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# COMMISSION ON PHYTOSANITARY MEASURES

<b>Seventh Session</b>
<b>Rome, 19 - 23 March 2012</b>
<b>CPM Rules and Procedure - Election of CPM Chair and Vice-Chairs</b>
<b>Agenda item 5.1 of the Provisional Agenda</b>

1. The attached paper has been submitted by the European Union and its 27 Member States to CPM-7.

## BACKGROUND

The election of the CPM Chair in 2012 appears to be less straightforward than in earlier years. This paper sets out some of the history and explains why European representatives propose that current unwritten rules should be followed, whereby it is Europe's "turn" to nominate the chair, as well as some arguments against using in the future rotation rules based upon FAO-regions.

## HISTORY

At the first election of a Chair, in 1998, there were two candidates, both from OECD countries, one from SW Pacific and one from Europe. At an OECD meeting immediately prior to the plenary session, it was explained that in FAO bodies the chair would rotate between the G-77 and OECD countries, and within OECD, between Europe and non-European countries. Vice-chairs would be from the group which was not nominating the chair. On this basis the European candidate withdrew and the SW Pacific candidate, i.e. from the non-European OECD country, became Chair. A G-77 candidate became the next chair, followed by a chair from OECD-Europe etc. (cf. attachment1 ). As for other FAO bodies and FAO-based organisations there has been unwritten agreement to following this rotation rules and so it is now again Europe's turn to nominate a chair, with G-77 nominating two vice-chairs.

For the 2012 election, however, it has not been possible to reach agreement among the OECD countries on adhering to those unwritten rules. A few countries have recently questioned whether such agreement ever existed.

The rotation allows for equal representation between the G-77 and OECD countries as well as within these two groupings. It is acknowledged that there is some disparity in numbers which means that a G-77 country would need to wait longer for a chance of chairing than an OECD country. However, these unwritten rotation rules have been applied for many years in a range of FAO bodies, and it should be considered why this rotation has for so long been preferred to a system based on FAO regions.

## DISCUSSION

The FAO regions are disproportionate in the numbers of countries included. One FAO region has only two members, while two have around 50, i.e. with a ratio spanning circa 1:25. A system based on rotating the chair around the FAO regions would mean therefore that the opportunity for a country to chair would be markedly unequal. For example, every seventh chair would be from one of the two countries in the region with fewest countries, i.e. each of those countries would have the chair every 14 rounds. By contrast, a country in an FAO region of 50 countries, i.e. Africa or Europe, might have to wait 350 rounds. This should be compared to the far less skewed ratios in the current rotation rules of circa 1:4 between OECD:G77. Clearly a FAO-region based system does not achieve a greater degree of equity in the distribution of positions.

In this connection we note, that one example of the use of a regional system cited in the discussion paper from USA is that of OIE. However, OIE uses 5 regions with membership varying only from 20 to 53; there is therefore much less disparity between regions in their system.

It is recognised that the FAO regions have been used as the basis for nominating participants (and for establishing the number of seats) in the subsidiary bodies, given that this provides some geographical balance. But it does not provide equity in the representation between countries. For example, four countries are always represented on the Standards Committee, while one of those same four and usually two are always represented on both the Bureau and the Dispute Settlement subsidiary body.

## CONCLUSION

An argument put forward for a system based on the FAO regions is that there is a need for a "rules-based" system which is understandable by members. However, we suggest that using FAO regions is

no more rules-based or transparent than the current system. Whilst the unwritten rules of rotation applied up to this year are far from perfect, they are more equitable than a system based on the FAO regions, given the huge disparity in numbers of countries in those regions. The current rules should be maintained and adhered to until a full debate has been held and acceptable arguments made for a change to a different rotation.

The EU and its Member States consider the SPTA should discuss the issue, analyse the pros and cons of expanding the CPM Rules of Procedures to cover the rotation of chair- and vice chairmanship, and agree the most appropriate rules, taking into account aspects of equity, competency and transparency. SPTA may decide whether to recommend the establishment of a working group for discussing the issues.

The SPTA should also consider whether the selection of experts for the Bureau, Standards Committee and the Subsidiary Body for Dispute Settlement on the basis of FAO regions is the best way of ensuring that all member countries have an equal opportunity to participate.

**Attachment 2: Previous CPM Chairpersons**

<b>Chairperson</b>	<b>Period</b>	<b>Country</b>	<b>Category</b>	<b>OECD Group</b>	<b>FAO Region</b>
J. Hedley	1998-2001	New Zealand	OECD	Non-European	Southwest Pacific
F. Canale	2001-2003	Uruguay	G77	n.a.	Latin America & Caribbean
R. Lopian	2003-2005	Finland	OECD	European	Europe
J.C Kadera	2005-2008	Kenya	G77	n.a.	Africa
R. Baste-Tjeerde	2008-2010	Canada	OECD	Non-European	North America
M. Katbeh-Bader	2010-2012	Jordan	G77	n.a.	Near East

**Attachment 2:** Countries by FAO Region, 2005 (not all are IPPC members)

<b><u>Region</u></b>	<b><u>Subregion</u></b>	<b><u>Countries</u></b>
<b>Africa</b>	East Africa	Burundi, Djibouti, Eritrea, Ethiopia, Kenya, Rwanda, Somalia, United Republic of Tanzania, Uganda
	North and West Africa	Algeria, Benin, Burkina Faso, Cameroon, Cape Verde, Central African Republic, Chad, Congo, Côte d'Ivoire, Democratic Republic of the Congo, Equatorial Guinea, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Mauritania, Morocco, Niger, Nigeria, Sao Tome and Principe, Senegal, Sierra Leone, Togo, Tunisia, Western Sahara
	Southern Africa	Angola, Botswana, Comoros, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Swaziland, Zambia, Zimbabwe
<b>Asia</b>	Central Asia	Afghanistan, Iran (Islamic Republic of), Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, Uzbekistan
	East Asia	China, Democratic People's Republic of Korea, Japan, Mongolia, Republic of Korea
	South Asia	Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan, Sri Lanka
	Southeast Asia	Brunei Darussalam, Cambodia, Indonesia, Lao People's Democratic Republic, Malaysia, Myanmar, Papua New Guinea, Philippines, Singapore, Thailand, Timor Leste, Viet Nam
<b>Europe and the Caucasus</b>		Albania, Andorra, Armenia, Austria, Azerbaijan, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Holy See, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Moldova, Monaco, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, San Marino, Serbia and Montenegro <sup>1</sup> , Slovakia, Slovenia, Spain, Sweden, Switzerland, The former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom
<b>Latin America and the Caribbean</b>	Caribbean	Antigua and Barbuda, Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Jamaica, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Suriname, Trinidad and Tobago
	Central America	Costa Rica, Cuba, Dominican Republic, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama
	South America	Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, Paraguay, Peru, Uruguay, Venezuela (Bolivarian Republic of)
<b>Near and Middle East</b>		Bahrain, Egypt, Gaza Strip, Iraq, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Oman, Qatar, Saudi Arabia, Sudan, Syrian Arab Republic, United Arab Emirates, West Bank, Yemen
<b>North America</b>		Canada, United States of America
<b>Southwest Pacific</b>		Australia, Cook Islands, Fiji, Kiribati, Marshall Islands, Micronesia (Federated States of Micronesia), Nauru, New Zealand, Niue, Palau, Samoa, Solomon Islands, Tonga, Tuvalu, Vanuatu