

PRO06 – Standardization Process – 2011-11-19		
Change form previous version	Changes following the results of the ISEAL review to improve the balanced stakeholder representation, reintroduce the fact that all stakeholders who participated shall participate in the Approval of the 3 rd and final Draft (§ 5.7).	
Approval of the original document:	BoD	2008-10-10
Approval of the previous version:	BoD	2010-11-25
Approval of the previous version:	SC & EC	2011-07-20 & 2011-09-13
Approval of the current version:	SC & EC	2011-10-16 & 2011-11-19

1. Scope

This procedure applies to the development of all standards of the Union for Ethical BioTrade.

2. Normative References

- UEBT GOV01 – Union for Ethical BioTrade Articles of Association
- UEBT GOV08 – TOR Standard Committee
- UEBT GOV09 – TOR Appeal Committee
- UEBT GOV22 – TOR Standard revision process and justification
- UEBT PRO07 – Appeals procedure
- ISEAL P005 ISEAL Code of Good Practice for Setting Social and Environmental Standards

3. Terms and Definitions

The definitions of ISEAL Code of Good Practice for Setting Social and Environmental Standards apply to this procedure.

4. UEBT stakeholder classification

Stakeholders 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

5. Process for Developing Standards

5.1 Defining Terms of reference

Any new standard development or revision process shall be initiated by the definition of terms of reference for the consultation process (GOV22 – TOR Standard revision process and justification).

These shall include:

- An identification of the need of the new standard, including an assessment of whether the standard will answer these needs
- An identification of existing standards operating in a similar field
- A stakeholder analysis to identify the important stakeholders who need to participate in the standard development process, expected participation targets for each group and ways to reach out to them

- Identification of disadvantaged stakeholders and ways to facilitate their participation
- Clear objectives
- Decision-making mechanisms
- Description of the phases of the development process
- Scheduled time-frame
- An assessment of risks in implementing the standard and/or circumstances that could endanger its objectives and mechanisms to mitigate these.
- Expected impact, including on small scale organizations
- Any other relevant information

5.2 Notification

The public consultation phase shall be initiated by a 30-day notification period to stakeholders, including national WTO enquiry points. During this phase, stakeholders shall also be able to comment on the ToR, described under point 5.1.

5.3 1st consultation phase

A first public consultation phase of at least 60 days minimum shall be carried out.

This shall consist of:

- Notification to national WTO enquiry points and UEBT stakeholders as defined in the UEBT stakeholder outreach plan that the phase has begun, as well as an invitation to participate.
- Collecting comments.

5.4 Addressing comments on the 1st draft

Comments received shall be addressed by the UEBT Secretariat. The UEBT Standard Committee shall review the work done by the Secretariat (see GOV08 - TOR Standard Committee), and in doing so shall:

- Assure that due process has been followed by the UEBT Secretariat,
- Assess the participation opportunities offered in the standard revision process to the UEBT stakeholder groups, as described in the UEBT stakeholder analysis of the ToR (GOV22 – ToR Standard revision process and justification),
- Assure that the contributions of the UEBT stakeholder groups have been taken into account adequately and in a balanced way.
- 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.

As a result, a second draft of the standard shall be approved by the Standard Committee.

A report describing how comments have been addressed shall be prepared and made publicly available in electronic format. The report shall be provided in hard copies upon request. The charge for making the report available shall not exceed the actual printing and mailing costs.

5.5 Second consultation phase

The second consultation phase of at least 60 days shall follow the steps identified for the first phase (§ 5.3).

5.6 Addressing comments on the 2nd draft

The process shall be similar to point 5.4, leading to the production of a 3rd and final draft.

5.7 Approval of 3rd and final Draft

The 3rd and final draft shall be shared with the all UEBT members. They have 20 days to provide feedback and/or express sustained opposition¹ to any particular issue.

The final draft shall also be circulated to the stakeholders that participated in the public consultation. Stakeholders shall be given the opportunity to provide feedback on the revision process and its results, as well as on any additional issue that might require further work in future.

Any feedback or sustained opposition voiced by the stakeholders will be reviewed by the Standard Committee. It is up to the discretion of the Standard Committee whether to propose changes to the standard in view of the feedback received and to consider whether any additional consultation is necessary.

In case additional consultation is required, the Standard Committee shall provide clear recommendations to the UEBT Secretariat on the scope of such consultation. In this case UEBT shall formulate a consultation plan for the additional consultation and make this plan public on its website.

If no sustained opposition is found, the Standard Committee can approve the standard and recommend the UEBT Board of Directors to formally endorse and publish it.

When the Standard Committee signs off on the final draft standard it will be submitted to the Board of Directors for approval, with a clear report on any changes made and the rationale behind them, as well as any opposition voiced by the members and if and how such opposition was addressed.

5.8 Validation

The UEBT Board of Directors shall formally endorse the standard upon recommendation by the Standard Committee, unless it has substantiated reasons not to do so (e.g. because the process would not have been duly followed, or because of the way opposition voiced by UEBT members and stakeholders (§ 5.7) has been addressed). The UEBT Board of Directors shall not base its decision on their opinion of the content of the standard but only on the process of standards development or revision.

If the standard is not endorsed by the UEBT Board of Directors it may either send the standard back to the Standard Committee for further review, or submit the standard for voting of the General Assembly in which case the voting procedures stipulated in the UEBT Articles of Association shall be respected. In both cases, clear rationale should be provided for decisions taken.

5.9 Publication

Upon formal endorsement, this information shall be published on the UEBT website and relayed to all UEBT members, as well as those who participated in the stakeholder consultation process, with the information that the decision can be appealed during 60 days (see point 9, below).

Within 50 days after formal approval, the standard shall be published.

A published standard shall include the following elements:

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

- Publication date and, if relevant, dates of former versions (even if no changes have been made during the revision)
- Introduction, describing, *inter alia*:
 - The process of its development, including adherence to the ISEAL Code of Good Practice for Setting Social and Environmental Standards;
 - The possibility for comment and instructions of how to comment on the current document, including contact details of the UEBT Secretariat or contact point.
- Scope and reference to other UEBT related standard when relevant;
- Terms and Definitions;
- Clauses.

Standards shall be freely available on an electronic format and provided in hard copies upon request: any charge for these shall not exceed the actual printing and mailing costs.

6. Workshops and field tests

As far as is practically feasible, the consultation process shall be accompanied by workshops in different regions to allow interaction between commenting individuals in their own cultural setting.

When developing a new standard, drafts may be tested, funds permitting, during ongoing UEBT audits or special test audits, to ensure that it delivers the stated objective.

For the revision of existing standards, the active participation of practitioners (i.e. those who use the standard actively) shall be promoted, to gain first hand access to practical experience on the standards.

7. Revision of Standards

A standard shall be revised no later than 5 years after its approval. The revision shall follow the same steps as the development of a new document, with the following exceptions:

- The terms of reference for the revision shall include a summary of external circumstances that may have changed since the publication of the previous version and suggestions on how to address them;
- The version to be reviewed shall serve as a first draft of the revised version;
- The first notification (§ 5.2) will initiate the official revision process. Participants shall be invited to comment both on the ToR (GOV22 – ToR Standard revision process and justification) and the standard. The first phase, including the notification, will last at least 60 days;
- The comments received during the life of the standard and those received during the first consultation phase (§ 5.3 & 5.4) will form the basis of the second draft.
- The revision process continues as described in points 5.5 to 5.9.

8. Languages

The official language of the UEBT is English and the version of reference for each standard is English. However, UEBT strives to provide Spanish, Portuguese and French versions of drafts and final standards.

The access to translated documents is free for electronic versions. Hard copies shall be available upon request. Any charge for these shall not exceed the actual printing and mailing costs.

9. Appeals

Appeals can be made against the decision to accept a standard by anyone who has serious grounds to think the process followed for the development of the standard did not follow the pre-

sent procedure or was in breach of the ISEAL Code of Good Practice for the development of Social and Environmental Standards. To be considered, the appeal shall:

- be sent to the UEBT Secretariat, within 60 days after the formal approval of the standard (information sent to all participants and available on the UEBT website);
- provide the name and contact details of the appellant;
- disclose any possible connection with commercial interests related to the appeal;
- indicate clearly the reason for the appeal and;
- provide objective evidence sustaining the appeal.

The process for an appeal shall be as follows:

- the UEBT Secretariat shall examine if the conditions for receiving the appeal are fulfilled. If so, it shall transmit the appeal to the Standard Committee within 14 days after receiving the appeal;
- the Standard Committee shall review the recommendations present in the transmitted appeal to accept the standard in light of the elements contained in the appeal and report back to the UEBT Secretariat within 14 days;
- the UEBT Secretariat shall inform the appellant on the outcomes and take the necessary measures, depending on the outcomes;
- if the appellant is not satisfied of the outcomes, he/she shall inform the UEBT Secretariat within 14 days, providing a detailed explanation of his/her reasons to continue the process;
- the UEBT Secretariat shall call upon the Appeals Committee (see PRO07 - Appeal Procedure) and transmit the file at the latest 7 days after;
- the Appeal Committee shall take a decision within 30 days after receiving the file. Its decision is final.

An appeal shall not block the normal process to accept, publish and implement a standard. Corrective measures, if any, shall be taken at the moment the appeal procedure is closed.

10. Records

10.1 Records of the different activities of the standardization process shall be kept electronically for at least 5 years.

10.2 Records shall include, for each stage of the development process:

1. the version of the procedure used for the standard development process,
2. the version of the standard used for the consultation,
3. the terms of reference for the standards development process, including the stakeholder mapping and participation targets,
4. the time frame for the standard development process,
5. a summary of comments received and how they have been addressed,
6. the list of stakeholders contacted,
7. the list of stakeholders who have participated,
8. the list of comments received and how they have been addressed.

10.3 Items 10.2.1 to 10.2.5 shall be made publicly available upon request.

11. Contact

The Union for Ethical BioTrade can be contacted at the following address:

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