

CODEx ALIMENTARIUS COMMISSION



Food and Agriculture
Organization of the
United Nations



World Health
Organization

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Agenda items 4.1, 4.2, 6 and 8

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CODEx COMMITTEE ON GENERAL PRINCIPLES

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COMMENTS OF AFRICAN UNION

AGENDA ITEM 4.1: REVIEW OF THE PROCEDURES IN SECTION 3: GUIDELINES FOR SUBSIDIARY BODIES (CX/GP 25/34/4)

Background

These draft revisions to Section 3 of the Codex Procedural Manual was prepared by the host secretariat working group chaired by the United States of America and co-chaired by France. The revisions seek to update guidelines for Codex subsidiary bodies by harmonizing terminology, updating paper-based procedures, clarifying roles and responsibilities, and filling gaps (e.g. conference-room documents, report preparation). Notably, proposals to embed “virtual modalities” were withdrawn at the Secretariat’s advice, while suggestions to merge or better align the Electronic Working Group (EWG) and Physical Working Group (PWG) texts remain under discussion. Several procedural issues such as the legal status of Observer “opposition” rights, the explicit reference in Section 2 to adoption at Step 5/8, and consistent use of “standards and related texts” have been flagged for further discussions. Terminology around “host/co-host,” “Member nation/Member,” and “chairperson/assistant” also varies across sections, reflecting the need for deeper editorial alignment.

Position

African Union thanks the host secretariat working group chaired by the United States of America and co-chaired by France for leading this work. Africa welcomes the overall effort to update Section 3 and commends the Chairs for streamlining outdated, paper-centric processes. African Union would like to make the following comments:

Virtual Modalities: African Union encourages the Commission to seek formal FAO/WHO legal advice to re-introduce “virtual modalities” as an explicit option to ensure equitable participation for Member Countries with limited travel budgets or infrastructure.

EWG/PWG Guidelines: Recognizing the divergent needs of correspondence-based and meeting-based groups, African Union supports **Option 2:** undertake in-depth, separate revisions of the EWG and PWG texts to integrate virtual components, rather than a single, catch-all guideline, to preserve clarity around convening, quorum, and decision-making protocols.

Observer Rights: African Union recommends deleting the square-bracketed text in paragraph 32 concerning Observer “opposition” rights, and instead clarify that Observers may submit written comments but do not possess formal objection or voting privileges.

Step 5/8 Consistency: To reflect the routine use of accelerated procedures, African Union proposes updating Section 2.1 in parallel with paragraph 36, explicitly defining “adoption at Step 5/8” in the uniform step process.

Harmonization of Terminology: African Union supports consistent use of “standards and related texts,” “Codex Secretariat,” “Member country/nation,” and a clear distinction between “host/co-host” and “WG lead.” Such uniform language will reduce confusion and uphold the integrity of Codex’s basic texts.

AGENDA ITEM 4.2: CODEX PROCEDURAL MANUAL: REVIEW OF INCONSISTENCIES IN LANGUAGE AND SUPERSEDED CONTENT, APART FROM SECTION 3 (CX/GP 25/34/5)**Background**

CX/GP 25/34/5 consolidates Member proposals and Secretariat follow-up on superseded content and linguistic inconsistencies throughout the Codex Procedural Manual, excluding Section 3. While largely editorial, several overarching themes emerge that directly affect the efficiency and effectiveness of Codex operations.

Position

African Union supports the proposals to address the superseded content in Section 1.2 Rules of procedure of the Codex Alimentarius Commission, Section 1.3 General principles of the Codex Alimentarius, Section 2.1 Procedures for the elaboration of Codex standards and related texts, 2.2 Criteria for the establishment of subsidiary bodies of the Codex Alimentarius Commission, 2.11 Principles for the establishment or selection of Codex sampling procedures, 4.8 Risk analysis principles applied by the Codex Committee on Pesticide Residues, 6.1 Core functions of Codex contact points, and Section 7.2 Principles concerning the participation of international non-governmental organizations in the work of the Codex Alimentarius Commission

AGENDA ITEM 5: CODEX PROCEDURAL MANUAL: UPDATE TO THE GUIDE TO THE PROCEDURE FOR THE AMENDMENT AND REVISION OF CODEX STANDARDS AND RELATED TEXTS (CX/GP 25/34/6)**Background**

Working Document CX/GP 25/34/6 Rev1 presents update to Part 7 of Section 2.1 of the Codex Procedural Manual, refining the Guide to the Procedure for the Amendment and Revision of Codex Standards and Related Texts. Building on discussions since CCGP32 (2021) and CCGP33 (2023), key proposals and changes include:

- **Process Neutrality and Definitions:** There is separation of change types namely: correction, amendment, revision with clear criteria for each, and retention of the Commission's discretion to omit procedural steps for editorial amendments.
- **Harmonization of Terminology:** There is proposal to return to the term "revision" in place of "new edition" to align with FAO's publishing system, avoiding duplicate records and broken links.
- **Version Control and Transparency:** Proposal to adopt FAO Open Access Policy practice corrigenda and amendment explanations consolidated on the FAO Knowledge Repository's copyright page, complete with historic change dates and metadata for traceability.

Position

African Union welcomes the clear definitions of "revision," "amendment" and "correction," as well as the adoption of FAO publication guidelines to ensure transparent version numbering and traceability of all Codex texts. African Union supports the removal of the term "New Edition" to avoid confusion when multiple document versions coexist. At the same time, African Union seeks confirmation that the new amendment-and-revision indicators will apply consistently to both existing standards (retrospective application) and any documents issued in the future, thereby preserving historical clarity while ensuring ongoing transparency.

AGENDA ITEM 6: PROPOSED AMENDMENT TO THE PRINCIPLES CONCERNING THE PARTICIPATION OF INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS IN THE WORK OF THE CODEX ALIMENTARIUS COMMISSION (CX/GP 25/34/7)**Background**

CX/GP 25/34/7 addresses a drafting ambiguity in the Principles concerning the participation of international non-governmental organizations (INGOs) (Procedural Manual, Section VII). Specifically, the "double representation" clause which is intended to prevent two entities with overlapping membership from both speaking to the same issue appears only under the heading for INGOs without FAO/WHO status. This placement could be read as exempting INGOs in official FAO/WHO relations from the rule. To close this loophole, the Secretariat in consultation with FAO/WHO Legal Offices proposes inserting a new heading, "*Relations between international non-governmental organizations holding observer status with Codex*," above paragraph 24, thereby making clear that the double-representation restriction applies to all INGOs with observer status.

Position

African Union supports the insertion of a standalone heading to ensure that the double-representation restriction unambiguously covers all INGOs holding observer status, thereby safeguarding procedural equity and preventing

any inadvertent privileging some INGOs. Recognizing the vital contributions of INGOs in the work of Codex we propose that the Commission also develops concise guidance outlining: 1) how the double-representation clause will be monitored in practice; and 2) the process for INGOs to notify the Secretariat of their membership overlaps. Such implementation safeguards will enhance transparency.

AGENDA ITEM 8: REVIEW OF THE APPLICATION OF THE CRITERIA AND PROCEDURAL GUIDELINES FOR CODEX COMMITTEES AND AD HOC INTERGOVERNMENTAL TASK FORCES WORKING BY CORRESPONDENCE (CX/GP 25/34/9)

Background

The Codex Secretariat undertook a review of the experience of two committees (CCFFP and CCCPL) operating by correspondence under Section 3.1 of the Procedural Manual and proposes targeted amendments to enhance clarity, efficiency and consistency with modern virtual tools. Key discussions and proposals include:

- **Virtual-presence flexibility** (para 59): permitting the Chair, in consultation with the Secretariat, to convene specific agenda items by simultaneous virtual attendance to reach consensus, while preserving CWBC as an asynchronous modality.
- **Scope definition** (new para 62bis): limiting CWBC deliberations strictly to the task(s) assigned by CAC, to prevent agenda creep and ensure manageable workloads.
- **Quorum & participation** (paras 71–72): defining quorum based on registered participants and mandating that any absence of quorum be reported to the Commission.
- **“Interpretation of silence”** (para 77): codifying that silence signifies tacit agreement unless technical barriers are demonstrated, with a requirement for the Chair to allow sufficient response time.
- **Options when work stalls** (para 81): empowering CWBCs to recommend alternate mechanisms such as virtual plenary, referral to another committee or discontinuation, rather than resorting to vote.
- **Editorial alignment**: a suite of consistent wording and formatting changes in Appendix I to harmonize CWBC terminology with other Manual sections.

Position

African Union recognizes the value of CWBCs as a cost-effective tool for focused standard-development work but emphasizes the need for robust guardrails to safeguard inclusivity and manageability. African Union in general supports the proposed amendments to the guidance on CWBC as they enhance clarity and flexibility in the operation of Committees Working by Correspondence (CWBC). The changes reflect lessons learned from recent experiences and address the need for updated virtual participation options. AU further supports the proposed flexibility for limited simultaneous virtual discussions on the understanding that they remain exceptional. To prevent scope drift, African Union also endorses the new paragraph limiting CWBC terms of reference strictly to CAC-mandated tasks.