

GOV08 – Standard Committee Terms of Reference – 2011-11-19		
Replaces	Standard Committee Terms of Reference - 2009- 04-22	
Approval of the original document:	BoD	2008-10-11
Approval of previous versions	BoD & EC	2010-05-17 & 2011-09-13
Approval of current version:	EC	2011-11-19
Main modifications from previous version:	Changes following the results of the ISEAL review to improve the balanced stakeholder representation within the SC and improve the decision-making mechanism.	

1. Period of validity and modifications

This document has been approved by the Executive Committee of the Union for Ethical BioTrade (UEBT) on the date of 19 November 2011. Any modification of these terms of reference shall be approved by the UEBT Board or its Executive Committee. They remain valid until such a revision occurs.

2. UEBT stakeholder classification

Stakeholders in the standards development and revision process are classified according to nine (9) broad stakeholder groups, as follows:

	Economic	Social	Environmental
Developed country economy	X	X	X
Emerging economy	X	X	X
Developing country economy	X	X	X

3. Appointment and Duration of Terms of officers

The UEBT Standard Committee is composed of 5 to 11 persons, of which at least 40% are members of the Union for Ethical BioTrade. Representatives of economic sectors shall not exceed 50% of the Committee's membership.

The UEBT Board shall assure a balanced representation of different stakeholders in the Standard Committee. At minimum of one representative of each of the following stakeholder groups shall be represented in the Standard Committee:

	Economic	Social	Environmental
Developed country economy	X	X	X
Emerging economy	X		
Developing country economy	X		

The economic sector could be represented by:

- Organisations involved in the trade of products derived from biodiversity,
- Trade associations,
- Organisations involved with the business sector as per their missions, etc.

The environmental sector could be represented by:

- Organisations involved in biodiversity conservation and other environmental issues linked to the Ethical BioTrade mission, etc.

Social sector could be represented by:

- Organisation representing smallholders,
- Organisation representing indigenous people,
- Organisation representing workers, etc.

In addition to the above, the UEBT Board should assure that the Standard Committee includes relevant expertise, such as that from the scientific and/or legal community or from other organisations active in standard setting or certification.

Committee members will be appointed by the UEBT Board for a duration of 3 years. Each time a new Committee member is appointed his/her stakeholder group will be clarified.

4. Purpose

The purpose of the Standard Committee is to:

- Oversee procedures related to the formulation and revision of standards,
- Assure a balanced multi-stakeholder representation in standard setting in accordance with the requirements for developing standards as stipulated by the World Trade Organization (WTO) and the International Social and Environmental Accreditation and Labelling Alliance (ISEAL),
- Recommend for approval any final draft standard to the UEBT Board of Directors.

5. Standard development procedure

The process used by UEBT is described in PRO06 – Standardization process. It is composed of 4 broad steps:

1. a 30-day notification period to stakeholders, in addition to national WTO enquiry points. During this phase a stakeholder mapping exercise is carried out to identify which are the important stakeholders that need to participate in the standard development process;
2. a 60-day consultation of the first draft;
3. a 60-day consultation period of the second draft;
4. a 20-day feedback period on the 3rd final draft by UEBT members and those stakeholders that participated in the public consultation phases.

When addressing comments, contributions of the nine (9) stakeholder groups in section 2 should be considered in a balanced way. This process gives the possibility to all interested stakeholders to participate in and contribute to a UEBT standard development or revision process in a balanced way.

6. Tasks

The Standard Committee provides recommendations to the Board of Directors regarding the following:

- Proposing and/or overseeing procedures regarding the formulation of new, and the revision of existing standards;
- Periodic revision of adopted standards;
- Assures due process has been followed by the UEBT Secretariat; (new)
- Assesses the participation opportunities offered in the standard revision process in relation to the stakeholder analysis of the Terms of Reference of the revision process (GOV22 – ToRs of the revision process)
- Strives to propose solutions in case the UEBT Secretariat is not able to provide solutions that will bring about consensus amongst participants in the standard development process. It is the prerogative of the Standard Committee to decide if solutions provided by the UEBT Secretariat are sufficient;

- Provides recommendations to the Board of Directors regarding the adoption of new or revised standards.

7. Committee President and the role of the Secretariat

The Standard Committee appoints a President from its midst, who will report to the UEBT Board of Directors and the General Assembly on the functioning and decisions of the Standard Committee.

The UEBT Secretariat acts as Secretary to the Standard Committee. As such it prepares the agenda and background documentation on each agenda point, and elaborates the minutes of each meeting. Before each meeting, it will provide the Standard Committee with a summary of the issues at stake, a clear indication of decisions/feedback required from the Committee, and the necessary background information.

Meetings are convened by the Standard Committee's President or by the UEBT Secretariat with prior approval by the President. Meetings are facilitated by the Secretariat. Committee members can request that additional issues be put on the agenda, or request that a special meeting is convened to address a specific issue.

8. Meeting format and decision-making mechanism

For the revision of the work done by the UEBT Secretariat in the development of a new or revised standard, the Standard Committee meets at least once physically, funds permitting. Additional meetings (virtual or physical) may be organised if necessary.

For addressing further issues, the Standard Committee is expected to discuss them by e-mail. Teleconferences may be organised if the need arises. Standard Committee members generally have 10 working days to react on issues raised, unless indicated differently. Silence shall be considered as approval.

The Committee endeavours to take its decisions by consensus. In decision making silence may be considered to be agreement with the majority view. However the UEBT Secretariat should make reasonable efforts to receive inputs from all the Standard Committee members.

Consensus is defined as the absence of sustained opposition¹ but does not require unanimity. In cases when consensus cannot be achieved, or when a vote is needed by Standard Committee members, the following voting procedure shall be followed:

- each of the groups below shall be given equal voting right, i.e. one vote per group as depicted in the table below;
- to cast a vote, a simple majority position shall be reached within each voting group;
- for the final vote between stakeholder groups, at least 2/3 majority is required for any decision to be valid.

	Economic	Social	Environmental	Experts
Developed country economy	X	X	X	X
Emerging economy				
Developing country economy				

Confidentiality & conflict of interest

¹ Sustained opposition means that an important part of concerned interests has indicated, despite meaningful discussion of an issue, that the position or solution put forward continues to be unacceptable to that interest. Source: WWF, Aquaculture Dialogues Process Guidance Document, Appendix A, September 2008

If a decision to be taken is subject to a potential conflict of interest, the Standard Committee member concerned shall notify this to the Standard Committee. In case of a conflict of interest, the Standard Committee member shall refrain from taking part in the relevant discussions and decisions.

Members of the Standard Committee shall sign a confidentiality agreement addressing issues of confidentiality and conflict of interest.

Reporting

Minutes will be prepared on all meetings of the Standards Committee. Minutes will be signed by the President of the Standard Committee and presented to the Board.