

CODEX ALIMENTARIUS COMMISSION



Food and Agriculture
Organization of the
United Nations



World Health
Organization

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Agenda Item 4, 6, 7

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CODEX COMMITTEE ON GENERAL PRINCIPLES

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Comments of South Africa

Agenda item 4 - Procedural guidance for Committees Working by Correspondence

South Africa would like to thank the work of the electronic working group (EWG) chaired by New Zealand and the co-chairs. While South Africa supports and appreciates the progress made by the EWG that was set up to deal with the procedural issues of committees working by correspondence, there are certain aspects that require clarification.

- (i) There should be clear definition of what is 'working by correspondence'. If this may include the use of virtual technology and conference calls for informal discussions and working groups. How will the committee decide amongst the different virtual technology platforms? A suitable platform should be identified and agreed upon as some countries might experience challenges.

In the absence of clear definition there should be clear guidance on the use of virtual technology and conference calls for informal discussions and working groups. This was also raised in the CAC43, wherein the Sub-Committee was requested to determine the modalities implored by other UN agencies and develop guidance in terms also taking into account Time Zones, connectivity etc. This was made clear in para 26 (Optimizing virtual Codex meetings) of the CAC43 Report.

- (ii) Whereas there are some of the Sections which should be made clearer:

Section 6 - Inclusiveness, participation and languages: There may at times be justification for flexibility where financial and technical constraints limit the extent to which translations could realistically be provided. Given the importance of inclusiveness and transparency, any proposal to deviate from the requirement to operate in not less than three of the working languages of the Commission should be based on careful consideration of all relevant factors. It is the responsibility of the host government to ensure adequate funding for translation of not only of working documents but to include interpretation during discussions over virtual correspondence/platforms. The same rules that apply to physical meetings of committee and working groups should also apply to CWBC with respect to inclusiveness, participation and languages for CWBC.

Section 8 - Interpretation of silence – The Procedure Manual is silent or rather not clear if any on the provisions for "Interpretation of silence".

Section 9 - Advancement of standards and related texts - South Africa request for clarity regarding the provisions for Options. It is not clear why the "Options for the Chairperson when a CWBC is not able to progress work" are provided whereas the Rules of Procedure of the Commission should apply mutatis mutandis to CWBC, there are no "Options" provided for other Subsidiary bodies.

Section 9 – Voting - CWBC should also comply with the Conduct of Meetings in the Guidelines on the Conduct of Meetings of Codex Committees and ad hoc Intergovernmental Task Forces, Section III: Guidelines for Subsidiary Bodies, Procedural Manual (27th Edition)

Agenda item 6 - Format and structure of the Codex Procedural Manual

Section 3 - South Africa welcomes and support the review by the Secretariat on the proposed new format of the PM to change to the digital format. The different Sections should also be well referenced even when they are transferred to the different parts of the Codex website, including the use of hyperlinks as in the structure of the current edition of the Procedure Manual.

Section 4 – South Africa is of the opinion that the need for any amendments or substantive reviews, as might be identified by the Secretariat should only be made in consultation with all Members before inclusion in the PM. The matter was also considered by 79th CCEXEC as part of the proposal in para. 28 of CX 21/32/2.

As part of future considerations, the SA would urge members to revisit the different Sections of the PM to consider proposals, which could be part of possible additions and revisions. The proposal to for the Secretariat should also consider improving and updating of Section I (Basic text and Definitions) – the new definitions as used in Codex (e.g. Committees working by Correspondence; Antimicrobial Resistance) should be considered.

Agenda item 7 - Discussion paper on monitoring the use of Codex standards

South Africa would like to thank France for preparing the Discussion paper on Monitoring the use of Codex standards. This paper forms the basis for further discussions on Monitoring the 'Use' of Codex Standards, which has been done over a period time including as part of the Strategic Plan 2014 – 2019. There has always been a need for analysis and to enable the Codex Secretariat to produce a report from the surveys conducted. The information provided in paragraph 2.2, is clear of how organizations like OIE and ISO has over the years been able to collect data of the use of their standards. South Africa supports the need to have a systematic framework that could be used to collate the required information in additions to the previous surveys conducted the parent organizations and other Standards setting bodies which most Codex members participate.

The following specific comments are made to the following paragraphs:

Recommendation 1 (paragraph 6.6) – There is a need for the term “use” to be correctly explained as it might be differently understood. Some of the member countries “use” Codex Standards as they are adopted and/or are referenced in their domestic legislation. Some countries consider parts of Codex Standards when developing domestic legislation.

Recommendation 2 (paragraph 6.7) – South Africa can support that Codex should establish a method to list existing data and identify the main gaps. This is supported considering that already a per comment in para. 6.6. There information required would have been part of the previous surveys. Codex also could learn from lessons of the mechanisms introduced by other international organizations, especially those of relevance in the health field (OIE, IPPC, ISO).

Recommendation 4 (paragraph 6.9) – South Africa **does not** support this recommendation as in paragraph 6.9.1 – Already the Codex Secretariat has been tasked by the CAC43 to consider the mechanisms from other international standard setting bodies. To ask the already fully committed Secretariat staff with addition work of carrying out the preliminary definition and/or mapping work should not be supported.

Recommendation 5 (paragraph 6.10) – South Africa supports this recommendation as this is in line with the recommendation already made by the CAC43 for the Secretariat to explore mechanisms implored by the OIE, ISO and IPPC.

Recommendation 6 (paragraph 6.11) - South Africa support the suggestion for CCGP to request the Codex Secretariat draft the annual progress report which will have to be presented to Codex Members as part of Objective 3.3 of the Codex Strategic Plan 2020-2025 (“Progress on the development of a mechanism to measure impact of Codex standards”). This would serve the importance of identifying gaps in the implementation of the current Strategic Plan 2020 - 2025