



EUROPEAN AND MEDITERRANEAN PLANT PROTECTION ORGANIZATION

CONVENTION
for the establishment of
THE EUROPEAN AND MEDITERRANEAN
PLANT PROTECTION ORGANIZATION

(Text in force in 1999)

1999-09

PARIS
1, rue Le Nôtre

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(as originally approved and incorporating all amendments up to 1999-09)

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*of 18 April 1951, as amended by the Council on 27 April 1955,
9 May 1962, 18 September 1968, 19 September 1973,
23 September 1982, 21 September 1988 and 15 September 1999*

Article I. - Aims

There shall be established a European and Mediterranean Plant Protection Organization (hereinafter referred to as the Organization), as a recognized regional plant protection organization under the International Plant Protection Convention, established by the Food and Agriculture Organization of the United Nations (FAO)¹. The aims of the Organization are:

- a. to support the Member Governments in their aim of assuring plant health, while preserving human and animal health and the environment;
- b. to pursue and develop, by cooperation between the Member Governments, the protection of plants and plant products against pests and the prevention of their international spread and especially their introduction into endangered areas;
- c. to develop internationally harmonized phytosanitary and other official plant protection measures and, as appropriate, to elaborate standards to that effect;
- d. to present the collective views of the Member Governments, as appropriate, to FAO, WTO, other regional plant protection organizations and any other bodies with related responsibilities.

Article II. - Definitions

For the purposes of the present Convention, the following terms shall have the meanings hereunder assigned to them:

“Endangered area” - an area where ecological factors favour the establishment of a pest whose presence in the area will result in economically important loss;

“International standards” - international standards established in accordance with the International Plant Protection Convention;

“Introduction” - the entry of a pest resulting in its establishment;

“Pest” - any species, strain or biotype of plant, animal or pathogenic agent injurious to plants or plant products;

“Pest risk analysis” - the process of evaluating biological or other scientific and economic evidence to determine whether a pest should be regulated and the strength of any phytosanitary measures to be taken against it;

“Phytosanitary measure” - any legislation, regulation or official procedure having the purpose to prevent the introduction or spread of pests;

“Plant products” - unmanufactured material of plant origin (including grain) and those manufactured products that, by their nature or that of their processing, may create a risk for the introduction or spread of pests;

“Plants” - living plants and parts thereof, including seeds and germplasm;

¹ Article VIII of the International Plant Protection Convention of 1951-12-06; Article IX of the new revised text of the International Plant Protection Convention as approved by Resolution 12/97 of the Twenty-Ninth Session of the FAO Conference in 1997-11.

“Quarantine pest” - a pest of potential economic importance to the area endangered thereby and not yet present there, or present but not widely distributed and being officially controlled;

“Regional standards” - standards established by a regional plant protection organization for the guidance of the members of that organization;

“Regulated non-quarantine pest” - a non-quarantine pest whose presence in plants for planting affects the intended use of those plants with an economically unacceptable impact and which is therefore regulated within the territory of the importing country;

“Regulated pest” - a quarantine pest or a regulated non-quarantine pest.

Article III. - Membership

- a. Membership of the Organization shall be open to the following by adherence to the present Convention according to the provisions of Article XX:
 1. the Governments of the countries in Schedule II;
 2. the Government of any other country which the Council of the Organization may decide to invite to become a Member.
- b. The Government of any territory about which a declaration has been made under the terms of Article XXI may be admitted to membership by the Council of the Organization, but only on the proposal of the Member who made the declaration. Any such decision shall require a two-thirds majority of the votes cast. Territories so admitted shall be such as can in the opinion of the Council make a definite and individual contribution to the work of the Organization.

Article IV. - Seat

- a. The seat of the Organization shall be in Paris.
- b. The administrative meetings of the Organization shall normally take place at its seat.

Article V. – Functions

The functions of the Organization shall be:

- a. to develop
 1. principles of good practice in the application of phytosanitary measures and in plant protection generally;
 2. regional standards;
- b. to promote
 1. the harmonization of phytosanitary and other official plant protection measures;
 2. the simplification and unification of phytosanitary regulations and certificates;
- c. to advise Member Governments on
 1. technical measures necessary to prevent the introduction and spread of regulated pests, particularly measures for inspection and testing, certification, treatment, survey and eradication;
 2. the administrative and legislative measures necessary to prevent the introduction and spread of regulated pests, including in particular pest risk analysis and the establishment and updating of lists of regulated pests;

3. the measures necessary to register or authorize plant protection products, and to control their marketing and use on their territories, in compliance with the principles of good plant protection practice as well as, whenever possible, the principles of integrated control;
- d. where practicable, to coordinate and stimulate international campaigns between Member Governments against pests;
- e. to facilitate cooperation in research on pests and the methods of control and in the exchange of relevant scientific information;
- f. to disseminate information by
 1. obtaining information from Member Governments on the existence, outbreak or spread of pests, and conveying such information to Member Governments;
 2. providing for the exchange of information on national phytosanitary legislation, lists of regulated pests, or other measures affecting the free movement of plants and plant products;
 3. establishing a documentation and information service and publishing in an appropriate form material for technical or scientific advancement;
- g. generally to take all necessary and appropriate action to achieve the aims of the Organization.

Article VI. - Obligations of Member Governments

- a. Member Governments shall furnish to the Organization so far as is practicable such information as the Organization may reasonably require in order to carry out its functions, including in particular the information referred to in Article V f1 and V f2.
- b. Member Governments shall endeavour to implement the recommendations made by the Council of the Organization, including in particular the regional standards.

Article VII. - Relationship with Other Organizations

The Organization shall cooperate, in achieving the objectives of this Convention, with FAO and the other regional plant protection organizations, and may cooperate with WTO and other bodies with related responsibilities, in appropriate activities. These include the development of standards for phytosanitary and other official plant protection measures, and the consideration of regional standards of the Organization as candidates for international standards. It shall use its best endeavours to prevent overlapping of activities.

Article VIII. - Structure of the Organization

The Organization shall consist of:

- a. the Council;
- b. the administration, comprising the Executive Committee, the Director-General and the staff;
- c. the Accounts Verification Panel;
- d. such bodies as Council may decide to set up under Article XIII a.5.

Article IX. - *The Council*

- a. The Council of the Organization shall consist of representatives of Member Governments.

Each Member Government shall be entitled to appoint one representative to the Council and one alternate.

Representatives and alternates appointed by Member Governments may be accompanied by associates and advisers.

- b. Each Member Government shall have one vote in the Council.

Article X. - *Sessions of the Council*

- a. The Council shall ordinarily meet in regular session once in each year.

- b. Extraordinary sessions of the Council shall be called at any time when the Chairman is so requested in writing by at least one third of the Member Governments.

Article XI. - *Rules*

Council shall establish the Rules of Procedure of the Organization and the Financial Rules of the Organization.

Article XII. - *Observers*

With the consent of the Council, any non-member Government and any intergovernmental body whose responsibilities are related to those of the Organization may be represented at any session of the Council by one or more observers without the right to vote.

Article XIII. - *Functions of Council*

The Council shall:

- a. consider and decide upon:
1. the progress report of the Director-General on the work of the Organization since the preceding regular session of the Council;
 2. the policies and programme of activity of the Organization;
 3. the budget;
 4. the annual accounts and balance sheet;
 5. the setting up and dissolution of *ad hoc* or permanent bodies to pursue the work of the Organization;
 6. the reports of such bodies;
 7. any proposals submitted by the Executive Committee;
- b. hold the statutory elections;
- c. appoint the Director-General on such terms as it may determine.

Article XIV. - Chairman and Vice-Chairman

- a. The Council shall elect a Chairman and a Vice-Chairman from amongst representatives of Member Governments.
- b. The Chairman and Vice-Chairman shall be elected for a period of three years and be re-eligible for one further term of office.
- c. The Chairman and Vice-Chairman shall serve in the same capacity within both the Council and the Executive Committee.
- d. The Chairman and Vice-Chairman shall cease to represent their countries on election.

Article XV. - The Executive Committee

- a. The Executive Committee shall be composed of the Chairman and Vice-Chairman and of seven representatives of Member Governments elected by the Council.
- b. Members of the Executive Committee shall normally hold office for three years and be eligible for re-election.
- c. If a vacancy occurs in the Executive Committee before the expiration of the term of appointment, the Executive Committee shall ask a Member Government to appoint a representative to fill the vacancy for the remainder of the term.
- d. The Executive Committee shall meet at least once a year.

Article XVI. - Functions of the Executive Committee

The Executive Committee shall:

- a. submit proposals for the Organization's policies and programme of activity to the Council;
- b. consider recommendations made by other Organizations as specified in Article VII and make appropriate proposals to the Council;
- c. ensure that the activity of the Organization conforms with the decisions of the Council;
- d. submit the draft budget and the annual accounts and balance sheet to the Council; the Executive Committee may approve a provisional budget pending its consideration by the Council;
- e. undertake such other tasks as may be assigned to it under this Convention or entrusted to it by the Council;
- f. adopt its own procedure.

Article XVII. - The Director-General

The Director-General shall:

- a. be the head of the secretariat of the Organization, which functions under his responsibility;
- b. carry out the programme approved by the Council and such tasks as may be entrusted to him by the Executive Committee;

- c. report at each regular session of the Council on the activity of the Organization and the financial position.

Article XVIII. - Finance

- a. The expenditure of the Organization shall be met by annual contributions from Member Governments and by such other receipts as may be approved by the Council or the Executive Committee.
- b. The amount of the annual contribution of each Member Government shall be based on the scale of contributions as specified in Schedule I.
- c. Governments newly adhering to the Convention, if members of FAO, enter the appropriate category on the scale in Schedule I and, if not members, the category decided by the Council. Schedule I, and the category of Member Governments on the scale in Schedule I, shall only be changed by decision of the Council, by a majority of two thirds of Member Governments.
- d. On the recommendation of the Executive Committee, the Council may decide to apply a coefficient to the basic contribution laid down in Schedule I, in order to adjust it to the activities of the Organization or to the economic situation of the moment. The decision is taken by a two-thirds majority of the Member Governments present and voting.
- e. Annual contributions shall be payable at the beginning of the Organization's financial year.
- f. The contributions of Member Governments shall be paid in currencies to be determined by the Executive Committee with the approval of the contributing Government concerned.
- g. The first annual contribution of a Government newly adhering to the Convention shall be payable for the financial year of the Organization during which the provisions of Article XX are fulfilled.
- h. Supplementary contributions may be paid by an individual Government or group of Governments towards special schemes or campaigns of control, which the Organization may carry out in the interest of that Government or group of Governments.
- i. An Accounts Verification Panel composed of representatives of three Member Governments shall be elected by the Council. Members of the Panel shall be elected for three years and shall not be eligible for re-election during the next three years.
- j. The Executive Committee shall, with the approval of the Council, appoint an auditor to audit the accounts of the Organization each year.
- k. The Accounts Verification Panel shall each year examine, with the auditor, the accounts and management of the Organization and report to the Council.

Article XIX. - Amendments

- a. Texts of proposed amendments to the present Convention and to Schedule I thereto shall be communicated by the Director-General to Member Governments at least three months in advance of their consideration by the Council.
- b. Amendments to the Convention shall come into effect when adopted by a two-thirds majority of the members of the Council present and voting, provided that amendments involving new obligations for Member Governments - with the exception of the amendments to Schedule I referred to in paragraph c. below - shall come into force in respect of each such Government only on acceptance by it.
- c. Amendments to Schedule I shall be adopted by the Council by a majority of two-thirds of the Member Governments.

- d. Acceptance of amendments shall be deposited with the French Government who shall inform all Member Governments of the receipt of acceptances and the entry into force of amendments.

Article XX. - *Signature and Acceptance*

- a. The present Convention shall remain open for signature or for accession, by those Governments which become parties to it, in accordance with the provisions of Article III, in the following circumstances:
 1. by signature without reservation as to ratification, acceptance or approval;
 2. by signature followed by ratification, acceptance or approval;
 3. by accession.
- b. Instruments of ratification, acceptance or approval, or of accession, shall be deposited with the French Government. The depositary shall inform all Member Governments of the date on which each has signed or deposited an instrument.

Article XXI. - *Territorial Application*

- a. Any Government may at any time declare that its participation in the Convention includes all or any of the territories for whose international relations it is responsible. Such declaration shall be deposited with the French Government.
- b. Any declaration made by a Member Government under the preceding paragraph shall take effect on the thirtieth day following its receipt by the French Government.
- c. The French Government shall immediately inform all Governments parties to the Convention of declarations made under this Article.

Article XXII.- *Withdrawal*

- a. Any Member Government may at any time after two years of membership withdraw from this Convention by giving written notice of withdrawal to the French Government. The withdrawal shall take effect one year from the date of receipt of the notification.
- b. The non-payment of two consecutive annual contributions shall under normal conditions imply the withdrawal from the Convention of the defaulting Member Government.
- c. The application of the Convention to a territory or territories under Article XXI may be terminated by written notification to the French Government by the participating Government responsible for the international relations of such territory or territories. The notification shall take effect one year from the date of its receipt.
- d. The French Government shall immediately inform all participating Governments of notifications given under this Article.

Article XXIII. - *Entry into Force*

- a. The present Convention shall enter into force on the date on which five Governments have become parties thereto in accordance with the provisions of Article XX.
- b. The French Government shall immediately inform all Governments which have signed or accepted the Convention of the date of entry into force of the Convention.
- c. For each Government which has deposited instruments of ratification, acceptance or approval, or of accession, after the Convention has entered into force according to paragraph a. of the

present Article, the Convention shall enter into force from the date on which this Government has deposited its instruments of ratification, acceptance or approval, or of accession.

SCHEDULE I
Scale of Annual Contributions

expressed in French francs and derived from the scale as approved for pounds sterling by Council on 18 September, 1968 and based on the shares paid by FAO Member Governments for the FAO budget of 1966-1967.

(see Article XVIII)

Category	Percentage paid to FAO	Annual contributions in French francs
1	Less than 0.01	4 590
2	0.01 - 0.15	9 180
3	0.16 - 0.45	13 770
4	0.46 - 0.75	18 360
5	0.76 - 1.35	22 950
6	1.36 - 2.00	27 540
7	2.01 - 2.50	32 130
8	2.51 - 5.00	36 720
9	5.01 - 7.50	41 310
10	7.51 - 10.00	45 900

SCHEDULE II

A. Countries of Europe and the Mediterranean Area invited in 1951 to accept the Convention

Albania	Hungary	Portugal
Austria	Iceland	Romania
Belgium	Ireland	San Marino
Byelorussian Soviet Socialist Republic	Israel	Spain
Bulgaria	Italy	Sweden
Czechoslovakia	Lebanon	Switzerland
Denmark	Liechtenstein	Syria
Egypt	Luxembourg	Turkey
Federal Republic of Germany	Monaco	Ukrainian Soviet Socialist Republic
Finland	Netherlands	Union of Soviet Socialist Republics
France (also for Algeria, Tunisia and Morocco)	Norway	United Kingdom
Greece	Poland	Yugoslavia

B. Countries invited by the Council in 1996 to accede to the Convention

Armenia
Azerbaijan
Bosnia and Herzegovina
Former Yugoslav Republic of Macedonia
Georgia
Jordan
Kazakhstan
Kyrgyzstan
Libya
Lithuania
Moldova
Tajikistan
Turkmenistan
Uzbekistan
Yugoslavia (Federal Republic)

Signatories to the Original Text

In faith whereof the undersigned, duly authorized by their Governments, have signed the present Convention and the Schedules thereto.

DONE IN PARIS this 18th day of April 1951 in a single copy, which will remain deposited in the Archives of the French Government (*).

For Denmark	<i>Halvor Skov</i>
	<i>P. Bovien</i>
For Belgium	<i>Guillaume</i>
	<i>H. Van Orshoven</i>
For Spain	<i>Miguel Benlloch</i>
For France	<i>R. Protin</i>
For Ireland	<i>D. Delaney</i>
For Italy	<i>A. Melis</i>
For Luxembourg	<i>E. Wirion</i>
For the Netherlands	<i>C.J. Briejèr</i>
For Portugal	<i>Francisco Aranha</i>
For the Federal Republic of Germany	<i>H. Drees</i>
For the United Kingdom	<i>J. Hensley</i>
For Switzerland	<i>A. Chaponnier</i>
For the F.P.R. of Yugoslavia	<i>G. Nonveiller</i>
For Austria	<i>F. Beran</i>
For Greece	<i>D. Koulopoulos</i>

Certified true copy of the original document deposited in the Archives of the French Republic.

*Le Ministre Plénipotentiaire
Chef du Service du Protocole*

Edouard de la Chauvinière

(*) Printed copies of each revised edition of the text of the Convention, incorporating the amendments adopted by the Council of the Organization on 27 April 1955, 9 May 1962, 18 September 1968, 19 September 1973, 23 September 1982, 21 September 1988 and 15 September 1999, have also been deposited with the French Government.

EUROPEAN AND MEDITERRANEAN PLANT PROTECTION
ORGANIZATION

MEMBER GOVERNMENTS
on 14 September 1999

and category in Schedule I

<i>Country</i>	<i>Category</i>	<i>Country</i>	<i>Category</i>
Albania	2	Jordan	2
Algeria	2	Latvia	2
Austria	4	Lithuania	2
Belgium	6	Luxembourg	2
Bulgaria	3	Malta	2
Croatia	2	Morocco	2
Cyprus	2	Netherlands	6
Czechia	3	Norway	4
Denmark	5	Poland	6
Estonia	2	Portugal	3
Finland	4	Romania	4
France	10	Russia	9
FYR Macedonia	2	Slovakia	2
Germany	10	Slovenia	2
Greece	3	Spain	5
Guernsey	2	Sweden	6
Hungary	3	Switzerland	5
Ireland	3	Tunisia	2
Israel	3	Turkey	4
Italy	8	Ukraine	6
Jersey	2	United Kingdom	10