



JOINT FAO/WHO FOOD STANDARDS PROGRAMME
EXECUTIVE COMMITTEE OF THE CODEX ALIMENTARIUS COMMISSION
Seventy-ninth Session

CODEX AND THE PANDEMIC - STRATEGIC CHALLENGES AND OPPORTUNITIES

(Prepared by the Chairperson and Vice-Chairpersons of the Codex Alimentarius Commission with support of the Codex Secretariat)

1 INTRODUCTION

1. The informal meeting of the members of the CCEXEC held on June 18th, briefly discussed a paper on “Codex and the Pandemic - Strategic challenges and opportunities” (see Annex 1) and agreed to continue discussions on this issue informally to prepare some key points for possible consideration by CCEXEC79 (under Item 5 - Other business).
2. Based on these discussions and the information in Annex 1, it is proposed that CCEXEC79 consider the following key points and recommendations and the next steps so as to ensure that Codex is optimally prepared for continuing progressing its work toward accomplishment of the goals established in its Strategic Plan 2020–2025 during and in the aftermath of the current pandemic or other future extraordinary situations.

2 KEY POINTS

3. The ongoing COVID-19 pandemic has highlighted the importance of food safety including the use of international standards to ensure food safety and facilitate fair practices in food trade.
4. Informal meetings with Member countries in different regions have highlighted the commitment of members to continue Codex work under such circumstances and to make optimal use of the existing Codex tools as well as new ones that facilitate the conduct of virtual meetings and the progress of work, whenever physical meetings are not feasible.
5. Any initiatives to adapt to the so-called “new normal” is not about replacing physical meetings. These meetings are important for discussion of complex issues as they are also seen as being more conducive to informal exchanges among delegates with the aim of building consensus and help promote mutual trust and build the Codex interrelationship.
6. Codex needs to have mechanisms by which to continue its work when it is not possible to convene physical meetings. Different options need to be considered (including virtual and hybrid meetings) that would enable Codex to respond effectively to ongoing and new challenges.
7. Clarity and transparency on how such mechanisms would work and when they would be used, is critical in a way that was consistent with Codex core values, especially inclusiveness.

3 RECOMMENDATIONS

8. CCEXEC79 is invited to draft the terms of reference for a CCEXEC sub-committee, open to all CCEXEC members, to take this work forward for consideration by CCEXEC80. These terms might include for example consultation with the wider Codex membership through informal virtual regional meetings to initiate a broader analysis of the impact of the pandemic on Codex work management
9. Without prejudice of other elements, further work should consider the elements outlined in the Annex 1 “Codex and the Pandemic - Strategic challenges and opportunities”.

ANNEX 1

CODEX AND THE PANDEMIC - STRATEGIC CHALLENGES AND OPPORTUNITIES

(Discussion paper prepared on behalf of the Member for the South-West Pacific)

Context

1. COVID-19 that has rapidly spread across the world since the beginning of 2020 has had a huge impact on the work of Codex and many other multilateral institutions. The immediate consequence of the pandemic has been the cancellation of meetings scheduled for the first half of 2020 with the prospect of further cancellations or postponements. The priority of governments around the world has been to protect the health of their populations through strict border controls, travel restrictions both within countries and across borders and enforcement of social distancing requirements. In these challenging times remote working, and use of video and audio conferencing has become the norm to a level that none of us could have imagined even six months ago. The current movement and travel restrictions and uncertainties around when the pandemic will be brought under control are adding to the uncertainties for both member countries and international organizations and programmes like Codex.
2. It is fair to say that the pandemic has also drawn attention to and raised the profile of Codex, its standards and guidelines and their role in protecting consumers and facilitating trade in a time of crisis. In addition, food security and renewed efforts to advance the Sustainable Development Goal 2-Zero hunger- is going to be at the heart of the global response as we climb out of the pandemic. The WHO resolution and its focus on strengthening national food control systems is an example of the critical role Codex can play, partnering and collaborating to improve food safety. This all links to the Commission's Strategic Goal 1 - *address current and emerging issues in a timely manner*, which members have endorsed. Codex cannot do that if it is paralysed by its procedures.

Challenges

3. Even in an optimistic scenario the current pandemic is likely to present significant challenges for Codex in the short to medium term. These include
 - How to ensure that the momentum of work across committees is maintained against the background of significant disruptions to meeting schedules;
 - How to mitigate the impacts of reduced physical participation in future meetings due to budgetary constraints, border restrictions and possible increased costs of travel; and
 - How to ensure that new modes of working including virtual meetings are efficient and effective in advancing the Commission's work programme and consistent with its core values of inclusiveness, transparency, collaboration and consensus building

Opportunities under the 'new normal'

4. While the current challenges facing Codex may seem overwhelming the pandemic also presents significant opportunities and imperatives for a strategic reassessment of meeting structures and modalities against the background of technological advances particularly with regard to remote working and audio/video conference. It is important to note at the outset that there will always be a place and need for physical meetings. Any initiatives to adapt to the new environment is not about replacing physical meetings but to explore and facilitate the uptake and use of equally legitimate alternative mechanisms to deal with the disruptions and ensure that the progress and momentum of work across Codex committees are maintained. It is also important to take a thoughtful and deliberate approach in these extraordinary times.
5. Against the background of cancellation of all of the meetings scheduled for the first half of 2020 and a real prospect of postponement of meetings scheduled for the second half of 2020 it is imperative that the Commission take early steps to:
 - review the implications of the cancellation and rescheduling of meetings for the work programme of Codex;
 - identify and consider the use of alternative mechanisms such as formal and informal virtual meetings of Codex committees and electronic working groups to facilitate the advancement of their work programme; and

- identify and prioritise for rapid advancement, work streams that may have particular relevance for countries as they emerge from the pandemic (e.g. new ways of working and dealing with trade related matters)
6. It is clear even from the limited number of virtual meetings that Codex members have engaged thus far during the COVID-19 pandemic that new technologies could well be made to work for Codex. For example, the successful adoption of its report by the Coordinating Committee for Latin America and the Caribbean (CCLAC) through a virtual meeting held on 11 May illustrates the possibilities. Since then other regional coordinating committees have also held formal/informal meetings to engage with its members. Further the current work that New Zealand (with the support of Germany, Japan and the United States of America) is leading in CCGP on developing procedural guidance for committees working by correspondence has acquired new relevance and its timely progression can greatly assist in providing procedural clarity and promoting greater uptake and confidence in alternative methods of working which may well become the '*new normal*'. It is recognised that any ambiguities about coverage of *virtual meetings* within the current terms of reference of this work will need further consideration.
 7. The current pandemic has brought into sharp focus the need for Codex to embrace new ways of working and future proof the organization and ensure that it continues to function effectively and fulfil its mandate for promoting science based international food standards for health protection and trade.
 8. Some specific opportunities going forward include the following:

Virtual meetings

9. The Commission and its subsidiary bodies have traditionally met at physical sessions held over a specified period of time. This approach has served the organization well and will likely continue albeit with reduced physical participation levels. Physical meetings are important for discussion of complex issues as they are seen as being more conducive to informal exchanges among delegates with the aim of building consensus and help promote mutual trust and build relationships. All these considerations will remain critical going forward and any new ways of working should aim to replicate, as best as possible, opportunities for informal exchanges accorded by physical settings.
10. The pandemic has however introduced a very different global environment where resultant uncertainties around scheduling of physical meetings, immediate and longer term physical and financial constraints on hosting physical meetings international travel and possible new protocols around meeting configuration are all likely to have an impact on the timetable of Codex meetings well into 2021 and beyond. The pandemic might well have exacerbated the difficulties that many members may have faced with regard to physical participation at Codex meetings. Planning for various scenarios and contingencies will be important going forward.
11. In this situation, virtual meetings, both formal and informal, offer real opportunities for the Commission and its subsidiary bodies to manage and advance their work programmes. A priority for all committees will be to minimise the impact of postponement of their regular sessions and explore opportunities to engage with members through formal or informal meetings and maintain the momentum of work. It is evident from the limited number of virtual meetings that Codex members have engaged in thus far that the available technologies could well be made to work for Codex. Many organizations such as FAO and the WHO are already utilising web based platforms to hold virtual meetings in real time and with facilities such as simultaneous interpretation. These virtual meetings have been able to bring members together to promote discussion, make decisions and adopt conclusions and reports.
12. It is also worth noting that virtual meetings offer greater flexibility in scheduling and open up opportunities for more frequent interaction among members both in formal and informal settings. This flexibility can be particularly beneficial in keeping the lines of communication open in these uncertain times.
13. Virtual meetings do have challenges particularly in regard to agenda management, bridging divergent opinions on complex issues (including where meetings may be of shorter durations), managing voting processes and dealing with time zone differences and technological constraints. There are also limitations around the length and duration of virtual meetings. These constraints are not insurmountable and can be managed through careful assessment, planning and coordination. The experience gained already can be helpful as we move forward.

Hybrid meetings

14. Another option available to Codex is the so-called *hybrid* meetings that combine physical and virtual/remote participation. In hybrid meetings, members have the opportunity to participate by remote access as well as through accredited representatives at the location of the meeting. Hybrid meetings may be particularly helpful in situations where members have the option of participating virtually as

well as through accreditation of representatives from local missions. As technology advances and over the longer term, it is possible to envisage a situation where members have the option of participating in Codex meetings both physically as well as by electronic means. In particular it could open up opportunities for a wider range of representatives of member countries and observer organizations (who may not be able to travel to meetings) to participate/observe Codex meetings in keeping with Codex values of transparency and inclusiveness. The procedures and protocols for conduct and management of such meetings will need to be agreed among all members to build confidence and trust and to ensure that such meetings can be managed efficiently and consistent with Codex values. The hybrid approach has been piloted for two physical working groups in 2017 and 2018 with generally positive feedback from participants.

Strategic advisory role of Executive Committee

15. The Executive Committee plays an important role in providing strategic advice and support to the Commission. During the current period of uncertainty the Executive Committee, which brings together representatives from all the regions of Codex, is well placed to promote strategic discussions and advise the Commission on actions/initiatives needed to maintain the momentum of Codex work and addressing longer term issues affecting both Codex and its membership. The planned virtual meeting of the Executive Committee in July 2020 provides an ideal opportunity to initiate this process and agree on next steps.

Codex Trust Fund

16. As noted elsewhere in this paper, COVID- 19 is likely to have a significant economic impact in many countries and could well have an adverse effect on international travel and ability of countries to host and attend physical meetings. One of the major achievements in recent years has been the growth in attendance and participation of developing countries in Codex meetings. The Codex Trust Fund had a significant impact in this area. It is important that the gains made thus far are not undermined. It would in particular be useful for the Trust Fund to widen its focus and address technical and other limitations to both physical and virtual participation.

Conclusions

17. This paper has sought to highlight some of the challenges and opportunities facing Codex at this time and promote their further consideration by the Commission and Executive Committee. While physical meetings have been and will remain fundamental, it is incumbent on Codex to be open to new ways of working and actively use alternative mechanism for consultation, communication and advancement of work. Virtual tools and technology including the availability of simultaneous translation options already offer exciting possibilities and are likely to become even more versatile going forward. Recent experiences in Codex seem to indicate a high level of interest and openness to use of alternative mechanisms to maintain dialogue and to further the achievement of Strategic Goals (particularly 1, 4 and 5) of the Codex Strategic Plan 2020-2025.

Recommendations

18. It is recommended that the Executive Committee:
 - a. Note the challenges and opportunities arising from the disruptions to Codex meeting schedules and work programmes due to the current pandemic;
 - b. Agree that, while physical meetings will be restarted in due course, it is appropriate for Codex to consider how best to enable the use of alternative options such as virtual/hybrid meetings (taking into account the experiences of other international organizations such as FAO, WHO, WTO and OIE) to engage with members and facilitate advancement of the Commission's work programme in a timely manner;
 - c. Consider the options for addressing through the Trust Fund Successor initiative, any short to medium term impediments to participation and attendance at Codex meetings;
 - d. Agree to initiate (led either by the Secretariat or a sub committee of the Executive Committee), in line with Strategic goals 1, 4 and 5 of the Commission's Strategic Plan 2020-2025, a broader analysis of the impact of the pandemic on Codex work management and advise the Commission on actions/initiatives to build resilience and future proof it to advance its work programme using modern tools and approaches consistent with Codex values and ensure that it is well placed to deal with similar events in the future.