

# codex alimentarius commission



FOOD AND AGRICULTURE  
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Agenda Item 5 (b)

CX/GP 07/24/5 Part II

**JOINT FAO/WHO FOOD STANDARDS PROGRAMME  
CODEX COMMITTEE ON GENERAL PRINCIPLES  
Twenty-fourth Session  
Paris, France, 2 - 6 April 2007**

**RESPECTIVE ROLES OF THE COORDINATOR AND THE MEMBER ELECTED ON A  
GEOGRAPHIC BASIS IN THE EXECUTIVE COMMITTEE**

## **BACKGROUND**

1. The issue of the respective roles of the Coordinator and the member of the Executive Committee elected on a geographical basis has been under review by the Committee on General Principles for a few years. On the basis of discussions in the Committee and the Coordinating Committees, the Commission recognized at its 28<sup>th</sup> Session, in 2005, that there was a need for clarification of the respective roles of the Coordinators and the members elected on a geographic basis, given the new status of the Coordinators as members of the Executive Committee.

2. At the last Session of the Committee<sup>1</sup> the respective roles of the Coordinator and the Member elected on a geographic basis were discussed on the basis of a detailed paper presented by the Legal Offices of FAO and WHO<sup>2</sup> which explained the history and recent developments concerning this issue and related topics.

3. At that Session of the Committee, many delegations concurred with the view that the roles of the Coordinators and the members elected on a geographic basis should be differentiated. In this regard, the Committee noted a position shared by a substantial number of Members whereby the members elected on a geographic basis were expected to act within the Executive Committee in the overall interests of the Commission as a whole, while the primary role of the Coordinators was to present the opinions of their respective regions on matters under discussion within the Executive Committee. While this corresponded to a position shared by a substantial number of Members, which in addition appeared to be based on some pertinent considerations of a legal nature, the Committee was also of the view that the matter should continue to be under review in order to seek to define a basis for a consensus position.

4. More specifically, the Committee noted a range of other and related views and agreed to re-examine the item of the respective roles of the Coordinators and the members of the Executive Committee elected on a geographic basis, at its forthcoming session. Meanwhile, the Committee invited delegations to continue to examine the issue, including as appropriate in the framework of the Coordinating Committees, so that a consensus position on the matter could be reached at its forthcoming session.

## **VIEWS EXPRESSED RECENTLY ON THE MATTER WITHIN THE CODEX COORDINATING COMMITTEES**

5. The Regional Coordinating Committees expressed their views on the matter. In general, the positions are in line with the views expressed at the last Session of the Committee and appear to reflect a strong consensus whereby it is considered desirable that the respective roles of the Coordinators and the members

<sup>1</sup> ALINORM 06/29/33 paras. 97-105

<sup>2</sup> CX/GP 06/23/5 Part II

elected on a geographic basis in the Executive Committee be set out in the Procedural Manual, as can be seen from the following paragraphs containing relevant extracts from the reports of the recent sessions.

6. **Coordinating Committee for North America and the South West Pacific**, 9<sup>th</sup> Session (Apia, Samoa, 10-13 October 2006)<sup>3</sup>:

“29. *The Coordinating Committee had a discussion to examine the issue on the respective roles of the Regional Coordinators and the Members of the Executive Committees Elected on a Geographical Basis.*

30. *Some delegations supported the role of the Regional Coordinators representing the interest of concerned regions or group of countries and the role of Members Elected on a Geographical Basis to represent the interest of the Commission as a whole.*

31. *The Coordinating Committee agreed that the roles of the Regional Coordinators and the Members Elected on a Geographical Basis should be clarified in the Procedural Manual and recommended that this issue continue to be discussed at the next Session of the Codex Committee on General Principles.”*

7. **Coordinating Committee for Latin America and the Caribbean**, 15<sup>th</sup> Session (Mar del Plata, Argentina, 13-17 November 2006)<sup>4</sup>:

“9. *The Committee considered that this matter should be clarified in the Procedural Manual and should be further discussed by the Committee on General Principles to achieve maximum benefit for the Commission and its constituent Regions.”*

8. **Coordinating Committee for Asia**, 15<sup>th</sup> Session (Seoul, Korea, 21-24 November 2006)<sup>5</sup>:

“27. *The Committee recalled that the Committee on General Principles had discussed how the respective role of the Regional Coordinators and the members of the Executive Committee elected on a geographical basis should be clarified, following the request of the 28<sup>th</sup> Session of the Commission, and would consider this question further at its next session. The Delegation of Malaysia expressed the view that the role of the Member elected on a geographical basis should be clarified in the Procedural Manual and that the possibility for Members to be accompanied by two advisers should be retained.”*

9. **Coordinating Committee for Europe**, 25<sup>th</sup> Session (Vilnius, Lithuania, 15-18 January 2007)<sup>6</sup>:

“34. *The Coordinating Committee examined the issue of the respective roles of the Regional Coordinators and the Members of the Executive Committees Elected on a Geographical Basis.*

35. *The Coordinating Committee agreed with the view of the Delegation of Germany, speaking on behalf of the Member States of the European Union, that Coordinators should be able to express the views from the region or group of countries and represent the interests of the same, while the members of the Executive Committee elected on a geographical basis should represent the interests of the whole membership of the Commission from the perspective of the region which elected them. The delegation suggested that in the forthcoming session of the Committee on General Principles these two complementary roles should be clarified and that the clarification could be included in the Procedural Manual.*

36. *The Coordinating Committee also agreed that the current arrangements regarding the advisors accompanying the members of the Executive Committee elected on a geographical basis were functioning well and the arrangements could stay unchanged.”*

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<sup>3</sup> ALINORM 07/30/32, paragraphs 29-31.

<sup>4</sup> ALINORM 07/30/36, paragraph 9.

<sup>5</sup> ALINORM 07/30/15, paragraph 27.

<sup>6</sup> ALINORM 07/30/19, paragraphs 34-36.

10. **Coordinating Committee for Africa**, 17<sup>th</sup> Session (Rabat, Morocco, 23-26 January 2006)<sup>7</sup>:

“22. *the Coordinating Committee, noting that further discussion would pursue in the Committee on General Principles, did not express particular views on this issue.*

23. *In relation to the current arrangements according to which up to two advisors may accompany the members of the Executive Committee elected on a geographical basis, the Delegation of Cameroon suggested that improved coordination within the African region might allow advisors to be chosen from among countries other than the member and the coordinator and that such an arrangement would facilitate the expression of a wider range of views from the region in the Executive Committee. The Delegations of Congo, Gabon, Nigeria and Uganda indicated their willingness in principle to assist as advisors to the member of the Executive Committee elected on a geographic basis. The Committee noted that it was the prerogative of the member of the Executive Committee to designate its advisors and that no financial assistance was available for participation of the advisors.”*

11. **Coordinating Committee for the Near East**, 4<sup>th</sup> Session (Amman, Jordan, 26 February – 1 March)<sup>8</sup>:

“21. *Several delegations that spoke indicated that it was necessary to clarify the respective roles of the Coordinators and the Members of the Executive Committee elected on a geographical basis. The Coordinating Committee agreed to recommend that CCGP should seek to define the respective roles of the Coordinators and the Members of the Executive Committee elected on a geographical basis and include appropriate provisions in the Procedural Manual”.*

## **POSSIBLE BASIS FOR A CONSENSUS AND PROPOSAL FOR AN AMENDMENT TO THE RULES OF PROCEDURE**

12. Many discussions have taken place so far within the CCGP and within the various Coordinating Committees on the respective roles of the Coordinator and the member elected on a geographical basis in the Executive Committee. The thrust of these discussions has been reflected in a number of documents with particular reference to document CX/GP 06/23/5 Part II and to the Report of the 23<sup>rd</sup> Session of the CCGP of April 2006<sup>9</sup>. Following the deliberations of the CCGP of April 2006 the matter has been reviewed again by the Coordinating Committees and the outcome of such review is described above in this document.

13. Further to this review, it would seem that the following could provide a possible basis for a consensus on the respective roles of the Coordinator and the member elected on a geographic basis in the Executive Committee.

**14. Members elected on a geographic basis are expected to act within the Executive Committee in the interests of the Commission as a whole, while the primary role of the Coordinators is to present the opinions of their respective regions on matters under discussion within the Executive Committee. .**

15. As described in document CX/GP 06/23/5 Part II, the substance of the above criteria for a differentiation in the roles of these members of the Executive Committee was already suggested in the course of the Nineties when the Coordinators were appointed *ad personam* and it had been proposed that they should participate in the Executive Committee as observers. However, at that time, there was no fundamental reason to propose such differentiation in their respective roles. This position has changed after the Coordinators became members of the Executive Committee. Whereas the role of the members elected on a geographic basis is not explicitly defined in the Rules of Procedure, the role of the coordinators is clearly stated in Rule IV, paragraph 3.(ii) of the Rules of Procedure as follows<sup>10</sup>:

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<sup>7</sup> ALINORM 07/30/28, paragraph 22-23.

<sup>8</sup> ALINORM 07/30/40.

<sup>9</sup> ALINORM 06/29/33.

<sup>10</sup> Procedural Manual, 16<sup>th</sup> Edition.

“to assist the Executive Committee and the Commission, as required, by advising them of the views of countries and recognized regional intergovernmental and non-government organizations in their respective regions on matters under discussion or of interest.”

16. A clarification of the role of the members elected on a geographic basis could be achieved by adding a new sentence at the end of Rule V paragraph 1 of the Rules of Procedure as follows:

“Members elected on a geographic basis are expected to act within the Executive Committee in the interest of the Commission as a whole.”

#### **SUGGESTED ACTION BY THE COMMITTEE**

17. The Committee on General Principles may wish to ascertain whether the position expressed in para. 14 and the possible way forward suggested in para. 16 reflect a consensus among the Members so that a proposed amendment to the Rules of Procedure could be forwarded to the Commission for adoption at its 30<sup>th</sup> Session.