

codex alimentarius commission



FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD
HEALTH
ORGANIZATION



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Agenda Item 2

CX/AFRICA 07/17/2

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JOINT FAO/WHO FOOD STANDARDS PROGRAMME
FAO/WHO COORDINATING COMMITTEE FOR AFRICA
Seventeenth Session, Rabat, Morocco, 23-26 January 2007

**MATTERS ARISING FROM THE CODEX ALIMENTARIUS COMMISSION AND OTHER
CODEX COMMITTEES¹**

**PART 1 - MATTERS ARISING FROM THE 28TH AND 29TH SESSIONS OF THE CODEX ALIMENTARIUS
COMMISSION (FOR ACTION)**

A. Review of the Regional Coordinating Committees (28th CAC)²

1. The Commission agreed to reassert the important role the Coordinating Committees play in furthering the objectives of the Commission and encourage countries to participate more actively and effectively in the work of Coordinating Committees. The Commission further **agreed to encourage** Coordinating Committees to consider any particular items regarding problems arising from food control, food safety concerns and approaches for strengthening food regulatory systems, in accordance with the terms of reference of the Committees and preferably in consultation of the Regional Offices of FAO and WHO.
2. The Commission agreed that Coordinating Committees **were invited** to keep under review their programme of work, taking into account priorities of Committees' work.
3. The Commission agreed to retain the current periodicity of meetings of Coordinating Committees and **invited** Coordinating Committees to consider the use of complementary mechanisms which would improve regional and/or sub-regional communication and coordination.
4. The Commission **agreed to encourage** Regional Coordinators, FAO and WHO to consider organizing relevant regional events such as seminars or workshops in conjunction with the sessions of Coordinating Committees.
5. **The Committee is invited to consider the above recommendations and express their view as appropriate.**

B. Strategic Plan 2008-2013 (29th CAC)³

6. The Commission, concurring with the recommendations made by the Executive Committee⁴, agreed that:
 - (i) The draft Strategic Plan 2008 – 2013 as revised be circulated to all Coordinating Committees for comments, prior to the final adoption by the Commission in July 2007; and

¹ This document contains information on matters arising from the 28th and 29th Sessions of the Codex Alimentarius Commission that require specific action by FAO/WHO Coordinating Committees. The Codex Secretariat will report verbally on matters of horizontal nature as appropriate to the discussion of the Committee.

² ALINORM 05/28/41, paras 128-135

³ ALINORM 06/29/41, paras 152-155

⁴ ALINORM 06/29/3A para 38

(ii) The current format used by the Executive Committee for the Critical Review be replaced with Table 2, Part 3 of the draft Strategic Plan 2008 – 2013, as a new tracking mechanism for effective implementation of the Critical Review.

7. The Committee is invited to comment on the draft Strategic Plan 2008-2013 as contained in Appendix II of ALINORM 06/29/3A.

C. Review of the Codex Committee Structure and Mandates of Codex Committees and Task Forces (29th CAC)⁵

8. The Commission congratulated the Secretariat on the quality of the document ALINORM 06/29/9B Part II Add.1 and decided that a Circular Letter⁶ be prepared to invite government comments on paragraphs 1 to 28 of the document including 11 proposals to give further opportunity to members and observers to study the analysis and proposals before a more detailed discussion would be held at the 59th Session of the Executive Committee and the 30th Session of the Commission. The Commission further **decided to invite** the FAO/WHO Coordinating Committees to discuss the proposals in their upcoming sessions and provide their comments to the Executive Committee and the Commission.

9. The Committee is invited to comment on the proposals as contained in the Annex of CL 2006/29-CAC.

PART 2 - MATTERS ARISING FROM THE 23RD SESSION OF THE CODEX COMMITTEE ON GENERAL PRINCIPLES (FOR ACTION)

A. Terms of Reference of Regional Coordinating Committees⁷

10. The 28th Session of the Commission had considered a proposal from the Coordinating Committee for Latin America and the Caribbean (CCLAC) to include in its terms of reference an additional bullet point: "To promote the adoption of regional positions on strategic subjects." The Commission had referred the proposed amendment and its possible extension to the other Coordinating Committees to the Committee on General Principles (CCGP) for further consideration.⁸

11. The 23rd Session of CCGP considered three options given in document CX/GP 06/23/2 Part I: (i) To endorse the amendment to the terms of reference of the CCLAC for adoption by the 29th Session of the Commission, in which case it would apply only to the CCLAC, (ii) To recommend to apply the same amendment to the terms of reference of all Coordinating Committees immediately; or (iii) To seek the advice of other Coordinating Committees as to whether it should be included in their own terms of reference and reconsider the whole question at the next session of the Committee in the light of their advice.

12. The Committee on General Principles decided to recommend to CCLAC to practice the adoption of regional positions as appropriate while keeping their terms of reference unchanged. The CCLAC was invited to report on their experience to the 24th Session of CCGP. All other Coordinating Committees *were invited to discuss the possible inclusion of the sentence proposed by the CCLAC into their terms of reference* and its possible implications and report their view to the CCGP. The 24th Session of the CCGP would consider this matter again in the light of the feedback from all Coordinating Committees.

13. The Committee is invited to discuss this matter and express their view as appropriate.

B. Respective Roles of the Regional Coordinators and the Members of the Executive Committee Elected on a Geographical Basis⁹

14. The Representative of the Legal Counsel of FAO introduced document CX/GP 06/23/5 Part II. He recalled that, at its 20th Session, the CCGP endorsed a proposal that a Circular Letter be sent seeking the views of the Members as to the respective roles of the Coordinators and the members elected on a geographic basis in the Executive Committee. The Coordinating Committees expressed a range of views which were referred to the Commission at its 28th Session, on the basis of which the Commission recognized

⁵ ALINORM 06/29/41, paras 158-161

⁶ CL 2006/29-CAC

⁷ ALINORM 06/29/33, paras 6 - 18

⁸ ALINORM 05/28/41, para 130

⁹ ALINORM 06/29/33, paras 97 - 105

that there was a need for clarification of the respective roles of the Coordinators and the members elected on a geographic basis, given the new status of the Coordinators as members of the Executive Committee.

15. In this connection, document CX/GP 06/23/5 Part II recalled that the issue was not entirely new as it had been the subject of past debate within the Committee. In 1992 the Committee had expressed the view that while elected on a geographic basis, the members of the Executive Committee, once elected, were expected to ensure that the general concerns and interests of the region were reflected in the Executive Committee decisions and not to present the views of the countries of their region, and that the Coordinators were better placed to be able to ascertain the views of the countries of their region.

16. In the document, the Legal Offices of FAO and WHO put forward two observations of a legal nature. First, the primary function of the members elected on a geographic basis within the Executive Committee should continue to represent the interests of the Commission as a whole, while the Coordinators were expected to represent the interest of the concerned regions or group of countries. Second, the issue was linked to that of the composition of delegations to the Executive Committee. Insofar as except for the Chairperson or Vice-Chairpersons, all other members of the Executive Committee are countries, i.e., Members, not individuals, from a legal point of view there would be no impediment to the delegations including as many individuals as designated by the Member. However, this was obviously subject to such working arrangements intended to facilitate the efficient functioning of the Executive Committee as the Commission may establish.

17. In addition, the Committee agreed to re-examine the item of the respective roles of the Coordinators and the members of the Executive Committee elected on a geographic basis at its forthcoming session. Meanwhile, the Committee *invited delegations to continue to examine this issue*, including as appropriate in the framework of the Coordinating Committees, so that a consensus position on this matter could be reached at its forthcoming session.

18. **The Committee is invited to examine this issue and express their view as appropriate.**