

codex alimentarius commission



FOOD AND AGRICULTURE
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Agenda Item 6

CX/GP 09/25/6

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

Twenty-fifth Session

Paris, France, 30 March to 3 April 2009

TERMS OF REFERENCE OF THE COORDINATING COMMITTEES

1. While discussing the review of the Regional Coordinating Committees, the Commission noted that the Coordinating Committee for Latin America and the Caribbean (CCLAC) had proposed to amend its mandate to include an additional bullet point "To promote the adoption of regional positions on strategic subjects". The Commission had after some discussion referred the proposed amendment to the terms of reference of the CCLAC and its possible extension to the other Coordinating Committees to the Committee on General Principles for further consideration¹.
2. The CCGP at its 23rd Session discussed the issue in detail and decided to recommend to the CCLAC to practice the adoption of regional positions as appropriate while keeping their terms of reference unchanged. The CCLAC was invited to report on their experience to the 24th Session of the CCGP. All other Coordinating Committees were invited to discuss the possible inclusion of the sentence proposed by the CCLAC into their terms of reference and its possible implications and report their views to the CCGP. The 24th Session of the CCGP would consider this matter again in the light of the feedback from all Coordinating Committees.²
3. The Regional Coordinating Committees at their sessions held in 2006/2007 expressed their views on the matter. Three of the Coordinating Committees (CCNASWP, CCEURO and CCAFRICA) generally agreed that the current terms of reference should be unchanged because they were considered broad enough. They also agreed that the terms of reference of all Coordinating Committees should be kept harmonised. Within CCASIA and CCNEA there were diverging opinions on this issue. CCLAC supported the proposed amendment.
4. As there was no consensus on recommending to the Commission that the CCLAC change its terms of reference to include the proposed sentence nor that all Coordinating Committees change their terms of reference in the same way, the Committee agreed that all Coordinating Committees be invited to discuss this matter, including institutional and other implications, at their 2008/2009 sessions and that those Coordinating Committees wishing to practice the adoption of regional positions should continue to do so under their current terms of reference and to report back to the CCGP on their experiences.

¹ ALINORM 05/28/41, para. 130

² ALINORM 06/29/33, paras. 6-18

VIEWS EXPRESSED WITHIN THE COORDINATING COMMITTEES DURING THEIR SESSIONS IN 2008/2009 ON THE PROPOSED AMENDMENT TO THEIR TERMS OF REFERENCE BY THE CCLAC

Coordinating Committee for Europe, 26th Session (Warsaw, Poland, 7-10 October 2008)³:

“21. The Coordinating Committee reiterated its previous position (agreed at its 25th Session⁴) that the promotion of adoption of regional positions on strategic subjects by the Regional Coordinating Committees was already covered by the current terms of reference, in particular, the bullet (g) “exercises a general coordinating role for the Region” and therefore there was no need to change the terms of reference of Coordinating Committees as proposed by the CCLAC.

22. It was stated during discussion that there might be a misunderstanding outside Europe that the Coordinating Committee for Europe regularly adopted regional positions. However contrary, the European Community was a single member of Codex with a unique position in that most food law harmonised with the Community. Whilst European Community member states often speak with one voice, other European countries were able to maintain their own national positions.

23. The Coordinating Committee also noted the comments that if regional positions were adopted on many issues being discussed by the Commission, the Commission might lose the important advantage of diversity of opinions and that seeking consensus and reaching compromise might become even more challenging.”

Coordinating Committee for North America and the South West Pacific, 10th Session (Nuku'alofa, Tonga, 28-31 October 2008)⁵:

“10. The Coordinating Committee recalled that the Codex Committee on General Principles (CCGP) at its 24th Session agreed to invite all Coordinating committees to discuss matters on the Terms of Reference for Coordinating committees, in particular inclusion of a proposed sentence regarding promotion of adoption of regional positions on strategic subjects⁶.

11. The Coordinating Committee was of the view that the current Terms of Reference were sufficiently broad to allow coordinating committees to formulate regional positions among members, where necessary, and that the possibility to carry out this activity was adequately covered by bullet point (g) “exercises a general coordinating role for the Region and such other functions as may be entrusted to it by the Commission”. It was further noted that the Terms of Reference of all Coordinating committees should be kept harmonised.

12. In concluding this discussion, the Coordinating Committee reaffirmed the decision made at its 9th Session that the current Terms of Reference should be kept unchanged⁷.”

Coordinating Committee for Latin America and the Caribbean, 16th Session (Acapulco, Mexico, 10-14 November 2008)⁸:

“9. After some discussion, the Committee decided to request the Commission, through the 25th Session of the Committee on General Principles, to clarify whether the current terms of reference for the Coordinating Committees could be interpreted to give them full freedom to issue regional opinions on all themes under discussion in Codex of strategic importance to the region concerned. If the response of the Committee on General Principles and the Commission to this question was affirmative, there would be no need to modify the terms of reference.

³ ALINORM 09/32/19, paras 21 – 23

⁴ ALINORM 07/30/19, paras 30 – 33

⁵ ALINORM 09/32/32, paras 10 – 12

⁶ ALINORM 09/32/33, paras 14 – 22

⁷ ALINORM 09/32/19, paras 30 – 33

⁸ ALINORM 09/32/36, paras 9 – 10

10. In relation to the request from the Committee on General Principles that it be informed of experiences of the Coordinating Committees on the adoption of regional positions, the Committee agreed that such reporting be made after receiving clarification on the above question, while noting that the last session of the Coordinating Committee had taken positions on various matters.”

Coordinating Committee for Asia, 16th Session (Denpasar, Indonesia, 17 – 21 November 2008) ⁹:

“16. The Coordinating Committee recalled that the 24th Session of the CCGP had agreed to invite all coordinating committees to discuss matters on the Terms of Reference for coordinating committees, in particular the inclusion of a sentence regarding promotion of adoption of regional positions on strategic subjects¹⁰.

17. The Coordinating Committee was of the view that the Terms of Reference were sufficiently broad to allow the development of regional positions and that the problem of developing regional positions could be more effectively addressed by implementing specific activities than by amending the Terms of Reference. Therefore, it agreed that the current Terms of Reference were adequate.

18. In order to facilitate the development of regional positions, the Coordinating Committee agreed to add to its agenda, as a standing agenda item, the discussion of “Issues relevant to the region” and to request the Coordinator for the region to prepare a paper on this subject for consideration at its next session. It also noted that Objectives 3 of the draft Regional Strategic Plan for the CCASIA (*see* Agenda Item 6) included aspects related to the discussion of issues of interest to the region and to holding informal meetings of members of the region prior to Codex meetings.”

Coordinating Committee for the Near East, 5th Session (Tunis, Tunisia, 26 – 29 January 2009)¹¹:

“16. The Committee recalled that at its 4th session it had not been possible to adopt a position on this matter. The Committee noted the information given by the Secretariat on the outcome of discussions in other coordinating committees (CCNASWP, CCASIA, CCLAC and CCEURO).

17. Several delegations were of the opinion that the adoption of regional positions on strategic subjects by the Coordinating Committees was already covered by the current terms of reference and that the terms of reference of coordinating committees should be consistent across regions.

18. The Committee supported these views and concluded that the terms of reference of all coordinating committees should remain unchanged.”

Coordinating Committee for Africa, 18th Session (Accra, Ghana, 24-27 February 2009):

To be distributed in Addendum 1 to this document.

⁹ ALINORM 09/32/15, paras 16-18

¹⁰ ALINORM 07/30/33, paras 14-22

¹¹ ALINORM 09/32/40, paras 16-18