

codex alimentarius commission

FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD HEALTH
ORGANIZATION

JOINT OFFICE: Viale delle Terme di Caracalla 00100 ROME Tel: +39(06)5701 Telex: 625825-625853 FAO I Email: Codex@fao.org Facsimile: +39(06)5705.4593

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TO: Codex Contact Points
Interested International Organizations

FROM: Chief, Joint FAO/WHO Food Standards Programme
FAO, Viale delle Terme di Caracalla, Rome, Italy

SUBJECT **Proposed Draft Principles Concerning the Participation of International Non-Governmental Organizations in the Work of the Codex Alimentarius Commission**

DEADLINE: 31 December 1998

COMMENTS

To:

M. Philippe MARTINEAU
SGCI/CODEX
Carré Austerlitz
2 boulevard Diderot
75572 Paris Cedex 12

Copy:

Chief,
Joint FAO/WHO Food Standards
Programme
FAO
Viale delle Terme di Caracalla
00100 Rome, Italy

Fax : +33.1 44 87 16 04

Email : sgci-codex-fr@sgci.finances.gouv.fr

Fax: +39.06.5705.5493

Email: codex@fao.org

Background:

The 13th Session of the Codex Committee on General Principles (Paris, 7-11 September 1998) considered proposed draft guidelines for the participation of International Non-governmental Organizations (NGOs) in the work of Codex.¹ The Committee welcomed the Secretariat's proposals contained in document CX/GP 98/11-Part 1 as contributing to the process of transparency and clarity in decision-making in the framework of the Joint FAO/WHO Food Standards Programme. The Committee noted that the proposals related only to the procedures for granting "Observer Status" to NGOs in Codex under the provisions of Rule VII of the Commission's Rules of Procedure and did not relate to the participation of NGOs in national delegations, as the composition of national delegations was a matter for national governments to decide.

Several Delegations questioned the proposal that where several NGOs were active in a given field of the Commission's activity, that in principle only one should be granted Observer status on the basis that this would discourage the open participation of many NGOs which contribute positively to the Codex process. Other Delegations felt that this provision was helpful. The Committee decided to place the provision in square brackets and ask for further comments.

Request for Comments:

¹ ALINORM 99/33, paragraphs 70-76.

Governments and international organizations are invited to submit comments on the attached Proposed Draft Guidelines in writing to the addresses given above **before 31 December 1998**. Particular attention is requested in regard to the text contained in square brackets in Section 4.2.

PROPOSED DRAFT PRINCIPLES CONCERNING THE PARTICIPATION OF INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS IN THE WORK OF THE CODEX ALIMENTARIUS COMMISSION

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1 PURPOSE

The purpose of collaboration with International Non-Governmental Organizations is to secure for the Codex Alimentarius Commission, expert information, advice and assistance from international non-governmental organizations and to enable organizations which represent important sections of public opinion and are authorities in their fields of professional and technical competence to express the views of their members and to play an appropriate role in ensuring the harmonizing of intersectoral interests among the various sectoral bodies concerned in a country, regional or global setting.

Arrangements made with such organizations shall be designed to advance the purposes of the Codex Alimentarius Commission by securing maximum cooperation from International Non-Governmental Organizations in the execution of its programme.

2 TYPES OF RELATIONSHIP

Only one category of relationship shall be recognized, namely “Observer Status”; all other contacts, including working relations, shall be considered to be of an informal character.

3 ORGANIZATIONS ELIGIBLE FOR “OBSERVER STATUS”

The following shall be eligible for Observer Status:

- International Non-Governmental Organizations in consultative status, specialized consultative status or liaison status with FAO;
- International Non-Governmental Organizations having official relations with WHO; and
- Non-Governmental Organizations which:
 - (a) are international in structure and scope of activity, and representative of the specialized field of interest in which they operate;
 - (b) are concerned with matters covering a part or all of the Commission’s field of activity;
 - (c) have aims and purposes in conformity with the Statutes of the Codex Alimentarius Commission; and
 - (d) have a permanent directing body, authorized representatives and systematic procedures and machinery for communicating with its membership in various countries. Its members shall

exercise voting rights in relation to its policies or action or shall have other appropriate mechanisms to express their views.

4 PROCEDURE FOR OBTAINING “OBSERVER STATUS”

4.1 INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS HAVING STATUS OR OFFICIAL RELATIONS WITH FAO AND WHO

“Observer status” shall be accorded to those International Non-Governmental Organizations in consultative status, specialized consultative status or liaison status with FAO or International Non-Governmental Organizations having official relations with WHO that inform the Secretary of the Codex Alimentarius Commission of their desire to participate in the work of the Commission or any one or several of the Commission’s subsidiary bodies² on a regular basis. They may also request invitations to participate at specific sessions of the Commission or its subsidiary bodies on an *ad hoc* basis.

4.2 NON-GOVERNMENTAL ORGANIZATIONS NOT HAVING STATUS OR OFFICIAL RELATIONS WITH FAO AND WHO

Before any form of formal relationship is established with a Non-Governmental Organization, such Organization shall supply the Secretary of the Commission with the information outlined in the Annex to these Procedures. The Secretary shall transmit this information to the Directors-General of FAO and WHO.

Upon confirmation that the Directors-General are satisfied that the applicant Organization is in a position to make a significant contribution in advancing the purposes of the Codex Alimentarius Commission, Observer Status shall be granted to the applicant Organization.

[When several international non-governmental organizations are active in any field of the Commission’s activity, in principle only one should be granted Observer Status. Every opportunity will be taken to encourage such organizations to form themselves into a federation or an association. Every opportunity should also be taken to include national non-governmental organizations in national delegations to Codex meetings.]

Observer Status at specific meetings will not normally be granted to individual organizations that are members of a larger organization authorized to represent them at these meetings.

5 PRIVILEGES AND OBLIGATIONS

International Non-governmental Organizations in Observer status shall have the following privileges and obligations:

5.1 PRIVILEGES OF INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS IN “OBSERVER STATUS”

An Organization in Observer Status:

- (a) shall be entitled to send an observer (without the right to vote) to sessions of the Commission, who may be accompanied by advisers; to receive from the Secretary of the Commission, in advance of the session, all working documents and discussion papers; to circulate to the Commission its views in writing, without abridgement; and to participate in discussions when invited by the Chairperson³;
- (b) shall be entitled to send an observer (without the right to vote) to sessions of specified Subsidiary Bodies, who may be accompanied by advisers; to receive from the Secretaries of the Subsidiary Bodies, in advance of the session, all working documents and discussion papers; to circulate to these Bodies its views in writing, without abridgement; and to participate in discussions when invited by the Chairperson³;

² The term “subsidiary bodies” means any body established under Rule IX of the Commission’s Rules of Procedure.

³ An invitation to a Codex meeting and representation thereat by an observer shall not imply the granting to an international non-governmental organization of a status different from that which it already enjoys.

- (c) may be invited by the Directors-General to participate in meetings or seminars on subjects organized under the Joint FAO/WHO Food Standards Programme which fall within its fields of interest, and if it does not so participate it may submit its views in writing to any such meeting or seminar;
- (c) will receive documentation and information about meetings planned on subjects agreed upon with the Secretariat;
- (d) may submit, under the authority of its governing body, written statements on matters before the Commission, in one of the languages of Commission, to the Secretary, who may communicate them to the Commission or the Executive Committee as appropriate.

5.2 OBLIGATIONS OF INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS IN “OBSERVER STATUS”

An Organization in Observer Status shall undertake:

- (a) to cooperate fully with the Codex Alimentarius Commission for the furtherance of the objectives of the Joint FAO/WHO Food Standards Programme;
- (b) in cooperation with the Secretariat, to determine the ways and means of co-ordinating activities within the scope of the Joint FAO/WHO Food Standards Programme, with a view to avoiding duplication and overlapping;
- (c) to contribute, as far as possible, and at the request of the Directors-General, to the promotion of a better knowledge and understanding of the Codex Alimentarius Commission and the Joint FAO/WHO Food Standards Programme through appropriate discussions or other forms of publicity;
- (d) to send to the Secretary of the Commission its reports and publications on an exchange basis;
- (e) to keep the Secretary of the Commission informed of changes in its structure and membership, as well as of important changes in its secretariat.

6 REVIEW OF “OBSERVER STATUS”

The Directors-General may terminate arrangements for Observer Status which are no longer considered necessary or appropriate in the light of changing programmes or other circumstances, and will report such action to the Commission.

An international non-governmental organization in Observer Status which has not shown any interest or has not attended any meetings during a period of four years may be deemed not to have sufficient interest to warrant the continuance of such relationship.

The Secretary shall report to the Codex Alimentarius Commission on the relations between the Codex Alimentarius Commission and international non-governmental organizations established in accordance with the present Procedures and shall provide a list of organizations granted Observer Status.

The Commission shall periodically review these principles and procedures and shall consider, as necessary, any amendments which may seem desirable.

ANNEX: INFORMATION REQUIRED OF NON-GOVERNMENTAL ORGANIZATIONS REQUESTING “OBSERVER STATUS”

1. Official name of the organization in different languages (with initials)
2. Full postal address, Telephone, Telex address, Facsimile and Email as appropriate
3. Aims and subject fields (mandate) of organization, and methods of operation. (Enclose charter, constitution, by-laws, rules of procedures, etc.)
4. Member organizations (name and address of each national affiliate, method of affiliation, giving number of members where possible, and names of principal officers. If the organization has individual members, please indicate approximate number in each country)
5. Structure (assembly or conference; council or other form of governing body; type of general secretariat; commissions on special topics, if any; etc.)
6. Meetings (indicate frequency and average attendance; send report of previous meeting, including any resolutions passed)
7. Relations with other international organizations:
 - UN and organs (indicate consultative status or other relationship, if any)
 - UN Specialized Agencies (indicate consultative status or other relationship, if any)
 - Other international organizations
8. Expected contribution to the Joint FAO/WHO Food Standards Programme
9. Past activities on behalf of, or in relation to, the Codex Alimentarius Commission and the Joint FAO/WHO Food Standards Programme (indicate any relationship by national affiliates with the Regional Coordinating Committees and/or the National Codex Contact Points or Committees)
10. Area of activity in which participation as an observer is requested (Commission and/or Subsidiary Bodies)
11. Language in which documentation should be sent (English, French or Spanish)
12. Name, Function and address of the person providing the information
13. Signature and date