



JOINT FAO/WHO FOOD STANDARDS PROGRAMME

EXECUTIVE COMMITTEE OF THE CODEX ALIMENTARIUS COMMISSION

Eighty-second Session

Virtual

20 - 24 and 30 June 2022

A MODEL FOR FUTURE CODEX WORK: INITIAL THOUGHTS

1. INTRODUCTION

1.1 In 2023, the Codex Alimentarius Commission will celebrate its 60th anniversary. Since its first meeting in 1963, Codex has expanded and evolved, and over time adapted its ways of working to the changing environment. Some key events have accelerated change in Codex: Most significant was the recognition of Codex standards as benchmark standards under the WTO SPS agreement and more recently, the COVID-19 pandemic has been a major accelerator of change in terms of working mechanisms and use of technology. The 2030 Agenda for Sustainable Development and the drive for food systems transformation and sustainability are also highlighting the need for Codex to ensure it remains relevant as the world changes.

1.2 The eighty first session of the Executive Committee of the Codex Alimentarius Commission (CCEXEC81) in its ongoing considerations of the Codex response to the COVID-19 pandemic¹ recognized both the opportunities and challenges the global crisis presented. Considering both recent and past experience and the broader global food context, CCEXEC81 agreed to lead the development of a blueprint for the future of Codex for consideration by CAC on its 60th anniversary in 2023².

1.3 It was noted that the process would begin in the first quarter of 2022 with communication and outreach to Members and observers to collect general views on a model for future Codex work. CCEXEC Members would then consider the input from Members and observers; review the information made available to CCEXEC81³ as well as in post-meeting and event surveys; develop a zero-draft proposal; and define the subsequent steps in the process.

1.4 This was supported by the 44th session of the Codex Alimentarius Commission (CAC44)⁴, which also highlighted the importance of ensuring there were opportunities for all Members and observers to contribute to the process.

2. PROCESS

2.1 The process which is currently being led by the Chairperson and Vice-Chairpersons of the Commission and the Codex Secretariat has been adapted in light of the scheduling of CAC46 to the end of 2023, and the opportunity this presents for CCEXEC84, scheduled for July 2023 to dedicate time to the consideration of this issue following a one year period of consultation with all relevant stakeholders (March 2022 to March 2023). Key stakeholders identified within the Codex structure as a starting point for

¹ CX/EXEC 21/81/4

² REP21/EXEC2, paragraph 85

³ CX/EXEC 21/81/4

⁴ REP21/CAC, paragraph 12 (v)

consultations, comprise the Chairpersons of subsidiary bodies, host countries of active committees, Regional Coordinators, and the parent organizations FAO and WHO. Informal consultations have been held with these stakeholders between March and June 2022. These have focused on several aspects of Codex work, taking into consideration also other recommendations of CCEXEC81 regarding meeting schedules and the role of electronic working groups (EWGs)⁵. In this context, the consultations to date, which have taken the format of virtual meetings, addressed the following issues:

- Meeting format (physical, virtual, mixed models)
- Meeting schedule
- Electronic working groups and other virtual pre-meeting working mechanisms
- Terms of Reference of Committees including Coordinating Committees

2.2 Section 3 provides an overview of the input from these initial consultations. Information received through post-meeting surveys has also been considered, much of which is already summarized in CX/EXEC 21/81/4. These consultations were considered as an important first step to facilitate the development of a more structured consultation with Members and Observers in the second half of the year. The issue of the Future of Codex was also being raised at CCEURO32 which met in May 2022 and the sessions of the Coordinating Committees, four of which will take place in 2022 and two in the first half of 2023, provide an opportunity for consultation with Members.

3. OVERVIEW OF INITIAL ROUND OF STAKEHOLDER CONSULTATIONS

3.1 Meeting format

3.1.1 The value of virtual meetings, particularly in ensuring that Codex work continued when physical meetings were not possible and the opportunities they presented for more Members and observers and larger delegations to join meetings, has been well recognized and appreciated. Their contribution to the Codex core value of inclusivity cannot be understated. However, after over two years of a completely virtual Codex, the need for a physical dimension to Codex meetings, to rekindle existing and build new relationships between its members as the foundation of the Codex consensus building process was expressed.

3.1.2 There is an opportunity moving forward to combine the benefits of both physical and virtual meetings, although what such an approach might look like has to be defined and may not be a single approach, but rather different formats according to the committee and/or agenda. Issues identified for consideration in determining such approaches included costs of the approach, management of both virtual and physical participants, time zone issues, technology and ensuring equity of participation. Approaches identified ranged from fully integrated physical and virtual participation, and different blends of the two, to alternating between fully physical and fully virtual meetings, thus highlighting the spectrum of options to be considered with different degrees of physical and virtual participation as appropriate. It was noted that having a single definition for hybrid (or whatever the appropriate nomenclature might be for such meetings) may be limiting and it was important to ensure Codex had the flexibility to work efficiently and effectively according to the task and context

3.1.3 Even as a strong desire to ensure physical elements remain part of Codex working mechanisms, was expressed, the challenges of some Members to attend physical meetings was acknowledged and the inclusivity afforded to them the past two years should not be lost.

3.1.4 While it was recognized that uncertainty is not easy to manage, it was also pointed out that technology is rapidly advancing and the means of virtual participation in the not-too-distant future could be much more advanced than today's options. Hence, retaining a flexible approach and continuing a dialogue with Members and observers on identifying options that balance in-person and virtual participation in Codex is crucial.

3.1.5 In conclusion, key points from the consultations to date include (i) the retention of a flexible approach balancing in-person and virtual participation; and (ii) clarity on the factors that should be used by

⁵ REP21/EXEC2: para 84 (ii) and (iv)

host countries, the Codex Secretariat, FAO and WHO to judge an appropriate balance for each committee meeting on a case-by-case basis, with retaining inclusivity being foremost among these.

3.2 Meeting schedule

3.2.1 The need for planning meetings sufficiently ahead has often been expressed in CCEXEC and CAC and by host countries of Codex Committees to ensure budgets can be procured and participation can be incorporated into national planning. This conflicts with the need for flexibility and adaptability to changing circumstances and a needs based approach.

3.2.2 The consultations highlighted, how Chairpersons of subsidiary bodies could play an important role, working with the Secretariat and their committees to develop more medium term work plans for their committees to facilitate planning and scheduling over 4 to 5 year periods, incorporating different work mechanisms as appropriate. For coordinating committees, the consultations highlighted that there was also space for flexibility with a particular emphasis on the need for ongoing engagement between formal sessions.

3.2.3 Further engagement with Chairpersons and Regional Coordinators, FAO and WHO to develop the ideas identified in the initial consultations could be a useful component of the next phase of work.

3.2.4 In conclusion, the consultations highlighted the necessity to develop an approach to needs-based scheduling of meetings that allows us to make best use of time in the Codex calendar, while still allowing host countries to budget and plan effectively.

3.3 Electronic working groups and other virtual pre-meeting working mechanisms

3.3.1 Many recognize EWGs as the engine to the standards development work of Codex and their value in progressing work when Codex sessions could not be convened in the early days of the pandemic was fundamental to minimizing the impact of the crisis on standards development. There was general recognition that ever-improving technology can further enhance EWGs from the potential to discuss virtually to updating the platform used by EWGs.

3.3.2 Participation in EWGs can be challenging, first because of the sheer number of EWGs and limited resources in Member countries as well as in FAO and WHO and observers. This may make it difficult to ensure the best chairing and participation of the top experts for all EWGs.

3.3.3 Among the suggestions made to get the most out of EWGs were: providing the opportunity for more real time interaction in these EWGs; highlighting the important role they play (including by Regional Coordinators); building ownership around the results of EWGs; more communication on and championing of the huge investment made by the chairs and participants to EWGs; increased use of languages, ensuring adequate time was provided to undertake their tasks; and providing more support to EWG chairpersons.

3.3.4 While some of these aspects can be addressed under ongoing initiatives such as the implementation of Goal 5 of the Codex Strategic Plan (work in progress on the Codex website and forum due for completion late 2022/early 2023), communications activities, outreach by Regional Coordinators, and other aspects such as increased language use have resource implications and will need support from the wider Codex Membership to implement.

3.3.5 In conclusion, the consultations to date highlight that a plan to fully realize the potential of EWGs and other pre-meeting working mechanisms requires further engagement with Codex Members and observers as it critically requires their support to and participation in these working mechanisms.

3.4 Terms of Reference of Committees including Coordinating Committees

3.4.1 Terms of Reference for general and commodity committees was considered from an overarching perspective in the context of providing the flexibility to address new issues within the current Codex structure in the future. Feedback indicated that this was an issue for the consideration of Members, with Chairpersons and host secretariats committed to supporting Codex work in line with the recommendations of the Codex Alimentarius Commission.

3.4.2 With regard to coordinating committees, feedback was sought from Regional coordinators, FAO and WHO on the existing terms of reference with aspects such as definition of emerging issues, promoting

engagement in Codex and highlighting regional issues and standards needs for the region considered particularly important. Coordinating regional food standards work and developing regional standards were identified as lower priority although there was significant variation in the views expressed. It was noted that further consideration of the roles of coordinating committees could be important moving forward but wider input on a regional basis should be sought before drawing any concrete conclusions.

3.4.3 In conclusion, the terms of reference of general and commodity committees and the coordinating committees should be kept under review by CCEXEC to advise CAC as needed.

3.5 Other issues

3.5.1 In the course of these consultations some other issues arose that may need further consideration moving forward. Noting the global efforts to achieve the 2030 Agenda and the focus on food system transformation for sustainable food production it was questioned whether Codex might need to review its mandate to ensure it continues to have a key role to play in standard setting, or whether its current mandate is sufficiently flexible to incorporate.

3.5.2 Other aspects raised were more at the working level such as how Regional Coordinators could be better supported to undertake their role particularly in the CCEXEC (e.g should they be permitted to have an adviser considering their role to bringing the views of all Members in their region to the CCEXEC). Also, practical issues were highlighted including funding models for Codex meetings and how that would be influenced by new working models; and where responsibility for provision of technical platforms should lie, among others.

3.5.3 In conclusion, it is important to ensure that consultations on the Future of Codex remain open so that, stakeholders can raise all issues they consider relevant for reflection and consideration as part of the process to develop a blueprint for the future of Codex.

4. CONCLUSIONS AND RECOMMENDATIONS

4.1 The first round of consultations has been rich in terms of input received and suggestions made on a wide range of aspects of Codex work. The key messages received can be summarized as the need to think about how Codex can work successfully and flexibly adapt to a changing environment while having a predictable approach that will allow Members to plan for and secure resources to engage in Codex work, making appropriate use of technology and maintaining inclusiveness.

4.2 The stakeholders consulted to date confirmed their strong engagement with and commitment to Codex work as well as their desire to continue contributing to the discussions on the future of Codex. In addition, the need to seek input from Codex Members and observers was noted.

4.3 CCEXEC82 is invited to reflect on the conclusions of the consultations to date and raise any other key aspects for consideration and provide its feedback on the following proposed next steps:

- Provide space in the upcoming meetings of the Coordinating Committees to discuss this issue;
- Prepare a Circular Letter to all Members to seek their input on key aspects such as the model that will ensure Codex can work successfully and effectively in the changing global context;
- Continue outreach with Chairpersons of subsidiary bodies, host countries of committees, Regional Coordinators and the parent organizations FAO and WHO as well as identifying informal opportunities to consult with Members and Observers; and
- Establish a sub-committee of the CCEXEC to work closely with the Codex Secretariat, and in an open and transparent manner that would facilitate input from all Members and observers, to review the information received and prepare a paper on a future model for Codex for consideration by CCEXEC84 that would serve as the basis for a recommendation to CAC46.