



COUNCIL FOR TRADE IN GOODS

PANAMA – UNDUE DELAYS AND EXPORT RESTRICTIONS ON AGRICULTURAL AND HYDROBIOLOGICAL PRODUCTS ¹

Communication from Peru

The following communication, dated 25 April 2022, is being circulated at the request of the delegation of Peru.

1. Peru would like to express before WTO Members its trade concern regarding Panama's undue delays in renewing authorizations or the approval of new authorizations for processing plants of Peruvian fish and livestock enterprises, and regarding its re-establishment of trade in Peruvian onions and potatoes.
2. Peru wishes to highlight that, despite the bilateral meetings and efforts undertaken, as well as the trade concerns raised in the Committee on Sanitary and Phytosanitary Measures (SPS Committee)², Panama has failed to renew authorizations or include new enterprises authorized to export to the market concerned; there is also uncertainty as to the length of time that would be granted to Peruvian enterprises should renewal or a new authorization be secured. This situation would be in violation of the provisions of the Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement) and would also be discriminatory in terms of the authorization periods that may granted to the enterprises of other trading partners.
3. In the case of potatoes and onions, Panama has also implemented measures that contravene the provisions of the SPS Agreement, given that these measures have not been supported by proper scientific evidence, international phytosanitary reference standards have not been taken into consideration, less trade-restrictive measures have not been taken into account, there are still undue delays, and compliance with transparency provisions has been lacking.³
4. Regrettably, Panama continues to provide no sanitary or phytosanitary reasons regarding authorizations for Peruvian enterprises or market access for potatoes and onions, despite the fact that these types of measures are to be applied only when they are necessary to protect human, animal or plant life or health and that these measures must be based on a risk assessment.
5. In view of the above and in order to avoid a violation of the provisions of the SPS Agreement, Peru requests Panama to authorize Peruvian enterprises to export to the market in question and to provide access to Peruvian potatoes and onions, as well as to avoid any other action that may unnecessarily prolong both processes, generating unnecessary and unjustified barriers to trade.

¹ This statement was made by the delegation of Peru under agenda item 12 during the meeting of the Council for Trade in Goods that took place on 21-22 April 2022.

² Specific trade concern (STC) raised in the March 2022 SPS Committee, and in documents G/SPS/GEN/1904, G/SPS/GEN/1936 and G/SPS/GEN/1974.

³ Specific trade concern (STC) raised in the March 2022 SPS Committee, and in documents G/SPS/GEN/1905, G/SPS/GEN/1938 and G/SPS/GEN/1976.