

PLANT PROTECTION AGREEMENT FOR THE SOUTH EAST ASIA AND PACIFIC REGION

Rome, 27 February 1956

The Contracting Governments, desiring to prevent, through concerted action, the introduction into and spread within the South East Asia and Pacific Region of destructive plant diseases and pests, have concluded the following Agreement, which is a supplementary agreement under Article III of the International Plant Protection Convention of 1951:

Article I

DEFINITIONS

In this Agreement and in the appendices hereto, the following terms shall have the meaning hereby assigned to them, save as otherwise provided:

a) The South East Asia and Pacific Region, hereinafter called "The Region," comprises the territories in South East Asia east of the western border of Pakistan and south of the Himalayas, the southern border of China and the northern border of the Philippines, and all those territories in the Pacific Ocean, the South China Sea and the Indian Ocean situated wholly or partly in the area bounded by longitudes 100 deg East and 165 deg West and latitudes 15 deg North and 20 deg South, but excluding Australia;

b) "plant" or "plants" means all species of plants or parts thereof, whether living or dead (including stems, branches, tubers, bulbs, corms, stocks, budwood, cuttings, layers, slips, suckers, roots, leaves, flowers, fruits, seeds and any other parts of plants);

c) "territory" means a State or Territory within the Region defined in (a) above;

d) "the Organization" means the Food and Agriculture Organization of the United Nations.

e) "the Committee" means the Plant Protection Committee for the South East Asia and Pacific Region established in pursuance of Article II of this Agreement.

Article II

REGIONAL COMMITTEE

1. The Contracting Governments hereby establish a regional committee, to be known as the Plant Protection Committee for the South East Asia and Pacific Region, whose functions shall include:

a) the determination of procedures and arrangements necessary for the implementation of this Agreement and the making of recommendations to the Contracting Governments accordingly;

b) the review of reports submitted by the Contracting Governments of progress in the implementation of this Agreement;

c) the consideration of problems requiring co-operation on a regional basis

and of measures for mutual assistance.

2. Each Contracting Government shall be represented on the Committee and shall have one vote. A majority of the Contracting Governments shall constitute a quorum. Decisions of the Committee shall be taken by a majority of the votes cast except as otherwise provided in this Agreement.

3. The Committee shall meet whenever convened by the Director-General of the Organization after consultation with the Chairman of the Committee. The Director-General of the Organization shall convene the committee at least once every two years or when so requested by at least one third of the Contracting Governments.

4. The Committee shall elect from amongst the delegates a Chairman who shall serve for a period of two years or until the first session of the Committee held after the expiration of the period of two years. The Chairman shall be eligible for re-election.

5. Expenses incurred by delegates of Contracting Governments in attending sessions of the Committee shall be determined and paid by their respective Governments. The Director-General of the Organization shall appoint and provide the secretariat of the Committee from the staff of the Organization who shall serve only during sessions of the Committee. The expenses of the secretariat of the Committee shall be determined and paid by the Organization.

6. The Committee shall establish its own rules of procedure .

Article III

MEASURES REGARDING THE IMPORTATION OF PLANTS FROM OUTSIDE THE REGION

For the purpose of preventing the introduction into its territory or territories of destructive diseases and pests, and in particular those listed in Appendix A to this Agreement, each Contracting Government shall use its best endeavours to apply with respect to the importation of any plants, including their packings and containers, and any packings and containers of plant origin, from anywhere outside the Region, such measures of prohibition, certification, inspection, disinfection, disinfestation, quarantine, destruction or other measures as may be recommended by the Committee, taking into consideration the provisions of Articles V and VI of the International Plant Protection Convention.

Appendix A to this Agreement may be modified by a decision of the Committee.

Article IV

MEASURES TO EXCLUDE SOUTH AMERICAN LEAF BLIGHT OF HEVA FROM THE REGION

In view of the importance of the Hevea rubber industry in the Region, and of the danger of introducing the destructive South American leaf blight (*Dothidella ulei*) of the Hevea rubber tree, the Contracting Governments shall take the measures specified in Appendix B to this Agreement. Appendix B to this agreement may be modified by a decision of the Committee taken unanimously.

Article V

MEASURES REGARDING MOVEMENT OF PLANTS WITHIN THE REGION

For the purpose of preventing the spread within the Region of destructive diseases and pests, each Contracting Government shall use its best endeavours to apply, with respect to the importation into its territory of any plants, including packings and containers, and any packings and containers of plant origin, from another territory within the Region, such measures or prohibition certification, inspection, disinfection, disinfestation, quarantine, destruction or other measures as may be recommended by the Committee, in addition to measures already adopted by each Contracting Government.

Article VI

GENERAL EXEMPTION

This Agreement shall not apply to the following plants and plant products except insofar as any such plants or plant products are explicitly made subject to specific measures of control provided in this Agreement or recommended by the Committee:

- a) any plants imported for food or for analytical, medicinal or manufacturing purposes;
- b) all seeds of annual, or biennial field crops or vegetables, and all seeds or cut flowers of annual, biennial or perennial ornamental plants which are essentially herbaceous in character; and
- c) any processed plant products.

Article VII

SETTLEMENT OF DISPUTES

If there be any dispute regarding the interpretation or implementation of this Agreement, or regarding action taken by any Contracting Government under this Agreement, and such dispute cannot be resolved by the Committee, the Government or Governments concerned may request the Director-General of the Organization to appoint a committee of experts to consider such dispute.

Article VIII

RIGHTS AND OBLIGATIONS OF CONTRACTING GOVERNMENTS NOT PARTIES TO THE INTERNATIONAL PLANT PROTECTION CONVENTION

Nothing in the International Plant Protection Convention shall affect the rights and obligations of Contracting Governments which are not parties to the Convention.

Article IX

AMENDMENT

1. Any proposal by a Contracting Government for the amendment of this Agreement, except Appendices A and B, shall be communicated, through the Committee, to the Director-General of the Organization.

2. Any proposed amendment of this Agreement received by the Director-General of the Organization shall be presented to a session of the Council of the Organization for approval.

3. Notice of any proposed amendment of this Agreement shall be transmitted to the Contracting Governments by the Director-General of the Organization not later than the time when the agenda of the session of the Council at which the matter is to be considered is despatched.

4. Any such amendment of this Agreement approved by the Council of the Organization, shall come into force with respect to all Contracting Governments as from the thirtieth day after acceptance by two-thirds of the Contracting Governments. Amendments involving new obligations for Contracting Governments, however, shall come into force in respect of each Contracting Government only on acceptance by it and as from the thirtieth day after such acceptance.

5. The instruments of acceptance of amendment shall be deposited with the Director-General of the Organization. The effective date of acceptance shall be the date of such deposit. The Director-General of the Organization shall inform all Contracting Governments of the receipt of acceptances and the entry into force of amendments.

Article X

SIGNATURE AND ADHERENCE

1. The Government of any State situated in the Region, or any Government which is responsible for the international relations of a territory or territories in the Region, may become a party to this Agreement, by either

- a) signature; or
- b) signature subject to ratification followed by such ratification; or
- c) adherence.

Governments may not subject their signature, ratification or adherence to any reservation.

2. This Agreement, the text of which was approved by the Council of the Organization on 26 November 1955, shall be open for signature until 30 June 1956 or until the date of its entry into force in conformity with the provisions of Article XI, paragraph I, whichever date is the later. The Director-General of the Organization shall immediately inform all signatory Governments of the signature of this Agreement by any other Government. Ratification shall be effected by the deposit of an instrument of ratification with the Director-General of the Organization and shall become effective as from the date of deposit.

3. This Agreement shall be open for adherence as from 1 July 1965 or from the date of its entry into force in conformity with the provisions of Article XI, paragraph I, whichever date is the later. Adherence shall be effected by the deposit of an instrument of adherence with the Director-General of the Organization and shall become effective as from the date of deposit.

4. The Director-General of the Organization shall immediately inform all signatory and adhering Governments of the deposit of an instrument of ratification or of adherence.

Article XI

ENTRY INTO FORCE

1. This Agreement shall come into force as soon as three Governments have become parties to it either by signature, or by signature subject to ratification followed by such ratification.
2. The Director-General of the Organization shall notify all signatory Governments of the date of entry into force of this Agreement.

Article XII

DENUNCIATION AND TERMINATION

1. Any Contracting Government may, at any time after the expiration of one year from the date on which it became a party to the Agreement, or from the date on which the Agreement entered into force, whichever is the later, denounce this Agreement by notification addressed to the Director-General of the Organization who shall at once inform all signatory and adhering Governments of the denunciation.
2. The denunciation shall take effect one year from the date of receipt of the notification by the Director-General of the Organization.
3. This Agreement shall automatically be terminated should the parties to it become fewer than three as the result of denunciations.

APPENDIX A

DESTRUCTIVE PESTS AND DISEASES NOT YET ESTABLISHED IN THE SOUTHEAST ASIA AND PACIFIC REGION

CACAO (*Theobroma cacao*)
Sahlbergella singularis Hagl.
Distantiella theobroma Dist.
Marasmius perniciosus Stahel
Monilia roreri Cif.
Trachysphaera fructigena
Tabor and Bunting
Virus
Virus diseases

CITRUS (*Citrus* spp.)
Anastrepha spp., es. *A. ludens*
(Loew.)
Deuterophoma tracheiphila
Petri

COCONUT (*Cocos nucifera*)
Pachymerus nucleorum (F).
Theraptus sp.
Aphelencoides cocophilus
(Cobb.) Goodey

COFFEE (*Coffea* spp.)

Antestia spp.
Leucoptera *caffeella* (Guer.)
Planococcus *henyae*
(Le Pelley)
Omphalia flavida Maubl and Rangel
Trachysphaera fructigena
Tabor and Bunting

COTTON (*Gossypium* spp.)

Anthonomus grandis Boh.
Anthonomus spp.
Diparopsis spp.
Phymatotrichum omnivorum
(Shear) Duggar
Virus

RUBBER (*Hevea brasiliensis*)

Dothidella ulei P. Henn

Pellicularia filamentosa (Pat.)
Rogers

Capsid
Capsid
Witches broom
Monilia pod rot
Trachysphaera pot rot

Swollen shoot

Mexican fruit fly

Mal Secco

(A Bruchid)
(A Coreid)
Red Ring disease

A Pentatomid bug
White coffee leaf miner
A mealy bug

American leaf spot

Trachysphaera fruit rot

Mexican cotton boll worm
Boll worms

Red boll worms
Texas root rot

Leaf curl

South American leaf blight
Target leaf spot

Known Distribution
West Africa, Belgian Congo
West Africa, Belgian Congo
West Indies, South America
South America

West Africa
Trinidad

Central America

Mediterranean region

New World
East Africa, Zanzibar
West Indies

Africa
New World, Africa
East and West Africa

Mexico, U.S.A., West Indies.
Central and South America
Africa

West Indies, Mexico, Central
America, Venezuela, U.S.A.
New World
Africa
Mexico, U.S.A.
Africa

Mexico, Central America,

Trinidad, South America
Central and South America

MAIZE (*Zea mays*)

Diatraea spp.

Puccinia polysora Underw.

OIL PALM (*Elaeis guineensis*)

Pachymerus lacerdae (Chevr.)

Pachymerus nucleorum (F.)

Pimelephila ghesquierii Tams.

Fusarium oxysporum

POTATO (*Solanum tuberosum*)

Leptinotarsa decemlineata Say

Corynebacterium sepedonicum

RICE (*Oryza sativa*)

Diatraea spp.

Mormidea spp., esp. *M. poecila*

Dall

Virus

SUGAR CANE (*Saccharum* spp.)

Diatraea spp., esp. *D. saccharalis* (F.)

Dermolepida spp. *Clemora smithi* (Arr.)

SWEET POTATO (*Ipomaea batatas*)

Virus

Stalk borers

Polysora rust

(A Bruchid)

(A Bruchid)

(A Pyralid)

Fusarium Wilt

Colorado beetle

Bacterial ring rot

Stem or stalk borers

Pentatomid bugs

Rice dwarf

Stalk borers

White cane grubs
A white cane grub

Internal Cork

Southern U.S.A., Mexico
West Indies, Central America,
South America

Africa, Mexico, U.S.A.,
Central America, West Indies
South America

Nigeria

New World

West Africa

West Africa

New World, Europe

New World, Europe

Southern U.S.A., Mexico
West Indies, Central America,
South America

Central America, South
America

Japan

Southern U.S.A., Mexico,
West Indies, Central America,
South America

Queensland

Mauritius

U.S.A.

(This list is tentative and subject to revision by the Regional Committee.)

APPENDIX B

MEASURES TO EXCLUDE SOUTH AMERICAN LEAF BLIGHT OF HEVEA FROM THE REGION

1. In this Appendix:

a) "the American tropics" means those parts of the continent of America, including adjacent islands, which are bounded by the Tropic of Capricorn (latitude 23 1/2 deg S) and the Tropic of Cancer (latitude 23 1/2 deg N) and the meridians of longitude 30 deg W and 120 deg W, and includes the part of Mexico north of the Tropic of Cancer:

b) "Competent Authority" means the officer or Government Department or other agency, which each Contracting Government recognizes as its authority, for the purpose of this Appendix.

2. Each Contracting Government shall prohibit by law the importation into its territory or territories of any plant or plants of the genus *Hevea* from outside the Region, unless:

a) the importation is made for scientific purposes, and

b) written permission has been granted for each consignment of plant or plants by the Competent Authority of the importing territory or territories and the importation is in accordance with such special conditions as may be imposed by the Competent Authority in granting such permission, and

c) the plant or plants have been disinfected and freed of any original soil in the country of origin in a manner acceptable to the Competent Authority of the importing territory and are free from pests and diseases, and each consignment of plant or plants is accompanied or covered by a certificate to the effect that the above requirements have been fulfilled, and signed by an appropriate authority in the country of origin; and

d) each consignment is addressed to and is received by the Competent Authority of the importing territory.

3. Each Contracting Government shall prohibit by law the importation into its territory or territories of any plant or plants of the genus *Hevea* capable of further growth or propagation (excluding seed) from the American tropics or from any other country in which South American leaf blight (*Dothidella ulei*) is present, unless, in addition to the requirements of paragraph 2 of this Appendix, at a place approved by the Competent Authority of the importing territory and situated outside the Region and outside the American tropics and any other country in which South American leaf blight (*Dothidella ulei*) is present such plant or plants have been grown for an adequate period at a plant quarantine station for *Hevea* and each consignment of such plant or plants is accompanied or covered by a certificate to the effect that the above requirements have been fulfilled, and signed by the officer-in-charge of such quarantine station.

4. Each Contracting Government shall prohibit by law the importation into its territory or territories of any seed of any plant of the genus *Hevea* from the American tropics or from any other country in which South American leaf blight (*Dothidella ulei*) is present, unless, in addition to the requirements of paragraph 2 of this Appendix, such seed, having been examined and again disinfected at a place approved by the Competent Authority of the importing territory and situated outside the Region and outside the American tropics and any other country in which South American leaf blight (*Dothidella ulei*) is present, has been repacked with new packing materials in new containers, and unless each consignment of such seed is accompanied or covered by a certificate to the effect that the above requirements have been fulfilled, and signed by the officer-in-charge of these operations.

5. Each Contracting Government shall prohibit by law the importation into its territory or territories of any plant or plants of the genus *Hevea* not capable of further growth or propagation (such as fresh or dried herbarium specimens), unless in addition to the requirements of sub-paragraphs (a), (b) and (d) of paragraph 2 of this Appendix, the Competent Authority of the importing country is satisfied that such plant or plants are required for a legitimate special purpose and that such plant or plants have been sterilized in the country of origin by a method satisfactory to the said Competent Authority.

6. Each Contracting Government shall prohibit by law the importation into its territory or territories of any plant or plants, other than the genus *Hevea*, capable of further growth or propagation and originating in the American tropics or in any other country in which South American leaf blight (*Dothidella ulei*) is present unless consignment of such plant or plants by the Competent Authority of the importing territory or territories and the importation is in accordance with such special conditions as may be imposed by the Competent Authority in granting such permission .

7. The Competent Authority of any territory or territories into which any plant or plants of the genus *Hevea* are imported for further growth or propagation shall ensure that such plant or plants are grown under control for such period as will ensure that such plant or plants are free from all pests and diseases before they are released.

In Witness Whereof the undersigned, duly authorized to that effect, have signed this Agreement on behalf of their respective Governments on the dates appearing opposite their signatures.

Done at Rome on the twenty-seventh day of February one thousand nine hundred and fifty-six in two copies in the English, French and Spanish languages, which languages shall be equally authoritative. The text of this Agreement shall be authenticated by the Chairman of the Council of the Organization and the Director-General of the Organization. After expiry of the period during which the Agreement is open for signature, in accordance with Article X, paragraph 2, one copy of the Agreement shall be deposited with the Secretary-General of the United Nations and the other in the archives of the Organization. Additional copies of this text shall be certified by the Director-General of the Organization and furnished to all Governments parties to the Agreement, with the indication of the date on which it has come into force.