

Amendments to the Plant Protection Agreement for the Asia and Pacific Region

58. The Council approved two sets of amendments to the Plant Protection Agreement for the Asia and Pacific Region, (*Appendices E-G*), and agreed that such amendments did not involve new obligations for the Contracting Governments and they should therefore come into force with respect to all Contracting Governments as from the thirtieth day after acceptance by two-thirds of the Contracting Governments. The Council noted the request by the Asia and Pacific Plant Protection Commission, representing the Contracting Governments to the Agreement, to the Director-General, as Depositary of the Agreement, not to circulate the second set of amendments providing for the deletion of the detailed Measures to Exclude South American Leaf Blight of Hevea from the Region, set out in Article XIV and Appendix B of the Agreement (*Appendix F* of this Report), until such time as a satisfactory regional standard on South American Leaf Blight of Hevea has been adopted by the Commission.

APPENDIX E

AMENDMENTS TO THE PLANT PROTECTION AGREEMENT FOR THE ASIA AND PACIFIC REGION**Resolution adopted by the Asia and Pacific Plant Protection Commission**

The Commission:

Recognizing the need to revise the Plant Protection Agreement for the Asia and Pacific Region to bring it into line with the revised text of the International Plant Protection Convention and the Agreement on the Application of Sanitary and Phytosanitary Measures and with modern requirements for plant protection;

Further recognizing the need to strengthen the Commission; and

Noting that the amendments adopted by the Commission and approved by the FAO Council in 1983 to provide for an autonomous budget for the APPPC, which is essential for the effective functioning of the Commission, have not yet entered into force:

A. Amendments set out in Annex I (*Appendix F of this Report*)

1. adopts the Amendments set out in Annex I to this Resolution;
2. calls on Contracting Governments to consider the acceptance of the amendments set out in Annex I on an urgent basis with a view to bringing them into force as soon as possible;
3. decides, on an interim and voluntary basis pending the entry into force of the amendments to the Agreement set out in Annex I:

(a) to establish interim sub-commissions, with the functions and in accordance with the procedures set out in the proposed amendments; and

(b) to develop and adopt, in accordance with the proposed amendments, interim regional and sub-regional standards, including but not limited to the development of pest risk analyses and the identification of pests for common action and recognition of pest-free areas and areas of low pest prevalence;

B. Amendments set out in Annex II (*Appendix F of this Report*)

4. adopts the amendments to the Agreement set forth in Annex II to this Resolution;
5. takes into account the statement by the delegates from rubber-producing countries that their Governments will accept the amendments set out in Annex II only following the adoption by the Commission of a satisfactory regional standard related to South American leaf blight of *Hevea*, whether on an interim or final basis;
6. takes note that, in accordance with Article IX(4) of the Agreement as currently in force, following approval by the FAO Council, amendments shall enter into force following acceptance by two-thirds of the Contracting Governments;
7. further takes note that, until the time of entry into force of the amendments set out in Annex II, the text included in Article IV and Appendix B of the Agreement as currently in force

(Article XIV and Appendix B of the Revised Agreement) relating to measures to exclude South American leaf blight of Hevea from the Region will remain in force;

8. requests that the Director-General of the Organization, in the exercise of his depositary functions, following approval of the FAO Council, circulate to the Contracting Governments the amendments set out in Annex II only after receipt by the Director-General of notification by the Secretary of the Commission that the above-referenced regional standard regarding South American leaf blight of Hevea has been adopted;
9. calls on Contracting Governments and the Secretariat of the Commission to seek actively sources of financing for a pest risk analysis and any scientific work required in connection therewith to provide the necessary basis for an appropriate regional standard, including the creation of buffer zones to prevent the introduction and spread of South American leaf blight of Hevea in the Region;
10. calls on donor organizations to provide the requisite funding for such studies on an expedited basis, in light of the urgent need to establish such standards;
11. calls on Contracting Governments to undertake expeditiously such pest risk analysis and scientific work; and

C. Acceptance of amendments adopted in 1983

12. calls on the Contracting Governments to consider accepting the amendments adopted in 1983 to provide for an autonomous budget for the Commission in order to bring them into force as soon as possible.

APPENDIX G
**AMENDMENTS RELATED TO THE SOUTH AMERICAN LEAF BLIGHT
OF HEVEA**

ANNEX II

The following provisions are hereby deleted from the text of the Agreement:

ARTICLE XIV
**Measures to Exclude South American Leaf Blight of Hevea
from the Region**

In view of the importance of the Hevea rubber industry in the Region, and of the danger of introducing the destructive South American leaf blight (*Dothidella ulei*) of the Hevea rubber tree, the Contracting Governments shall take the measures specified in Appendix B to this Agreement. Appendix B to this Agreement may be modified by a decision of the Commission taken unanimously.

In paragraph 1 of Article XVII, the words "except Appendix B".

APPENDIX B
**MEASURES TO EXCLUDE SOUTH AMERICAN LEAF BLIGHT
OF HEVEA FROM THE REGION**

1. In this Appendix -
 - (a) "the American tropics" means those parts of the continent of America, including adjacent islands, which are bounded by the Tropic of Capricorn (latitude 23 1/2°S) and the Tropic of Cancer (latitude 23 1/2°N) and the meridians of longitude 30°W and 120°W, and includes the part of Mexico north of the Tropic of Cancer;
 - (b) "Competent Authority" means the officer or Government Department or other agency, which each Contracting Government recognizes as its authority for the purpose of this Appendix.
2. Each Contracting Government shall prohibit by law the importation into its territory or territories of any plant or plants of the genus *Hevea* from outside the Region, unless
 - (a) the importation is made for scientific purpose; and

(b) written permission has been granted for each consignment of plant or plants by the Competent Authority of the importing territory or territories and the importation is in accordance with such special conditions as may be imposed by the Competent Authority in granting such permission; and

(c) the plant or plants have been disinfected and freed of any original soil in the country of origin in a manner acceptable to the Competent Authority of the importing territory and are free from pests and diseases, and each consignment of plant or plants is accompanied or covered by a certificate to the effect that the above requirements have been fulfilled, and signed by an appropriate authority in the country of origin; and

(d) each consignment is addressed to and is received by the Competent Authority of the importing territory.

3. Each Contracting Government shall prohibit by law the importation into its territory or territories of any plant or plants of the genus *Hevea* capable of further growth or propagation (excluding seed) from the American tropics or from any other country in which South American leaf blight (*Dothidella ulei*) is present, unless, in addition to the requirements of paragraph 2 of this Appendix, at a place approved by the Competent Authority of the importing territory and situated outside the Region and outside the American tropics and any other country in which South American leaf blight (*Dothidella ulei*) is present, such plant or plants have been grown for an adequate period at a plant quarantine station for *Hevea* and each consignment of such plant or plants is accompanied or covered by a certificate to the effect that the above requirements have been fulfilled, and signed by the officer-in-charge of such quarantine station.

4. Each Contracting Government shall prohibit by law the importation into its territory or territories of any seed of any plant of the genus *Hevea* from the American tropics or from any other country in which South American leaf blight (*Dothidella ulei*) is present, unless, in addition to the requirements of paragraph 2 of this Appendix, such seed, having been examined and again disinfected at a place approved by the Competent Authority of the importing territory and situated outside the Region and outside the American tropics and any other country in which South American leaf blight (*Dothidella ulei*) is present, has been repacked with new packing materials in new containers, and unless each consignment of such seed is accompanied or covered by a certificate to the effect that the above requirements have been fulfilled, and signed by the officer-in-charge of these operations.

5. Each Contracting Government shall prohibit by law the importation into its territory or territories of any plant or plants of the genus *Hevea* not capable of further growth or propagation (such as fresh or dried herbarium specimens); unless, in addition to the requirements of sub-paragraphs (a), (b) and (d) of paragraph 2 of this Appendix, the Competent Authority of the importing country is satisfied that such plant or plants are required for a legitimate special purpose and that such plant or plants have been sterilized in the country of origin by a method satisfactory to the said Competent Authority.

6. Each Contracting Government shall prohibit by law the importation into its territory or territories of any plant or plants other than the genus *Hevea*, capable of further

growth or propagation and originating in the American tropics or in any other country in which South American leaf blight (*Dothidella ulei*) is present, unless written permission has been granted for each consignment of such plant or plants by the Competent Authority of the importing territory or territories and the importation is in accordance with such special conditions as may be imposed by the Competent Authority in granting such permission.

7. The Competent Authority of any territory or territories into which any plant or plants of the genus *Hevea* are imported for further growth or propagation shall ensure that such plant or plants are grown under control for such period as will ensure that such plant or plants are free from all pests and diseases before they are released.

CERTIFIED TRUE COPY



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