

codex alimentarius commission



FOOD AND AGRICULTURE
ORGANIZATION
OF THE UNITED NATIONS

WORLD
HEALTH
ORGANIZATION



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Agenda Item 8

CX/GP 04/21/9

JOINT FAO/WHO FOOD STANDARDS PROGRAMME CODEX COMMITTEE ON GENERAL PRINCIPLES

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Twenty-first (Extraordinary) Session
Paris, France, 8-12 November 2004

CONSIDERATION OF AN AMENDMENT TO THE RULES OF PROCEDURE ON THE RIGHT TO ADDRESS THE CHAIR

Background

1. The report of the *Joint FAO/WHO Evaluation of the Codex Alimentarius Commission and Other FAO and WHO Work on Food Standards* considered the working procedures of Codex Committee and Task Forces. Under *Section 4.4.3.5 A Clearer Definition of Committee and Task Force Working Procedures*, the question of delegations to meetings was discussed as follows:

129. Delegations to meetings: Codex is reliant on member governments sending informed and appropriate delegations to committee meetings. Comments in the questionnaire and call for comments suggest that on occasion government delegations have been headed by representatives of NGOs who promote a particular interest and may block the progress of committee work. Whilst Codex cannot impinge on the rights of sovereign states, steps could be taken by Codex to tighten its checks on credentials and issue a guideline that delegation heads should clearly and formally represent the member government.

2. This question was addressed in document ALINORM 03/26/11-Add. 4: *Review of the Rules of Procedure and Other Procedural Matters* prepared for consideration by the 26th Session of the Codex Alimentarius Commission as a follow-up to the recommendations of the *Evaluation*. The document noted the concerns expressed in the *Evaluation* Report about the composition of national delegations to Codex Committees and the right of non-government advisors in these delegations to speak. The document therefore proposed that a new rule might be considered to address this issue, under *Proposal No. 27: Right to address the Chair*.

3. The 26th Session of the Commission decided to ask the Committee on General Principles to consider a new Rule, based on a comparable Rule of the World Health Assembly¹ to the effect that "In plenary meetings of the Commission, the chief delegate may designate another delegate who shall have the right to speak and vote in the name of his or her delegation on any question. Moreover, upon the request of the chief delegate or any delegate so designated the Chairperson may allow an adviser to speak on any particular point" (ALINORM 03/41, para. 173).

Proposal for consideration by the Committee

4. Following the decision of the Commission, the Committee is invited to consider the inclusion of a new rule in the Rules of Procedure, to be inserted in current *Rule V – Sessions* between paragraphs 4 and 5, as follows:

¹ Rule 19 of the Rules of Procedure of the World Health Assembly

Rule V - New Paragraph 5

In plenary meetings of the Commission, the representative of a Member may designate an alternate who shall have the right to speak and vote in the name of his or her delegation on any question. Moreover, upon the request of the representative or any alternate so designated, the Chairperson may allow an adviser to speak on any particular point.

(Current paragraphs 5 and 6 shall be renumbered accordingly)

5. The Committee may also note that in the *Guidelines on the Conduct of Meetings of Codex Committees and Ad hoc Intergovernmental Task Forces*, under Conduct of Meetings (third paragraph), the right to speak in meetings of Codex subsidiary bodies is addressed as follows:

Only the chief delegates of members, or of observer countries or of international organizations have the right to speak unless they authorize other members of their delegations to do so.²

² Procedural Manual, 14th edition (to be published)