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Steering Committee on Trade Capacity and Standards

Working Party on Agricultural Quality Standards

Seventy-eighth session

Geneva, 13–15 November 2023

Item 3 of the provisional agenda

**Terms of Reference and Working Procedures
of the Working Party**

Revised Working Procedures for the Working Party on Agricultural Quality Standards*

Submitted by the secretariat

Summary

This document contains the proposed revised Working Procedures for the Working Party on Agricultural Quality Standards. It is submitted to the Working Party for consideration.

At its seventy-seventh session in November 2022 the Working Party decided to set up an open working group to review the Terms of Reference and Working Procedures and prepare a proposal for consideration by the Working Party at its seventy-eighth session. During 2023 the open working group met in four meetings to review the Terms of Reference and Working Procedures and prepare proposals for revisions, with the last meeting held on 23 October 2023. The current document includes the revisions proposed by the open working group as a result of this process.

* This document was submitted late for processing due to resource constraints.

Working Procedures of the Working Party on Agricultural Quality Standards and its Specialized Sections

I. Introduction

1. The Working Party operates under the Rules of Procedure of the Economic Commission for Europe (ECE),¹ and the Guidelines on procedures and practices of ECE bodies.² In accordance with Rule 20 of the *Rules of Procedure*,³ the following procedures are proposed for the Working Party on Agricultural Quality Standards (WP.7). They update and supersede those agreed by the Working Party at its seventy-fourth session in November 2018.⁴

II. Meetings

2. Unless otherwise decided by the Steering Committee on Trade Capacity and Standards, the Working Party and its specialized sections shall meet annually.

3. The Working Party and the specialized sections can delegate tasks to their bureaux and to ad-hoc working groups/rapporteur groups who can hold informal meetings. The ad-hoc working groups/rapporteur groups are formed to achieve specific tasks by agreed deadlines assigned to them by the parent body, such as developing draft texts or proposals and to submit the proposals to the parent body for consideration.

4. The bureaux of the Working Party and of its specialized sections consist of its chairperson and vice-chairperson(s). The bureaux shall meet at least once in between annual sessions.

5. The WP.7 extended bureau consists of the WP.7 bureau and the chairpersons of the specialized sections. The extended bureau shall meet at least once in between annual sessions.

6. The main task of the bureaux (WP.7 bureau, WP.7 extended bureau and that of specialized sections) is to oversee the implementation of the decisions made at previous session(s) and to prepare the following official session. The chairperson, vice-chairperson(s), and the WP.7 secretariat shall attend these meetings. Other interested parties can be invited at the request of the chairperson.

7. The formal meetings of the Working Party and its Specialized Sections are normally held in Geneva with full interpretation and translation. WP.7 meetings may be held in other countries at the invitation of a host country, subject to the provision of resources for interpretation and travel of the secretariat. Informal meetings are normally held online without interpretation.

III. Officers

8. The Working Party and its Specialized Sections elect their officers (a chairperson and an agreed number of vice-chairpersons), normally at the end of each session. The term of office is one year, with no limit on the number of times that an officer can be re-elected.

9. Candidates for the bureaux shall be nominated by member States based on the person's expertise, professionalism, and expected support from the membership.

10. The chairpersons:

¹ Terms of Reference and Rules of Procedure of the Economic Commission for Europe, 5th ed. (E/ECE/778/Rev.5, 2009).

² E/2013/37 - E/ECE/1464, Appendix III

³ Terms of Reference and Rules of Procedure of the Economic Commission for Europe, 5th ed. (E/ECE/778/Rev.5, 2009). Rule 20: "Subsidiary Bodies shall adopt their own rules of procedure unless otherwise decided by the Commission".

⁴ ECE/CTCS/WP.7/2018/2

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- (a) Chairs the meetings of the Working Party and the Specialized Sections in a fair and transparent manner in accordance with the decision-making procedure explained in section VI below;
 - (b) Summarizes the decisions taken at the end of the discussion on each item;
 - (c) Encourages ad-hoc working groups/rapporteur groups to advance the work during the intersessional period;
 - (d) Delegates tasks to the vice-chairperson(s), as appropriate;
 - (e) Calls, together with the secretariat, meetings of the bureau;
 - (f) Presents reports to the relevant parent bodies, in the case of the Specialized Section to the Working Party, and of the Working Party to the Steering Committee on Trade Capacity and Standards;
 - (g) Presents the common position of the Working Party or Specialized Section at other organizations' meetings, in consultation with the WP.7 secretariat;
 - (h) Promotes with the secretariat the work of the Working Party or Specialized Section;
 - (i) Works with the secretariat to ensure that agendas, reports and other procedures required by the United Nations are completed in a timely manner.
11. The vice-chairperson(s):
- (a) Acts, upon request of the secretariat or the chairperson, in the case of absence of the latter;
 - (b) Attends meetings of the bureau in the intersessional period;
 - (c) Carries out tasks delegated to them by the chairperson.

IV. Secretariat

12. The secretariat:
- (a) Draws up, together with the bureau, draft agendas for meetings;
 - (b) Prepares meeting documentation and drafts meeting reports;
 - (c) Presents papers and intervenes during the sessions, as necessary;
 - (d) Prepares informal meetings on request from the bureaux;
 - (e) Maintains a contact database and a list of national designated authorities;⁵
 - (f) Updates information on the work of WP.7 and its specialized sections on the ECE website;
 - (g) Publishes the standards and material used to support their implementation;
 - (h) Works with other international organizations that develop and implement agricultural quality standards;
 - (i) Promotes the work of the Working Party and its specialized sections;
 - (j) Organizes seminars, workshops and training courses to assist countries in the application of standards;

⁵ Paragraph 9 of the Geneva Understanding on Agricultural Quality Standards, adopted in 2015, stipulates that: “Any country wishing to participate in the UNECE work on agricultural quality standards should notify the UNECE secretariat indicating its designated national authority, i.e. the national focal point for this work and the institution responsible for commercial quality control.” (ECE/CTCS/WP.7/2015/22).

- (k) Coordinates work across the specialized sections and in the context of ECE cross-sectoral activities.

V. Meeting documentation and registration deadlines

13. The timeline for translation means that documents need to be available to the secretariat at a minimum 12 weeks prior to a meeting.

The following timelines apply:

- (a) Draft agenda and proposals:
- **14-20 weeks (before the session):** The secretariat, in consultation with the chairperson, prepares a draft agenda and circulates a call for proposals for agenda items.

Delegations inform the secretariat if they intend to submit proposals, indicating their subject, document length and language. Proposals for new standards or amendments to existing standards must include a written justification.
 - **14 weeks:** Delegations submit their proposals in writing.
 - **10-12 weeks:** The secretariat finalizes the draft annotated agenda for approval of the chairperson, in the case of a Specialized Section, and bureau in the case of the Working Party. The secretariat submits the draft annotated agenda to the Documents Management Section (DMS) for translation and posts it on the ECE website.

The secretariat finalizes documents (formatting, editing, clarifications) and submits them to DMS. Documents submitted to DMS within 10 weeks of the session will be translated and made available in English, French and Russian.
 - **6 weeks:** Documents finalized by this date will be distributed in the original language only. After this deadline, documents will be made available only as informal documents and will not have any official United Nations status or distribution.
- (b) Registrations:
- **6-8 weeks:** Online registration to the meeting is opened.
 - **1-2 weeks:** The tentative list of participants is communicated to Geneva-based Permanent Representations.

VI. The standard development/revision process and decision-making procedure

14. The process of developing/revising ECE agricultural quality standards, interpretative material and guidelines is described below and illustrated in the annex.

15. The procedure for agreement and decision-making within the specialized sections and the Working Party has as its objective the widest possible acceptance of the standards and related material. Thus, in line with the Guidelines on procedures and practices for ECE bodies, the Working Party and specialized sections shall continue its existing practice of making every effort to reach consensus among delegations representing national governments.

Standard development or revision process

16. The following process for developing proposals for new or revised standards or guidance material shall be applied:

- (a) Any country can initiate work either on the development of a new or the revision of an existing standard (brochure, guidelines). The proposals for a new or revised standard need to be made to the relevant Specialized Section in line with the

timelines outlined in paragraph 13 above, and must contain a justification for why this new work or revision is necessary. If the Specialized Section agrees, work on the development or revision of a standard or related material can begin. The Specialized Sections shall report annually to the Working Party on plans to develop and revise standards and related material.

(b) The drafting a revised text of an existing document or creating a new standard (brochure, guidelines) is normally assigned to the requesting delegation or to an ad-hoc working/rapporteur's group, led by a rapporteur and composed of several delegations. Other organizations can also participate based on the Specialized Section's approval. Certain tasks, like taking photographs for explanatory material, can be delegated to external individuals or organizations, however the decision about what to include in the final draft will be made by the ad-hoc working/rapporteur's group. The rapporteur leads the work on the text taking into account comments from the delegations and presents the text to the Specialized Section for consideration.

(c) During the Specialized Section session, the text of the standard (brochure, guidelines) being discussed may be revised. The text may be referred back to the rapporteur's group for further development. In the intersessional period, delegations can send proposals for amendments or comments on the draft to the rapporteur and the secretariat.

(d) Once the text is agreed upon by the Specialized Section, it is submitted to the Working Party for adoption as a new standard, a revised standard, or a recommendation with a trial period of one or two years for testing in actual application. Upon completion of the trial period, the text will be considered by the Specialized Section and if satisfactory it will be submitted to the Working Party for adoption (see illustration in annex).

Decision-making procedure

17. The following procedure for decision-making shall be applied:

(a) The chairperson shall facilitate the discussion, striving to reach a consensus on the issue in question between all delegations. The chairperson will summarize the discussion and will suggest the decision(s) to be taken by the meeting. If there is consensus, a decision is taken and noted in the report of the session.

(b) If there is no consensus in accordance with (a), dissenting delegations may express their reservation. Upon expression of reservation, the chairperson will ask the dissenting delegation if they would let the decision stand, and have their reservation noted in the report of the session and as a footnote to the standard, interpretative material or guideline in question. If there is agreement on this, a decision is taken and the dissenting views are included in the report, indicating the rationale.

(c) If the dissenting delegations do not agree to the procedure under (b), the chairperson shall ask all delegations if they agree to delay a decision and continue to hold informal discussions during the session or the intersessional period in a working/rapporteur's group. If there is consensus during the session a decision is taken, if not the issue is put on the agenda for the next session.

(d) If none of the dissenting countries agrees to the procedure under (c) it is noted in the report that no decision could be reached on the issue in question. The item is considered as closed and the existing text remains unchanged.

Treatment of reservations during revisions to standards

18. During the full revision of standards, the following procedure applies to reservations placed by countries in the previous text of the standard:

Specialized Section: Once the Specialized Section announces the full revision of a standard all previous reservations contained in this standard will be removed. During the subsequent Specialized Section discussions, countries will have the opportunity to restate their reservations, in case a consensus cannot be reached.

Secretariat: When a country that had initially placed the reservation is absent during the initial Specialized Section discussion of the revised standard, the secretariat may contact the country delegation in this regard.

Working Party: A country that expresses its reservation at the Specialized Section level must formally restate its reservation (in person or writing) at the Working Party session for the reservation to be sustained in the final text of the standard. The Secretariat should remind delegations that had placed reservations of the need to formally restate the reservation at the Working Party level.

Intersessional approvals

19. When the Working Party or a Specialized Section considers that there is a well substantiated reason to approve a draft decision, recommendation, standard or other output of the Specialized Section or the Working Party in the period between the annual meetings, it may submit it for approval in an intersessional procedure, as follows:

- (a) The Bureau approves the document and submits it to the secretariat.
- (b) The secretariat publishes the draft document on the ECE website and circulates a note to the list of national designated authorities, with a copy to Geneva-based permanent missions, clearly indicating that the draft document is for approval.
- (c) In the absence of comments or substantive change requests after a one-month comment period, with a reminder from the secretariat two weeks before the deadline, the document will be considered as approved. The absence of any response from a delegation will be considered as support for the document. The one-month comment period will take effect from the date of the announcement of the intersessional process and publication on the ECE website. Comments on the draft document should be submitted to the secretariat.
- (d) If substantive comments or objections are made in writing, the document shall be withdrawn from publication and the comments transmitted to the relevant Specialized Section.

Frequency of revisions of standards

20. The standards should not be revised earlier than three years after the latest revision unless there is an urgent and well-substantiated need to do so. Between the revisions, proposals that were submitted to the secretariat by countries would be considered by the specialized sections as work in progress.

VII. Working Party decisions

21. As stipulated in the Guidelines on procedures and practices for ECE bodies, any draft conclusions, recommendations or decisions which the Working Party is expected to discuss and adopt at their meetings, should be distributed by the secretariat to all participants and Geneva Permanent Representations at least ten days before the start of the meeting for information, so as to allow participants to finalize their position during the meeting in order to adopt conclusions, recommendations and decisions. This does not prejudice the possibility for member States to propose additional agenda items, draft conclusions, recommendations or decisions at the meeting.

22. The chairpersons of the specialized sections will report to the Working Party. If a chairperson cannot attend the meeting, he/she may delegate this responsibility to a vice-chairperson, another delegate or the secretariat.

23. The Working Party may agree on introducing minor, mainly linguistic or editorial changes to the texts submitted by the specialized sections for approval. Texts requiring further substantive discussion will be returned to the specialized section concerned.

24. Draft conclusions, recommendations and decisions are formally adopted by the Working Party during the session. Draft decisions should be projected on a screen, where

possible, and read out by the Chair, as stipulated in the Guidelines on procedures and practices for ECE bodies.

25. The texts approved by the Working Party become official. They are published on the ECE website and can only be changed through the procedure for revising the text, as outlined in this document. Minor editorial corrections can be made by the secretariat, in consultation with the bureau of the specialized section concerned.

VIII. Meeting report

26. The secretariat will prepare a concise draft report, reflecting the discussion and decisions taken, and circulate for comments and adoption by member States at the end of the meeting. The final version of the report, also containing a list of future work, which forms the basis for the development of the draft agenda for the next session, will be posted on the ECE website.

Annex

Process of developing/revising ECE agricultural quality standards, recommendations, interpretative material and guidelines

