

codex alimentarius commission



FOOD AND AGRICULTURE
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JOINT FAO/WHO FOOD STANDARDS PROGRAMME

CODEX ALIMENTARIUS COMMISSION

Thirty-second Session

FAO Headquarters, Rome, 29 June – 4 July 2009

COMMENTS ON PROPOSED AMENDMENTS TO THE PROCEDURAL MANUAL

COLOMBIA (versión en español)

“Proposición de Enmienda a las Directrices para los Presidentes de los Comités del Codex y Grupos Intergubernamentales Especiales”.

Colombia está de acuerdo en agregar el párrafo propuesto en la 25 reunión del Comité del Codex sobre Principios Generales al final de las directrices, pero aclarando que en la versión en español falta una condición para la designación del facilitador para lograr el consenso, como es que esa designación sea acordada con el Comité del Codex en cuestión.

Bajo esta premisa el párrafo quedaría:

“Cuando se llegue a una situación de estancamiento (o punto muerto) en el proceso de elaboración de normas, la Presidencia debería considerar la posibilidad de actuar como facilitador, o de designar, **de acuerdo con el Comité del Codex en cuestión** a un facilitador, para trabajar durante una reunión o entre reuniones con objeto de ayudar a los miembros a lograr el consenso. El facilitador debe informar oralmente a la plenaria acerca de la actividad realizada y del resultado de la facilitación”. (el resaltado incluido en el párrafo es nuestro).

Proposición de Modificación del Mandato del Comité del Codex sobre Principios Generales.

Colombia está de acuerdo que el mandato del Comité quede resumido de la siguiente forma:

“Ocuparse de los asuntos de procedimiento y asuntos generales que le remita la Comisión del Codex Alimentarius.”

COLOMBIA (English version)

Proposed amendment to the *Guidelines to Chairpersons of Codex Committees and Ad Hoc Intergovernmental Task Forces*

Colombia agrees to add the paragraph proposed in the 25th Session of the Codex Committee on General Principles at the end of the Guidelines, however it should be clarified that in the Spanish version a condition is missing for the appointment of the facilitator in order to achieve consensus, namely that the appointment should be in agreement with the Codex Committee concerned. (amendment only in the Spanish version):

“Where there is a deadlock in the standards development, the Chairperson should consider acting as a facilitator, or appointing a facilitator in agreement with the relevant Codex Committee, working during a session or between sessions to work with members to reach consensus. The facilitator should orally report on the activity undertaken and the outcome of the facilitation to the plenary.”

Proposed Amendment to the Terms of Reference of the Committee on General Principles

Colombia agrees that the mandate should be summarised as follows:

“To deal with such procedural and general matters as are referred to it by the Codex Alimentarius Commission.”

MALAYSIA**1. Proposed amendment to the *Guidelines to Chairpersons of Codex Committees and Ad Hoc Intergovernmental Task Forces (para 87 (d) and Appendix III)***

Referring to para 83 and 86 of Alinorm 09/32/33, Malaysia would like to reiterate its proposal to include in the Guidelines to Chairpersons of Codex Committees and Ad Hoc Intergovernmental Task Forces, in the section on “consensus”, the following new paragraph:

“Where there is justified sustained opposition on substantial issues the chairperson should ensure that the views of concerned members be taken into consideration by reconciling conflicting arguments before deciding that a consensus has been reached”.

We respectfully request that the Commission advise the Committee on General Principles to continue work on the above proposal.

With regard to paragraph 87(d) and Appendix III of the said Alinorm, Malaysia does not rule out the possible role of a facilitator in helping making progress in cases of a deadlock. However, Malaysia is concerned about possible lack of transparency in this process. Nevertheless, if the Committee decides to proceed with the proposed amendment, Malaysia proposes to add the three bullets mentioned in para 82 of Alinorm 09/32/33 as follows:

- The committee concerned should clearly state the terms of reference of the facilitator .
- The facilitator should be experienced in Codex matters but neutral on the matter concerned
- All parties participating in the process should agree on the selection of the facilitator

This proposal should not be a replacement of Malaysia’s proposal to add a paragraph to the section of “consensus” in the Guidelines to Chairpersons.

2. Proposed Amendment to the Terms of Reference of the Committee on General Principles (para 145 and Appendix IV)

Malaysia is not in agreement with the decision of the 25th Session of the CCGP to propose to the commission an amendment to its term of reference to delete the second sentence. We are of the opinion that the proposed one sentence Term Of Reference is inadequate for such an important Committee. We propose that a detailed review of the TOR be undertaken by the Committee.