CODEX ALIMENTARIUS COMMISSION **E**

Food and Agriculture Organization of the United Nations

World Health Organization

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Agenda Item 3   **CX/EXEC 20/78/3**
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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

EXECUTIVE COMMITTEE OF THE CODEX ALIMENTARIUS COMMISSION

Seventy-eight Session

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IMPLEMENTATION OF CAC42:
FEEDBACK ON CHANGES AND PROPOSALS FOR FURTHER IMPROVEMENTS

(Prepared by the Codex Secretariat)

1. INTRODUCTION

1.1. The 76th Session of the Executive Committee of the Codex Alimentarius Commission (CCEXEC76)[1], recognizing the need to improve time management during sessions of the Codex Alimentarius Commission (CAC) to ensure due consideration was given to the items on its agenda, agreed that the Codex Secretariat would work with the Chairperson and Vice-Chairpersons of the Commission to identify potential solutions and report to CCEXEC77 in that regard, making pertinent materials available to CCEXEC members in advance.

1.2. The request from CCEXEC76 as well as concerns raised by delegations during CAC41[2] were taken into consideration in developing the agenda and schedule for CAC42. A number of changes were made and an overview was made available to CCEXEC77[3], although discussion was postponed to a subsequent session. These changes can be summarised as follows:

-   Opening session: The session began 30 minutes earlier and speakers were limited to FAO, WHO and the Chairperson of the Commission;

-   Agenda: Two items were removed from the agenda (Regular review of Codex Work Management as it is addressed by CCEXEC and items can be flagged through the report of CCEXEC and Report on panel discussions with IGOS and NGOs) and side events were organized to address the substantive content on the Codex Trust Fund and Capacity development by FAO and WHO;

-   Timetable: Shorter lunch breaks (an hour and a half instead of two hours), no side events during lunchtime, and arrangements for potential evening or extended sessions.

-   Side events: Reduced number of side events with most side events taking place on the report writing day so as not to impact on plenary discussions.

2. IMPLEMENTATION

2.1 The changes were implemented as outlined at CAC42. Feedback on the Session was received via the satisfaction survey, which was open to all participants. The Chairperson also convened an informal meeting with the Chairpersons of all Codex subsidiary bodies on the report-writing day to, amongst others, receive feedback on the conduct of CAC42.

2.2 Feedback on the session was generally positive. However, respondents to the survey did highlight some areas for improvement, which included better communication on evening session arrangements, particularly when they resumed after elections, using multiple communication channels if possible (announcement from the top table, on screens etc.) and online and advance access to the timetable, which had been made available at registration as a booklet. The issue of time-management of agenda items with challenging discussions received considerable feedback, with the general sense that this needed to be improved and if needed, new mechanisms be used to address such issues to prevent extensive discussion in plenary and overshadowing of the agenda with one or two items. The participant survey also covers

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[1] REP19/EXEC1, para 13
[2] REP18/CAC
[3] CX/EXEC 19/77/13

many other aspects of the meeting from the facilities to translation and interpretation which are not directly relevant to the aforementioned changes. However, some of the additional points raised are relevant for time management including having shorter documents, providing more direction to CAC on the nature of discussions at the commission compared to subsidiary bodies, avoiding repetitive interventions, introducing health breaks which can contribute to more focussed discussions, and providing more information on the intent and structure of the report to minimize requests for inclusion of additional text during adoption.

2.3 In addition to the above, the informal meeting of the Chairpersons highlighted the extent of technical discussions at CAC42, emphasizing that the focus of the Commission should be to seek consensus or note and simply identify the basis for lack of consensus rather than engaging in extensive technical discussions and reopening technical debates. It was noted that technical discussions should rather be held at sessions of the subsidiary bodies where the participants have the relevant knowledge and expertise. This highlights the need to continue efforts to improve time-management as well as the need to have mechanisms in place to better understand and address issues around non-consensus, particularly when it only becomes apparent very late in the standard-setting process. Suggestions on how to improve included:

- providing more guidance to delegates on the nature of issues to be raised at CAC and how to express opposition and/or reservations;

- while recognizing that consensus is not always feasible, investigating whether the way in which lack of consensus is addressed at the subsidiary body level could be improved could also contribute to more effective discussions at CAC;

- promoting or improving the mechanism by which written comments can be considered at subsidiary committees to ensure all viewpoints are adequately discussed at that stage;

- providing guidance on how Chairpersons can ensure the basis of reservations on standards being submitted for final adoption should be better reflected in the meeting reports; and

- making more use of existing resources in the management of CAC discussions such as the reports of CCEXEC and the Chairpersons of the subsidary bodies.

2.4 Informal feedback received from observer organizations involved in the panel discussions with IGOs and NGOs was positive, indicating that providing a dedicated time and space for observers provided more visibility for their work as it relates to Codex and also enabled a more open and informative discussion on specific issues. Feedback from observers in the participant survey was mixed with some positive, noting the opportunity the Chairperson gave observers to intervene while others considered there were less visible in CAC.

3. CONCLUSIONS

3.1 The organizational arrangements for CAC42 generally worked and were well received although there are improvements that can be made in terms of implementation. Communication on timing of sessions should be available in advance and be available electronically as well as in hard form. Any changes to sessions and the time table, particularly to night sessions, should be more effectively communicated and if possible using multiple channels to ensure full participation in such sessions. This is critical when an election may be held between the afternoon session and the night session.

3.2 Efforts should continue to improve time management of agenda items, particularly in the case of unanticipated issues using both existing resources and novel approaches where needed, including having the flexibility to take breaks, which may facilitate discussions.

3.3 Consideration should be given to any improvements to be made at subsidiary body level that can help to ensure all technical issues, including the technical basis for reservations are considered and documented in advance of CAC.

4. RECOMMENDATIONS

CCEXEC78 is invited to:

i. confirm that the changes made for CAC42 be continued in the planning and implementation of CAC43;

ii. address issues related to communication of the timing of evening sessions and timing and make the overarching schedule available electronically and in advance of the session;

iii. request the Chairpersons and Secretariat to develop strategies to prevent extensive technical discussions on topics for which there is not consensus in order to facilitate timely progression; and

iv. request the Chairpersons and the Secretariat to work together to ensure that written comments received are given due consideration and that the technical basis of reservations are included in meeting reports.