

March 2009

# codex alimentarius commission



FOOD AND AGRICULTURE  
ORGANIZATION  
OF THE UNITED NATIONS

WORLD  
HEALTH  
ORGANIZATION



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## Agenda Item 11 (c)

### JOINT FAO/WHO FOOD STANDARDS PROGRAMME

#### CODEX ALIMENTARIUS COMMISSION

##### *Thirty-second Session*

*FAO Headquarters, Rome, 29 June – 4 July 2009*

#### STRATEGIC PLANNING OF THE CODEX ALIMENTARIUS COMMISSION

##### Evaluation of Codex Sessions Held in Developing Countries

(Prepared by the Codex Secretariat)

### *Background*

1. One of the outcomes of the Codex Evaluation conducted in 2002 was Recommendation 26 in which committees were encouraged to appoint co-chairs of equal status, one of which would be from a developing country, and where host countries were encouraged to also hold meetings in the co-chair's country. As a follow-up to this recommendation and others emanating from the Codex Evaluation, the 26<sup>th</sup> Session of the Commission (2003), when considering the proposals arising from the Joint FAO/WHO Evaluation of the Codex Alimentarius and Other FAO and WHO Work on Food Standards, recommended that the advice to host governments should include arrangements for holding Codex sessions in developing countries<sup>1</sup>.
2. Accordingly, guidelines were developed for host governments of Codex committees and *ad hoc* intergovernmental task forces and were adopted by the 27<sup>th</sup> Session of the Commission (2004), for inclusion in the Procedural Manual<sup>2</sup>. In these guidelines, it is stated that the member country responsible for hosting a Codex committee should give consideration to the holding of Codex sessions in developing countries.
3. A number of Codex meetings have so far been held under co-hosting arrangements<sup>3</sup>. In line with Activity 5.3 of the Codex Strategic Plan 2008-2013, the present document aims at evaluating the effectiveness of co-hosting arrangements.
4. This document comprises three sections: **Section 1** provides an overview of Codex sessions organised under co-hosting arrangements since the year 2000 including the trends in participation of Codex members; **Section 2** presents the results of questionnaire surveys conducted among the host governments (chairing countries) and the governments that offered venues (venue countries); and **Section 3** reviews the procedural aspects related to co-hosting arrangements, by identifying recurrent problems that hamper smooth

<sup>1</sup> ALINORM 03/41 para. 179

<sup>2</sup> *Guidelines to Host Governments of Codex Committees and ad hoc Intergovernmental Task Forces*, Procedural Manual of the Codex Alimentarius Commission.

<sup>3</sup> For the purpose of this document, "co-hosting arrangements" mean those arrangements whereby the host government (usually an industrialised country) of a Codex subsidiary body chooses to hold a meeting of the body outside its territory (usually in a developing country). The host government providing the chairperson cooperates closely with the government providing the venue on a range of logistic and other matters. For example, a Vice-Chairperson is often appointed from within the government offering the venue.

organization of Codex meeting operations, and puts forward recommendations to overcome the problems identified.

### *Section 1 – Codex Sessions held under Co-hosting Arrangements since 2000*

5. During the nine-year period from January 2000 up to December 2008, 17 out of 134 sessions of Codex Committees and Task Forces were organised under co-hosting arrangements in developing countries (excluding Regional Coordinating Committees). Table 1 does not include Codex sessions chaired by a developing country and be held in the same (i.e. Codex Committee on Fresh Fruits and Vegetable, Codex Task Force on Fruit and Vegetable Juices, Codex Committee on Food Additives, Codex Committee on Pesticide Residues, Codex Task Force on the Handling and Processing of Quick Frozen Foods), which are increasing over the past years.

**Table 1. Codex sessions held under co-hosting arrangements (2000-2008)**

Subsidiary Body	Session	Year	Venue	Difference in Participating Members <sup>4</sup>	Difference in Regional Participating Members
Codex Committee on Food Additives	32 <sup>nd</sup> session	2000	China	▼ 12	0
Codex Committee on Food Hygiene	34 <sup>th</sup> session	2001	Thailand	▼ 8	△ 4
Codex Committee on Food Additives	35 <sup>th</sup> session	2003	Tanzania	▼ 10	△ 7
<b>&lt; Codex Trust Fund started in 2004 &gt;</b>					
Codex Committee on Pesticide Residues	36 <sup>th</sup> session	2004	India	▼ 20	▼ 2
Codex Committee on Fish and Fishery Products	27 <sup>th</sup> session	2005	South Africa	▼ 1	△ 2
Codex Committee on Food Labelling	33 <sup>rd</sup> session	2005	Malaysia	△ 12	△ 3
Codex Committee on Food Hygiene	37 <sup>th</sup> session	2005	Argentina	△ 10	△ 9
Codex Committee on Nutrition and Foods for Special Dietary Uses	28 <sup>th</sup> session	2006	Thailand	▼ 17	▼ 3
Codex Committee on Pesticide Residues	38 <sup>th</sup> session	2006	Brazil	▼ 14	▼ 2
Codex Committee on Fish and Fishery Products	28 <sup>th</sup> session	2006	China	▼ 2	0
Codex Committee on Residues of Veterinary Drugs in Foods	16 <sup>th</sup> session	2006	Mexico	▼ 9	▼ 3
Codex Committee on Food Import and Export Inspection and Certification Systems	15 <sup>th</sup> session	2006	Argentina	▼ 26	▼ 2
Codex Committee on Contaminants in Foods	1 <sup>st</sup> session	2007	China	▼ 4	△ 1
Codex Committee on Food Hygiene	39 <sup>th</sup> session	2007	India	△ 20	△ 2
Codex Committee on Nutrition and Foods for Special Dietary Uses	30 <sup>th</sup> session	2008	South Africa	▼ 7	△ 2
Codex Committee on Food Import and Export Inspection and Certification Systems	17 <sup>th</sup> session	2008	Philippines	▼ 3	△ 3
Codex Committee on Food Hygiene	40 <sup>th</sup> session	2008	Guatemala	△ 5	△ 5

<sup>4</sup> The Difference in Participating Members was calculated with the following formula: Difference = [the number of participating members in the co-hosted session] – [arithmetic mean of the numbers of participating members in the sessions immediately before and after the co-hosting session (i.e. baseline participation)]. △ mark means that the value was positive (i.e. increased participation in the co-hosted session); ▼ means that the value was negative. Where the co-hosted session was not preceded or followed by another session of the committee held in the chairing country, the number of participating members in the session immediately before or after the co-hosted session was used as the baseline participation (e.g. CCCF-1, CCFH-40).

6. In general, Members' participation in sessions held under co-hosting arrangements was found to be lower than in sessions held in chairing countries. Out of a total of 17 sessions, 13 sessions saw reduced participation of Members while participation increased in 4 sessions only; this trend continued after the entry into operation of the Codex Trust Fund in April 2004. Main exceptions to the reduced participation were the sessions of the Codex Committee on Food Hygiene (CCFH) held outside the United States of America, which consistently marked an increased participation, and the 33<sup>rd</sup> Session of the Codex Committee on Food Labelling, held in Kota Kinabalu (Malaysia) in 2005.

7. Several factors may have contributed to the reduced participation, among others:

- Late issuance of invitation letters due to frequent delays in the acceptance of the Memorandum of Responsibilities by venue countries. For many delegates, arrangements for participating in a Codex meeting can only be initiated when the invitation letter has been issued. In addition, formalities to obtain support of Codex Trust Funds should be initiated in advance;
- Difficulties/complexities in obtaining the entry visa because of limited network of Embassies/Consulates of venue countries;
- Higher cost of travel and difficulties in reaching the venue, because of limited flight connections.

8. Overall, no consistent effect of co-hosting arrangements was observed on the participation of Members from the region in which the venue was located – participation increased in 10 sessions and decreased in 5 sessions, while 2 sessions did not see any changes. Among the ten sessions in which the participation from within the region increased, the overall participation decreased in five sessions – in other words, the increased participation of the venue region was overtaken by the loss in participation from other regions.

9. Among the three regions where sessions under co-hosting arrangements were held, only the African region consistently showed an increase in participation of Members from the same region – the changes observed in the sessions held in Asia and in Latin America and the Caribbean were sometimes positive, sometimes negative.

10. “Double increase” in participation (i.e. increased participation from both within and outside the venue region) was observed four times – at the 35<sup>th</sup> Session of the Committee on Food Labelling in 2005 and at all sessions of the Committee on Food Hygiene. “Double decrease” (i.e. decreased participation from both within and outside the venue region) occurred five times.

11. In summary, the experience over the past eight years shows that co-hosting arrangements have had more negative than positive impacts on the number of participating members in Codex sessions. The participation of members from outside the venue country's region was generally impaired, while the members from within the venue country's region did not always take the advantage. The following section will consider other dimensions than members' participation.

## ***Section 2 – Questionnaire Surveys of Host Countries and Venue Countries Involved in Co-hosting Arrangements***

12. Benefits of co-hosting arrangements should not be considered only in terms of participation, but also in terms of the impact the co-hosting has had in the venue country. Such impact may include raising awareness and visibility of Codex work at national level; introducing Codex and food safety issues in the political agenda of the venue country and neighbouring countries; and exposing local officials to a Codex session; learning and training of local secretariat, amongst others. Two questionnaires, one for the chairing country and the other for the venue country, were developed by the Codex Secretariat to verify these assumptions and to identify what can be improved in the process (*see* Annex 1). The questionnaires were sent to 15 chairing countries<sup>5</sup> and 11 venue countries<sup>6</sup>, covering 8 subsidiary bodies of the Commission that implemented co-hosting arrangements since 1996 until December 2008.

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<sup>5</sup> Chairing countries: Australia, Canada, France, Germany, Hungary, Japan, Korea, Mexico, Netherlands, New Zealand, Norway, Switzerland, Thailand, United Kingdom, United States of America

<sup>6</sup> Venue countries: Argentina, Brazil, China, Guatemala, India, Malaysia, Mexico, Philippines, South Africa, Tanzania and Thailand

13. The responses were received from 8 chairing countries<sup>7</sup> and 5 venue countries<sup>8</sup>. The replies received show that co-hosting arrangements generally were seen to be beneficial to both the chairing country as well as the venue country. It allowed chairing countries to impart knowledge on the hosting, arranging and chairing of a Codex meeting and the venue countries, to gain experience in these aspects.

14. However, even though the venue countries generally were closely involved in the preparation and discussions prior to and during the sessions, the arrangement did in most cases not lead to the actual chairing of agenda items. Only in a few instances, was the venue country given the opportunity to actually chair an agenda item which proved enriching to the respective Co-Chair. The reluctance to actually co-chair sessions may be due to the fact that many chairing countries are of the opinion that chairing of a session cannot be done on a one-time basis because the chairperson over time builds relationships with delegations, knowledge of the work, its history and nuances and because of the workload to prepare for chairing of a session.

15. In the venue country, co-hosting allowed for increased participation by their local officials and others in Codex meetings, which in turn created increased awareness of Codex among various stakeholders, also at political level. Local participants thus had the opportunity to network with others in the field from within the region and beyond.

16. Venue countries indicated that co-hosting had allowed them to show to the members of Codex their ability in hosting and arranging meetings of this nature.

17. Some chairing countries, while in favour of co-hosting arrangements and recognizing its benefits, indicated that such arrangements, depending on the venue country and its infrastructure, could pose some difficulties:

- Added human and financial resources for the chairing country especially in terms of having to relocate the full secretariat and the interpretation teams to the venue country,
- Increased expenses due to having to source meeting equipment (e.g. for interpretation services) as these are not always available in the venue country at the right quality to ensure a successful meeting.

18. Some chairing countries however, offset these expenses (as indicated above) by agreeing with the venue country that they carry the cost for the hiring of the venue and all related equipment and services and by leaving all logistic and other arrangements entirely to the venue country and to use limited human resources from the chairing country, thereby either have a lower or the same financial contribution.

19. In cases where the venue country had to make a financial contribution, all indications were that obtaining such financial contribution did not pose any difficulty even though approval had to be given at political or cabinet level. In one instance, it was indicated that co-hosting outside the chairing country in the main resulted in both a cost-saving from a financial and human resource perspective, even though full costs were borne by the chairing country. In all cases, it was indicated that good communication and clear division of roles between the chairing country and the venue country secretariats was vital to ensuring a successful co-hosting arrangement. In relation to financial contributions and costs, a suggestion was made that principles be developed for co-hosting to ensure that there were equal opportunities for all those wanting to co-host, since as indicated above, some venue countries were fully sponsored to co-host and bore minimal financial costs, whereas others, had to make considerable financial contributions.

20. Some chairing countries indicated that in their case co-hosting was not feasible because of administrative difficulties relating to the transfer and allocation of funds for the hosting of Codex meetings to a second country. Some other chairing countries indicated that while there was no charge to their offices for facilities and human resources for the holding of the meeting in their country, extra financial resources would need to be sourced in case of a co-hosting agreement. It was also mentioned that arrangements for co-hosting of task forces with their limited time-span would not be practical due to the time required to prepare for the hosting of such a meeting and the human and financial resources needed.

21. It was evident from almost all respondents that a major challenge for co-hosting arrangements was the finalization of the Letter of Agreement with FAO, which brought additional administrative (and sometimes bureaucratic) requirements for the venue country (also see paragraphs 24-29 for the negative impacts) and

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<sup>7</sup> Chairing countries: Australia, Canada, France, Germany, Japan, Mexico, Netherlands and Norway

<sup>8</sup> Venue countries: Argentina, Guatemala, Malaysia, Mexico, South Africa

that it was essential to start the process for the co-hosting arrangements well in advance of the actual session. A proposal was made that co-hosting of a particular Committee should only be allowed every 2 – 3 years.

22. Despite some of the difficulties experienced and in view of the benefits and experience gained, all venue countries that responded to the questionnaire, indicated their willingness to co-host other committees in future and would also consider a more long-term hosting of committees, but cautioned that such a decision would need to be taken at the highest level and was subject to the availability of appropriate financial and human resources. Malaysia, together with China, has subsequently become a chairing country following the experience gained in co-hosting. Mexico, even though already chairing a Committee and acting now as a Coordinator, still found co-hosting, especially working with another secretariat useful and beneficial for their staff and saw this as a way of improving the way in which they operated as host of a committee. From the replies received it would appear that the objectives of co-hosting have been met to date for both the venue country as well as the chairing country.

23. Recommendations (made by respondents to the questionnaires):

- Improve communication channels between venue country, the Codex Secretariat and FAO to facilitate the finalization of the Letter of Agreement.
- Development of guiding principles for financial arrangements and assistance to the venue country by the chairing country.
- More pro-active role by the Codex Secretariat in identifying appropriate venue countries.

### ***Section 3 – Reviews of Procedural Aspects of Co-hosting Arrangements: Problems and Solutions***

#### **Problems experienced in recent years**

24. As the general interest for hosting Codex sessions continues to grow among Member Nations, a number of countries which have never hosted, or have hosted very few intergovernmental meetings under the framework of the United Nations have entered into the process for co-hosting arrangements. While some venue countries concluded agreements with FAO in a relatively short period of time, other countries required a significantly longer time before accepting the conditions in the Memorandum of Responsibilities (MOR)<sup>9</sup>.

25. Delays in concluding agreements between FAO and a venue country have at times led to delays in the despatch of invitations and agendas for the meetings, which in turn resulted in lower participation of Codex members in the meeting. Delays in the conclusion of the agreement by the venue country tend to be a frequent and major obstacle in the process of organizing Codex meetings as the rules and regulations of FAO and WHO do not allow for the despatch of invitations to a meeting until all conditions necessary for organising a UN intergovernmental meeting have been satisfied, including the conclusion of the agreement with the host country.

26. When an invitation to a meeting is despatched late, many delegates have difficulty in obtaining administrative clearance for their participation and/or obtaining a visa to enter the venue country. If no Embassy or Consulate of the venue country is located in the country of participating delegates (this is often the case when the venue country is a developing country with a limited network of diplomatic representations in the world), those delegates require considerable lead time to obtain a visa, including the need to undertake additional travel to a third country where an embassy or consulate is located.

27. The timely distribution of invitations to a meeting is even more important for those delegates who are supported by the Codex Trust Fund in order to complete travel formalities in time. In the recent past some travel for participants arranged by the secretariat of the Trust Fund had to be cancelled due to the failure in completing visa and other requirements.

28. Low participation in meetings is detrimental to the universal legitimacy of Codex standards and to the reputation of Codex standards at the international level. Low participation also slows down the standards setting process, as negotiation and discussion on draft text cannot be held in a focused manner.

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<sup>9</sup> It should be noted that similar difficulties may arise with a country, whether it is an industrialized or developing country, which has taken over the responsibilities as a new chairing country. However, the problems described in this section tend to be acute and more serious when coupled with co-chairing arrangements due to an overall shorter time frame for preparation of a Codex session.

29. In the case of non-conclusion of the agreement for the meeting between the venue country and FAO/WHO, the chairing country needs to seek an alternative venue or reschedule the Session, resulting in very high costs for ascertaining meeting facilities and distorting the smooth operation of the Codex system, as Codex sessions are often interlinked and the timetable is carefully planned, taking into account the lines of reporting and endorsement amongst Codex bodies.

30. The causes of the problems mentioned above appear to often be linked to lack of communication between ministries or to the complexity in the assumption of responsibilities. A few examples of these problems are listed below:

- The ministry to which the LOA (letter of agreement) and MOR is addressed for acceptance (the official channel of communication between FAO and the Member Nation) may not have been adequately informed by the technical ministry of the nature and objective of the Codex event;
- The ministry/ministries responsible for technical oversight and/or logistic organization of the Codex session may have no power to formally accept responsibilities regarding privileges and immunities, which are generally under the purview of the Ministry of Foreign Affairs;
- The acceptance may, depending on national legislation, require approval by the highest state authorities such as the Head of State or the Parliament;
- The ministry responsible for granting privileges and immunities for the session may not be aware that the provisions contained in the MOR are standard clauses and set out the minimum requirements for holding intergovernmental sessions outside the FAO premises. These clauses refer to international agreements accepted and undertaken by the Member Nations of the United Nations and cannot be modified.

### **Main steps for co-hosting Codex Sessions**

31. In order to illustrate the process and its bottlenecks, the main steps leading to the conclusion of an agreement between FAO/WHO and a venue country is explained below.

32. One of the pre-requisites for co-hosting of a Codex session is the willingness and commitment of a Codex subsidiary body's host government to explore co-hosting arrangements for a session of the body concerned. The modalities for matching the country chairing a Codex body (chairing country) and the country offering a meeting venue (venue country) are outside the scope of this document.

**Table 3. Main sequence of events, the responsible party and a timeframe under the best practice**

<b>Events/steps</b>	<b>Responsible party</b>	<b>Timeframe</b>
(i) Letter of interest is sent to the Codex secretariat	Venue country, in agreement with the chairing country	Not later than 9 months before the date of the session
(ii) Letter of Agreement (LOA)/ Memorandum of Responsibilities (MOR) are sent to the venue country	FAO (on behalf of FAO and WHO)	Approx. 1 to 2 months after receipt of the letter of interest
(iii) Conclusion of agreement by way of a letter of acceptance	Venue country (authorized official/ministry on behalf of the government)	4/6 months before the session
(iv) Issuance of Invitation and Provisional Agenda	Codex Secretariat	4/6 months before the session (in any case not later than 2 months before the session)

33. Main steps to be followed to enable co-hosting of a Codex session include:

- (i) A letter of interest from a prospective venue country to the Codex Secretariat;
- (ii) A Letter of Agreement/Memorandum of Responsibilities from the Director-General of FAO to the venue country addressed as per the official channels of communication between FAO and the country in question;

- (iii) The competent authority of the venue country responds to the LOA in writing by accepting the conditions set in the MOR, thereby concluding the agreement between FAO and the country; and
- (iv) The Codex Secretariat issues an Invitation Letter and a Provisional Agenda on behalf of the Directors-General of FAO and WHO.

#### ***Letter of interest***

34. The first step leading to the preparation of the MOR/LOA is the submission by a venue country of a “letter of interest” that should be addressed to the Secretary of the Codex Alimentarius Commission. In some cases the expression of interest is initially announced by the venue country at a preceding session of the Codex body; however, such oral declaration needs be substantiated by writing (i.e. letter of interest) before a formal process is started.

35. There is no standard format for the letter of interest, or requirement as to the authority which should sign off the letter, provided that the authority is such that the intent for co-hosting is clear and the letter represents a formal offer on the part of the government concerned. As a minimum, the letter should contain an expression of interest / willingness of the country to host a given Codex session at a certain date. Additional information in the letter may refer to the underlying agreement with the chairing country, the venue of the session, the acceptance to undertake certain responsibilities regarding operations and granting immunities and visas. Annex 2-1 to this document provides an example of the content of such letter.

36. The letter of interest should be submitted as early as **possible**, as soon as the chairing and venue countries have reached an agreement regarding the co-hosting. It is desirable that the letter of interest be sent to the Codex Secretariat one year before the planned date of the session, and in any case, **no later than 9 months before** the session.

#### ***Letter of Agreement (LOA) and Memorandum of Responsibilities (MOR)***

37. Upon reception of the letter of interest, the Codex Secretariat requests the relevant unit of FAO to prepare the LOA/MOR. This internal preparation process may take several weeks.

38. The LOA is a letter usually signed by the Director-General of FAO (also on behalf of the Director-General of WHO), addressed to the official channel of communication of the recipient country, requesting the venue country to accept the responsibilities regarding the granting of privileges and immunities, granting of visas and other operational responsibilities set out in the accompanying MOR.

39. The format and content of the LOA and MOR are standardized and essentially do not differ from those established between FAO and the standing host governments of Codex bodies. In the case of co-hosting arrangements, the LOA/MOR may include specific references to the support of the chairing country extended to the venue country, and to the shared responsibilities between the two countries for the provisions of certain services such as interpretation, translation of working documents and reports, meeting facilities, etc. Annexes 2-2 and 2-3 provide example of the standard LOA/MOR.

40. In accordance with FAO rules and procedures governing meetings, the preparation of the LOA/MOR should start **eight months** before the date of the meeting. It is important to note that the LOA/MOR follow the pre-determined official channels of communication between FAO and its Members, and that the Ministry to which the LOA/MOR is addressed is not necessarily the Ministry which will have the primary technical or logistic responsibility for co-hosting of the Codex session or the Ministry hosting the Codex Contact Point. The official channels of communication with FAO Members is available to accredited Permanent Representations to FAO (refer to the Permanent Representatives Website).

#### ***Letter of Acceptance and Conclusion of the Agreement***

41. Agreement between FAO/WHO and the venue country is concluded upon the receipt of a letter from the government of the venue country accepting the responsibilities set out in the MOR. The letter of acceptance (either in the form of letter or fax) should contain a clear reference to the outgoing communication (LOA/MOR) from FAO.

42. The letter of acceptance is generally signed by an authorized official with the competence and power to undertake the commitments as set out in the MOR and that have been delegated to the government of the venue country.

43. Under normal circumstances, the venue country receiving the LOA/MOR is given six weeks' time to reply to the LOA/MOR and thus conclude the agreement with FAO. The substantive content of the MOR is neither negotiable nor modifiable. In other words, venue countries that are unable to accept the conditions set out in the MOR should not enter into negotiations to host an FAO intergovernmental session.

44. The conclusion of agreement allows the Codex Secretariat to issue an Invitation Letter accompanied by a Provisional Agenda to all Members and Observers of the Codex Alimentarius Commission. It should be noted that according to Rule VII.4 of the Rules of Procedure of the Codex Alimentarius Commission the provisional agenda should be "*circulated by the Directors-General of FAO or WHO to all members of the Commission at least two months before the opening of the session.*"

### **Recommendations**

45. Current administrative procedures for co-hosting Codex sessions are often very lengthy due to various reasons, such as complexities in the administrative arrangements of the country, insufficient understanding of the process, initial delays in starting the process, lengthy consultations on the content of the MOR.

46. Venue countries have the primary responsibility concerning privileges and immunities, including the granting of visas to participants of Codex sessions, including all international organizations which have observer status with the Codex Alimentarius Commission. Venue countries may share operational responsibilities with chairing countries, according to the bilateral agreement to be established between them.

47. It is important that efficient communication between the chairing country, the venue country and the Codex Secretariat is established as soon as possible and is maintained throughout the whole process, in order to complete the required administrative arrangements in good time.

48. In order to expedite the process, it is strongly recommended that:

- (i) A country which is considering the hosting of a Codex session closely examine the conditions set out in the standard LOA/MOR attached to this document and internally obtain clearance-in-principle from the diplomatic branch of its government, prior to contacting the chairing country for possible co-hosting.
- (ii) The venue country, in agreement with the chairing country, communicate as soon as possible to the Codex Secretariat their willingness to co-host a session. An expression of interest, in writing, should reach the Codex Secretariat not later than 9 months before the date of the session.
- (iii) All communications concerning the LOA/MOR be copied to relevant interested parties, including the Ministries in charge of official communication with FAO, the FAO Representation in the country, and the country's Permanent Representation to FAO.
- (iv) The roles and responsibilities of different Ministries involved be clarified at a very early stage. The Codex Contact Point may play a positive role in facilitating and streamlining correspondence.
- (v) Consultation on key provisions such as privileges and immunities responsibilities be undertaken only in official form and through official channels of competent authorities, and not as part of informal dialogue.
- (vi) Standard LOA/MOR be adhered to in reaching agreement.
- (vii) Acceptance be officially notified four months before the session, thus allowing for timely distribution of Invitation and Provisional Agenda
- (viii) The Codex Secretariat cancel or reschedule the Codex session if no agreement is reached two months before the planned date for the session, in order to avoid insufficient participation of members in the Codex session.

### **Conclusion**

49. The Executive Committee and the Commission are invited to review the facts and analyses presented in sections 1, 2 and 3 above, and provide a view on whether co-hosting arrangements should continue to be encouraged and if in the affirmative, to advise what conditions should be met and what measures be taken in order to maximise the benefit and minimise disadvantage associated with co-hosting arrangements.

**Annex 1****English Only****Letter to Countries designated by the Commission to host Codex subsidiary bodies and to Co-hosting Countries**

**TO:** Codex Contact Points of Countries designated by the Commission to host (now or previously) subsidiary bodies of the Commission and Codex Contact Points of countries that have co-hosted sessions of subsidiary bodies of the Commission

**FROM:** Secretary, Codex Alimentarius Commission  
Viale delle Terme di Caracalla, 00153 Italy

**SUBJECT:** **Implementation of Strategic Plan 2008-2013, Activity 5.3: Evaluate Effectiveness Of Codex Committee Sessions Held In Developing Countries**

**DEADLINE:** **30 January 2009**

**REPLY TO:** Secretary  
Codex Alimentarius Commission  
Viale delle Terme di Caracalla, 00153 Rome, ITALY  
Fax: +39 06 57054593  
E-mail: [Verna.Carolissen@fao.org](mailto:Verna.Carolissen@fao.org) with a copy to [Tom.Heilandt@fao.org](mailto:Tom.Heilandt@fao.org)

**Definition:** *In the following:*

*Co-hosting signifies that a meeting is held in a developing country (co-hosting country) outside the country designated by the Commission as chairing country for the relevant body (chairing country).*

*Co-chairing signifies involvement of another person (or persons) in the actual chairing of the meeting such as is done for meetings of the Commission where the vice-chairs usually chair some parts of the proceedings.*

**Background:**

One of the outcomes of the Codex evaluation was Recommendation 26 in which committees were encouraged to appoint co-chairs of equal status one of which would be from a developing country and where host countries were encouraged to also hold meetings in the co-chair's country. As a follow-up to this recommendation and others emanating from the Codex evaluation, guidelines were developed for host governments of codex committees and ad hoc intergovernmental task forces included in the Procedural Manual, in which it is stated that the member country responsible for hosting a Codex committee should give consideration to the holding of Codex sessions in developing countries.

Since then, a number of countries have experienced co-hosting. The Codex Strategic Plan 2008-2013, contains Activity 5.3: Evaluate Effectiveness Of Codex Committee Sessions Held In Developing Countries which requires the evaluation of the effectiveness of holding Codex sessions in developing countries in terms of enhanced participation; analysis of the effectiveness of co-hosting arrangements and continued exploration of the possibility to convene Codex sessions outside the host countries.

Co-hosting was introduced in Codex with the expectation that over time co-hosting provides a mechanism to build capacity, to have experience that one would not otherwise have and also to enhance participation of countries. Two questionnaire have been developed to verify these assumptions and to identify what can be improved in the process.

**Action:**

Codex Contact Points are requested to answer either Questionnaire A or Questionnaire B below as appropriate to the situation, and one reply to the questionnaire per relevant subsidiary body. In some cases replies to both questionnaires may be appropriate in case countries have both co-hosted and chaired a Codex subsidiary body. This letter is copied to Codex Chairpersons for their information and possible contribution to the reply by the relevant Codex Contact Point.

**Questionnaire A (chairing country)**

1. Subsidiary Body [                      ]
2. Have you ever considered co-hosting for the committees hosted by your country? Do you have policies on co-hosting? (e.g. how often, regional rotation, prioritization, cost sharing, etc.) If “no”, why not? If “yes, why did you consider this, how did you pursue this process?
3. Has your country ever been approached by another country concerning co-hosting for this committee?
4. If you answered “yes” under 1. or 2., did the process lead to a co-hosting arrangement (indicate Session [    ] and Year [    ])? If “not”, why do you think it did not?
5. What was easier/ more difficult than holding the meeting in your country?
6. Were the costs compared to holding the meeting in your own country lower, similar or higher?
7. Did you have to provide more, the same amount or less human resources?
8. What support did you give to/ receive from the co-hosting country?
9. What difficulties did you see in co-hosting? If there were difficulties what could help to make things easier?
10. Do you think the cooperation had a positive effect for your country, the co-hosting country or Codex in general?
11. Was the co-hosting country involved in the actual chairing of the Committee? If yes – how? What particularly did you do as chair to work with the co-chair?
12. Do you have any suggestions for future co-hosting of Committees to avoid difficulties and maximize positive effects?

**Questionnaire B (co-hosting country)**

1. Subsidiary Body [                      ]; Session [            ]; Year [            ]; Venue [            ]
2. Who took the initiative to start the co-hosting process?
3. Why did you enter into the co-hosting process?
4. What advantages/ difficulties did you see in co-hosting?
5. What support did you give to/ receive from the chairing country?
6. Which costs did your country incur through the co-hosting? What obstacles did you encounter in getting the funds for this activity?
7. Do you think the cooperation had a positive effect for your country, the co-hosting country or Codex in general?
8. Was your country involved in the actual chairing of the Committee? If yes – how?
9. What are your experiences with establishing the letters of agreement, both with the chairing country and with FAO? If there were difficulties what could help to make things easier?
10. Do you have any suggestions for future co-hosting of Committees to avoid difficulties and maximize positive effects?
11. Do you feel that your country would:
  - (a) co-host another session of a Codex Committee under the same arrangements with the chairing country?
  - (b) co-host another session of a Codex Committee contributing more resources than previously?
  - (c) take on responsibility as a host country designated by the Commission on the understanding that the annual operational costs could range between 200,000-500,000 USD?

If the answers to (a), (b) and (c) above are all negative, please elaborate why.

Annex 2-1**MODEL LETTER OF INTEREST**

**Secretary  
Codex Alimentarius Commission  
Joint FAO/WHO Food Standards Programme  
Viale delle Terme di Caracalla  
00153 Rome  
Italy**

Dear ,

I wish to inform you that following discussions with the Government of [*name of the chairing country*], [*name of the venue country* ] would with great pleasure accept the responsibility to host the [*session number/name of the Committee/Task Force* ] to be held [*venue / date of the session*].

[*Name of the venue country* ] is willing to enter into an agreement with Food and Agriculture Organization of the United Nations (FAO) granting relevant privileges and immunities to FAO/WHO officers and all invited delegations. [*Name of the venue country*] will work closely with the Secretariat of [*name of the chairing country*] and the Joint FAO/WHO Codex Secretariat to ensure a successful organization of the session.

Sincerely,

**STANDARD LETTER OF AGREEMENT / MEMORANDUM OF RESPONSIBILITIES**

[Salutation]

I have the honour to refer to the *[reference to communication from host country containing agreement in principle]*, conveying your Government's willingness to provide host facilities for the *[session number/name of the Committee/Task Force]* to be held *[venue / date of the session]*.

I very much appreciate the generous offer made by your Government.

The Session is being convened within the framework of the Joint FAO/WHO Food Standards Programme. It is my intention to invite all Members of the FAO/WHO Codex Alimentarius Commission listed in Annex A. Notification of the Session will be given to the international organizations listed in Annex B who will attend as appropriate according to their specific field of interest.

Furthermore, other Member Nations or Associate Members of FAO and/or WHO, which are not members of the Codex Alimentarius Commission, or States which, while not Members of FAO or WHO, are members of the United Nations, as well as international organizations in relationship with FAO and/or WHO may be represented by observers at the Session, should they so request. The total number of participants is expected to be about *[xxx]*.

The Session, chaired by the *[name of the country chairing the session [and, if applicable, the name of the venue country]]*, will be conducted in *[working languages of the committee/task force]*.

I should like to draw your attention to the responsibilities to be assumed by the Host Government and by FAO for the Session, as specified in the attached Memorandum of Agreement. Part II of this Memorandum sets out the responsibilities of the Host Government with regard to privileges and immunities and the granting of visas and all necessary facilities to participants.

I should appreciate receiving your Government's acceptance by letter or by fax of the responsibilities outlined in the attached Memorandum of Agreement as soon as possible so that invitations and documents may be prepared and issued in good time. This letter and your reply will constitute the Agreement covering the Session.

[Closing]

**Annex 2-3****STANDARD MEMORANDUM OF RESPONSIBILITIES**

TO BE ASSUMED BY THE GOVERNMENT OF [ *NAME OF THE VENUE COUNTRY* ] AND BY THE FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS FOR THE [ *SESSION NUMBER/NAME OF THE COMMITTEE/TASK FORCE* ]

The following provisions set out the respective responsibilities to be assumed by the Government of the [ *name of the venue country* ], hereinafter referred to as the Host Government, and by the Food and Agriculture Organization of the United Nations, hereinafter referred to as FAO, acting on its behalf and on behalf of WHO, to ensure the smooth conduct of the [ *session number and name of the Committee/Task Force* ], hereinafter referred to as the Session, which forms part of the Joint FAO/WHO Food Standards Programme of the Organization.

The Session will be held in [ *venue and date of the session* ].

FAO will be responsible for organizing the Session, issuing all invitations and circulating the Provisional Agenda and working documents for the Session.

The Session will be conducted in [working languages of the committee/task force]. The Host Government, in collaboration with the Government of [ *name of the chairing country* ], will be responsible for providing interpreters whose curricula are to be cleared by the Chief FAO interpreter.

**PART I - OPERATIONAL RESPONSIBILITIES OF FAO****A. Staff (at FAO's cost in accordance with FAO regulations)**

FAO will:

1. Designate and make available the Secretary and Assistant Secretary of the Session, and other officers as may be required.
2. Bear all necessary costs of FAO staff provided, including salaries, subsistence allowances and travel to and from the Session.

**B. Services**

FAO will:

3. Arrange for the preparation of the draft report of the Session for adoption at the end of the Session.
4. Issue and distribute a report of the Session after its conclusion.

**PART II - RESPONSIBILITIES OF THE HOST GOVERNMENT WITH REGARD TO PRIVILEGES AND IMMUNITIES FOR FAO/WHO AND PARTICIPANTS**

The Host Government undertakes to:

4. Accord, for the purpose of the Session, to delegates and observers, and to FAO and WHO, its property, funds and assets as well as to FAO and WHO staff, all the privileges and immunities provided for in Article VIII, paragraph 4, and Article XVI, paragraph 2, of the Constitution and Rule XXXVII-4 of the General Rules of the Organization, and specified in the provisions of the Convention on the Privileges and Immunities of the Specialized Agencies.
5. Grant visas and all necessary facilities to delegates, observers and consultants attending the Session.
6. Hold FAO, WHO and their staff harmless in respect of any claims by delegates and observers or by other third parties arising out of the Session, except where it is agreed by the Host Government, FAO and WHO that the claim arises from gross negligence or wilful misconduct of such staff.

**PART III - OPERATIONAL RESPONSIBILITIES OF THE HOST GOVERNMENT****A. Staff**

The Host Government will:

7. Appoint a Liaison Officer who will be responsible for the coordination of local facilities and arrangements for the Session.
8. Make available local typists, photocopier machines and related assistance and services required for the conduct of the Session.
9. Make available, in coordination with the Government of the [*name of chairing country*], qualified interpreters for the simultaneous interpretation into [*languages of the meeting*] and qualified translators for the translation of the draft report (for adoption at the end of the Session) and final reports of the Session (to report to the Commission) from [*languages*].

**B. Facilities and Equipment**

The Host Government will provide for:

10. One conference room, with seating and table space for [*approximate number*] persons and fully equipped for simultaneous interpretation according to the attached standards; [*number*] offices for the Secretariat adequately furnished and space for duplication and collation of documents.
11. Sufficient amount of personal computers with international keyboard, equipped with Word 2000 or later, Adobe Acrobat, Web browser and e-mail, and connected to printers, photocopying machines, duplicating facilities and other equipment as required.

**C. Supplies and Services**

The Host Government will provide:

12. Office supplies, stationery and paper as required, badges, country flags and name plates.
13. Facilities for local reproduction of in-session documents, including draft reports, needed for the Session.
14. Telephone, telefax and postal services within the venue country, as well as Internet connection, for use by the Secretariat, free of charge, in connection with the work of the Session.
15. First-aid facilities for delegates, observers and staff.

**D. Transport**

The Host Government will:

16. Provide transport within the venue country for delegates, observers and staff as required for the conduct of the Session, and especially transport from hotel to meeting site, depending upon local circumstances.