

CODEX CAPSULE 12

Select Delegates

Slide 1 - Introduction

In this session we will review the way countries may consider the composition of their national delegation participating in Codex Proceedings

Slide 2

Determining who should be on a **national delegation** is always a challenge, as there are a number of factors that may affect the selection process.

Often a country **delegation will consist of one person only**, owing to a lack of resources.

With only one person on the delegation, it makes the selection process even more critical.

Slide 3

Regardless of the process used to form the delegation, there are some common elements:

1. The Codex Contact Point solicits nominations from senior-level managers of departments or agencies active in the national Codex programme.

As the Codex Alimentarius Commission is an intergovernmental organization, the official representative to sessions of the Commission or its subsidiary bodies **should be a government official**.

However, there may be circumstances where an individual who is not from government may end up being the official representative. For example, the expertise required is not available within government, or a government official is not available.

In such circumstances, it must be clearly understood that the individual is representing the government and is expected to promote the official government view on issues under consideration, and not the position of the organization or the individual themselves.

2. The government endorses the nomination submitted.

The manner of official endorsement would naturally vary from country to country.

The Codex Contact Point should be involved in the selection process as should the National Codex Committee if one exists.

As the individual(s) selected are representing the country, there should be some form of government endorsement.

The composition of the national delegation – i.e. representative (head of delegation), alternates and advisors must be communicated to the meeting secretariats through the Codex contact point.

3. The nominee's appointment together with the delegate's obligations and funding arrangements may be confirmed in writing if desired.

Adequate briefing of the delegate is always important, but even more critical when there is a new representative at Codex meetings.

Regardless of the degree of formality required to conform with national procedures, in appointing an individual to represent their country, it is very important the individuals selected are fully briefed, regarding: their responsibilities; **and** issues of significance under discussion at the Codex meeting in which they are participating.

Slide 4

Criteria to be applied during the selection process of national delegates:

- terms of reference of the Codex meeting for which the individual is being selected;
- position held within a ministry/department with primary responsibility for the specific Codex meeting;
- technical expertise of the individual in the subject matter of the relevant Codex meeting;
- degree of experience or involvement in previous Codex activities;
- other factors: such as recommendations made by the National Codex Committee

Slide 5

Members of a national delegation would fall under one of the following two categories:

- 1. Head delegate generally a government member**

2. Advisor: may be . a government official and/or a non-government member

Naturally, if a country's delegation consisted of one individual, that individual would be the head delegate by default.

Commonly, countries will only have one delegate attend a Codex session due to resource limitations. The cost of travel, even for "developed" countries is prohibitive.

Nevertheless, it must be realized that due to heavy work agendas, and on occasion formation of small working groups during the Codex session, it may be in the best interests of a country to have **more than one delegate**, even if it means committing extra resources.

A second member of a delegation may help the head delegate to prepare or revise his oral intervention, takes notes of discussion, organize documents of the meeting, and even connect back to the capital to hold informal consultation with other officials during the session.

Slide 6 : Participation of Non-Government Advisors

It's not unusual for a country to have non-government representatives on their delegations. Such individuals are selected to be part of a delegation due to the technical expertise within industry and academia.

As is the case for government officials, representatives selected to serve on national delegations should also be “officially endorsed”.

When deciding on such representatives, the following criteria used to select government officials should be applied:

- terms of reference of the Codex meeting for which the individual is being selected;**
- technical expertise of the individual in the subject matter of the relevant Codex meeting;**
- degree of experience or involvement in previous Codex activities (e.g. previous contributions to developing national positions);**
- other factors, (e.g. good communication skills).**

Here is a practice that may be applied by some countries:

In some countries a national Codex fund is established to be used by government agencies to attend Codex meetings managed by the National Codex Committee (NCC).

The NCC is mandated to identify the Codex meetings to be attended.

The Committee also selects and endorses delegations, including the head delegate, in consultation with partners and stakeholders.

The Fund is then used to fund the travel of the selected and endorsed delegation.

Travel funds can be a parameter to consider when a delegation is to be identified, along with the importance of the committee targeted for the Country.

Slide 7

Let us review the Responsibilities and Obligations of Delegations

Members of a national delegation to attend Codex sessions have the following responsibilities and obligations:

Delegations participate in *Codex sessions in accordance with the Codex Procedural Manual, Guidelines for Codex committees and intergovernmental task forces, including Conduct of meetings*. It is the responsibility of all delegates to become familiar with the contents of this part of the Procedural Manual.

Slide 8:

2. Delegates are expected to attend all plenary sessions and any meetings convened by the head delegate. With the concurrence of the head delegate, advisors may also attend working group meetings held during the session.

3. Generally, advisors should not negotiate on behalf of their country's government, and should only do so with the express permission of the head delegate.

According to Codex rules of procedure, alternates and advisors in a country delegation can only speak in session when authorized by the head delegate and with the permission of the Chairperson.

An effective delegation should be well-managed and coordinated by the head delegate. All related decisions which may effect the performance of the delegation should be made by the head delegate.

Slide 9:

4- A standard rule that applies to all Codex activities is that an individual is registered as a member of a delegation, and can only be a member of one delegation.

He/she may not serve concurrently during a Codex committee session as a member of any other country's delegation, or on the delegation of an accredited advisor organization to the Codex session. In particular, individuals representing non-government organizations may wish to carefully consider where they can be most effective – either as a member of a country delegation or a member of an international organization that has Observer status in Codex and is promoting positions that are similar to the views of that individual's organization.

5. Members of the delegation are not immune from any laws or regulations of their country or the host country as a result of participation on a delegation.

Slide 10:

When selected as a member of the delegation, NGO advisors must work towards the overall objective of the delegation...

- If, during informal discussions, non-governmental advisors express views that differ from the official country position, they must clearly indicate that these views are their own, or those of the non-governmental organizations they represent, and not those of their country's government. According to Codex rules of procedure, alternates and advisors in a country delegation can only speak in session when authorized by the head delegate and with the permission of the Chairperson.
- Non-government delegates should advise the head delegate of the concerns of the organization they represent, and make every effort to contribute to enhancing the effectiveness of the delegation at Codex sessions.
- Non-governmental advisors in particular should exercise discretion to ensure that their activities are not prejudicial to the effectiveness of the delegation. A member may be asked to withdraw from the delegation if such activities occur.

Slide: 11

All delegations have a Head Delegate who has overall responsibility for the functioning of the delegation before, during and after the relevant Codex meeting.

Where a delegation consists of only one individual, by default that individual is the head delegate.

The head delegate is the main speaker presenting the country's views and position on issues under discussion.

Slide 12 : Let us Review the Responsibilities of the Head Delegate

The Head Delegate Strives to ensure the formation of a delegation of government officials and NGO representatives with an interest in, and expertise relevant to, the TOR of the committee, as well as the items on the provisional agenda.

Second He or She should Ensure that draft positions are prepared for each agenda item, in consultation with the National Codex Committee (or its equivalent).

He or She must Conduct a discussion of the draft positions on each agenda item with officials from other countries that may share common views.

He or She Should Present the draft positions for each agenda item to the National Codex Committee (or its equivalent) for review, amendment as necessary and endorsement.

The head delegate should be looking at the provisional agenda to identify those issues of most significance to his/her country and determining what expertise may be needed to develop a position. Ideally those individuals identified during this process should actually attend the meeting but it is not absolutely necessary.

It is important to understand that it is the expertise that is important and their subsequent input. As positions should be prepared before a delegation leaves for a Codex meeting, then early involvement of appropriate experts is the key to a strong position. This expertise may come from other government departments/agencies or from non-government organizations.

As positions reflect official national government opinion, it is important that the positions be endorsed by the appropriate government authority.

Slide 13

Other Responsibilities of the Head delegate include:

- To Provide copies of the final draft positions to: (a) the CCP, (b) each member of the delegation, (c) all interested stakeholder organizations, (d) the designated contacts in other countries as appropriate.**
- To Present, defend and promote the positions on each agenda item to the Codex committee, taking into account issues raised by other delegations while ensuring consistency with national policy.**

- On return to the country, to prepare a report on the outcome of the session for the CCP and the NCC. All members of the delegation should endorse the final delegation report.
- To Continue to coordinate preparation of responses to circular letters issued with respect to the committee, with consultation on the draft positions, as appropriate. The reply should be submitted to the Codex Secretariat via the CCP, and presented to the NCC for information.

Let us consider some practical aspects:

The First point is about SHARING YOUR COUNTRY'S POSITION

The sharing of positions outside of government is not done automatically.

If the Head Delegate considers it would be useful to share the country's positions in advance of the meeting, then copies are provided to key contacts. This is normally done through the Codex Contact Point.

The Second Practical point is about DEFENDING AND PROMOTING YOUR COUNTRY'S POSITION

Simply presenting your country's position (in writing or verbally) will not guarantee that your country's views will be reflected in any Committee decision.

A Head Delegate, with the assistance of other members (if any) of the delegation must promote and defend the position. This entails liaising

with other delegations before and during the meeting to present and explain your position and to solicit support.

To advance the country's viewpoint, delegates must be proactive. Where a particular agenda item falls within the mandate of another ministry other than the one from which the head delegate comes, and if there is a member of the delegation from that other ministry, the head delegate may consider asking this delegate to speak on behalf of the country with respect to this item.

Third : the preparation of the Report on the outcome of the session for the CCP and the NCC may be delegated to another member of the official delegation. In some countries, it is standard practice to present this report orally to the NCC, where such a committee exists.

Slide 14:

There are some considerations which should be taken into account by head delegates and others involved in preparing country positions.

These considerations concern the activities in preparation, during and after the Codex session.

These considerations are not exhaustive, neither are all points applicable to all delegations all the time.

However, It may be useful to establish checklists to which head delegates and others can refer for guidance on Codex activities

Slide 15:

Attending Codex Meetings:

A question frequently asked by first-time attendees at a Codex meeting is “what do I bring?”

Travel information: visa, airline tickets, hotel address, contact details of embassy, name and address of contact person at Codex Contact Point in host country.

Also, taking into account prior approval for travel is normally required, careful consideration needs to be given to all the relevant time-lines to ensure that an attendee arrives on time to fully participate in the meeting proceedings.

In planning the travel itinerary, delegates should take into consideration the date the meeting starts and finishes, as well as other meetings planned prior to the main Codex meeting.

For example, most Regional Coordinating Committees hold a planning/coordinating session a day or two before the plenary session commences. Also, for some meetings, a one day training seminar or workshop may be organized to coincide with the Codex session.

In this case, travel arrangements should ensure that attendees arrive on time to participate in these ancillary activities. This is particularly

important for those countries submitting applications for support from the Codex Trust Fund.

On the screen you have all the items that need to be checked and to be considered to bring with you, when you plan to attend a Codex meeting

Slide 16

Let us summarize:

In the process countries use to form national delegations, there are some common elements, such as soliciting nominations from senior-level managers, endorsement by the government, confirmation of the nominee's appointment together with delegate's obligations and funding arrangements.

A country delegation may consist of several members such as: the head delegate, other delegates and advisors (i.e. a government official, a non-government representatives). Often a delegation will consist of one person only, which by default would be the head delegate.

Members of a national delegation have precise responsibilities and obligations, such as: (a) become familiar with the Procedural Manual, (b) attend all plenary sessions and any meetings convened by the head delegate, (c) can't serve concurrently during a Codex session as a member of more than one delegation, etc.

The head delegate has overall responsibility for the functioning of the delegation before, during and after the Codex meeting.

Whoever is involved in preparing country positions should take into account some considerations and useful tips concerning the activities in preparation, during and after the Codex session.