

**STATEMENT BY CUBA AT THE MEETING OF  
20 AND 21 OCTOBER 2010**

The following communication, received on 22 October 2010, is being circulated at the request of the delegation of Cuba.

A. APPLICATION OF SPECIAL AND DIFFERENTIAL TREATMENT

1. The delegation of Cuba would like to state for the record that what has been negotiated thus far as regards special and differential treatment in the area of sanitary and phytosanitary measures falls short of what we feel is required.

2. The subject of technology transfer is of crucial importance to the developing countries, in that it is a significant part of special and differential treatment. It is in Cuba's interest that this technical and technological assistance, received either bilaterally or through the appropriate international organizations, be genuinely applicable as regards our countries, and that means going beyond what is provided for in Articles 9 and 10 of the SPS Agreement, as is the case with other relevant agreements.

3. Because technology transfer is a cross-cutting theme and treatment in the technical committees would appear to be insufficient, Cuba submitted a proposal to the Special Session of the Committee on Trade and Development under the symbol TN/CDT/W/32, calling for the transfer of technology to the developing countries in order to counter the adverse effects on access to the markets of the developed countries of the existence or proliferation of technical barriers to trade and of sanitary and phytosanitary requirements.

4. Cuba believes that exporting developing countries should be able to rely on advice, credits, donations and grants as well as the transfer of technology and equipment where substantial investments are required of them to fulfil an importing developed country Member's SPS requirements. The basic idea is for many countries of the South to acquire the technical expertise, training, equipment and technology they need to adjust to, and comply with, the sanitary or phytosanitary measures that have been imposed, without their growing share in those markets being affected. In this connection, Cuba supports any action or initiative that this Committee can come up with to ensure of the broadest possible application of special and differential treatment, since Cuba does not have the resources and equipment to conduct proper risk analyses.

B. CONCERNS WITH PRIVATE AND COMMERCIAL STANDARDS

5. As in previous meetings, Cuba would like to raise a number of points regarding the application of private standards.

6. We consider private standards to be trade restrictive in that they concern selected market segments and can only be met by a limited number of producers. Moreover, they are often stricter than the limits laid down by the international organizations or the country's own human health protection standards, and even than the domestic legislation of the country concerned.

7. At times they may contain elements that have been omitted in the public standards; but the solution is not simply to allow them to be issued without any control, but rather to address the limitations of public standards which ultimately contribute to the harmonization of food specifications. This would be in keeping with the requirements of Article 13 of the SPS Agreement.

8. We also believe that preference should be given to enhancing public standards, with priority on food safety and security, by reducing risk to a minimum and applying the Working Principles for Risk Analysis throughout the food chain, and by ensuring that all people have access to the necessary quantities of healthy, safe, nourishing, culturally acceptable and environmentally sustainable food so that they can lead a healthy and active life.

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