with relevant international organizations. Such cooperation involved, in particular, CAB International, Codex Alimentarius Commission, Convention on Biological Diversity (CBD), International Atomic Energy Agency (IAEA), International Centre for Insect Physiology and Ecology, International Forestry Quarantine Research Group, International Seed Testing Association (ISTA), Standards and Trade Development Facility (STDF), WTO SPS Committee, World Organisation for Animal Health (OIE) and the Montreal Protocol.

67. Informal cooperation continued with Codex Alimentarius and the OIE. The IPPC Secretariat had attended all formal and informal meetings of the WTO SPS Committee and the STDF working group. A conference call meeting between the IPPC and CBD Secretariats had been held and the IPPC Secretariat attended both the meeting of the Conference of the Parties to the CBD (COP) and the COP serving as the Meeting of the Parties to the Cartagena Protocol on Biosafety. In addition the Technical Panel on the Glossary had provided input into the CBD's terminology database for invasive alien species and the CBD Secretariat had provided input to the development of PRA training material. A representative of ISTA had attended a Bureau meeting where funding options were discussed and a combined symposium was considered where the two organizations could present topics for areas of collaboration.

68. The Secretariat indicated that there had been several interactions between the IPPC and Ozone Secretariats (including representatives of the Montreal Protocol), including participation of the IPPC Secretariat in the open ended working group to the Montreal Protocol, and representatives from the Ozone Secretariat participating in the meetings of the Technical Panel on Forest Quarantine and the expert working group (EWG) on alternatives to methyl bromide. The recent EWG involved with drafting a standard on alternatives to methyl bromide had highlighted the need to update the policy on

the use of methyl bromide adopted at ICPM-5 (2003). This was underway and the Secretariat invited experts to contact them to provide input into updating the "Recommendation on the future of methyl bromide for phytosanitary purposes".
