

**Committee on Sanitary and Phytosanitary Measures**

**OUTSTANDING REQUESTS FROM INTERNATIONAL  
INTERGOVERNMENTAL ORGANIZATIONS**

Criteria for Observer Status

Note by the Secretariat<sup>1</sup>

1. At the June 2011 meeting of the SPS Committee, several Members indicated that recalling the Committee's previously adopted guidelines for the granting of observer status would be useful to facilitate the consideration of the outstanding requests from various international intergovernmental organizations. Furthermore, Members expressed an interest in considering the requests according to the category of organization.

A. WORKING PROCEDURES OF THE COMMITTEE

2. Paragraph 7 of the Working Procedures of the Committee (G/SPS/1, dated 4 April 1995) reads as follows:

"Representatives of the FAO/WHO Codex Alimentarius Commission (Codes), the Office international des epizooties (OIE) and the FAO Secretariat for the International Plant Protection Convention (IPPC) will be invited to attend meetings as observers, pending the final decision by the General Council. Representatives of other international intergovernmental organizations may be invited by the Committee to attend meetings as observers in accordance with the guidelines to be adopted by the General Council. Notwithstanding the above, the Committee may, as appropriate, decide to hold restricted sessions with participation of Members only."

3. Guidelines on Observer Status for International Intergovernmental Organizations in the WTO were adopted by the General Council on 25 July 1996 (see the "General Council Guidelines, attached to this note").<sup>2</sup>

4. In the first half of 1998, the Committee held informal consultations with the aim of identifying criteria for granting observer status. In November 1998, the Secretariat was asked to prepare a background document summarizing concerns raised by some Members regarding the grant of observer status to other intergovernmental organizations and the criteria which had been suggested as most appropriate (G/SPS/W/98). At its meeting in March 1999, the Committee agreed to apply the criteria identified in paragraph 7 of that document in deciding on requests for observer status, and also agreed that, as an interim step, such requests would be granted only on an *ad hoc*, meeting-by-meeting basis. Paragraph 7 of G/SPS/W/98 reads:

---

<sup>1</sup> This document has been prepared under the Secretariat's own responsibility and is without prejudice to the positions of Members or to their rights or obligations under the WTO.

<sup>2</sup> WT/L/161.

"Suggested criteria for considering requests for observer status included the mandate, scope and area of work covered by the organization. Observer status should be granted to organizations, which objectively contributed to the functioning and implementation of the SPS Agreement.<sup>3</sup> Another criteria identified was reciprocity." (underlined in original)

B. CURRENT OBSERVER ORGANIZATIONS

5. Since 1995, the SPS Committee has granted observer status to a total of 21 bodies as follows:

(a) Observer status has been granted on a regular basis to:

	<i>Observer</i>	<i>Acronym</i>	<i>Date of decision</i>
1.	Food and Agriculture Organization	<i>FAO</i>	Mar-97
2.	FAO International Plant Protection Convention	<i>IPPC</i>	Mar-97
3.	FAO/WHO Joint Codex Alimentarius Commission	<i>CODEX</i>	Mar-97
4.	International Organization for Standardization	<i>ISO</i>	Mar-97
5.	International Trade Center	<i>ITC</i>	Mar-97
6.	World Organization for Animal Health	<i>OIE</i>	Mar-97
7.	United Nations Conference on Trade and Development	<i>UNCTAD</i>	Mar-97
8.	World Health Organization	<i>WHO</i>	Mar-97

(b) Observer status granted as part of a WTO reciprocity agreement/ MOU to:

	<i>Observer</i>	<i>Acronym</i>	<i>Date of decision</i>
1.	International Monetary Fund	<i>IMF</i>	Nov-96
2.	World Bank		Nov-96

<sup>3</sup> The position of the European Union is developed in greater detail in document G/SPS/W/95, "International Observer Organizations", circulated on 23 November 1998. [footnote in the original]

(c) Observer status granted on an *ad hoc* basis to:

	<i>Observer</i>	<i>Acronym</i>	<i>Date of request</i>	<i>Date of decision</i>
1.	African, Caribbean and Pacific Group of States	<i>ACP GROUP</i>	01-Mar-99	Nov-99
2.	European Free Trade Association	<i>EFTA</i>	01-Mar-99	Nov-99
3.	Inter-American Institute for Cooperation on Agriculture	<i>IICA</i>	01-Mar-99	Nov-99
4.	Organization for Economic Co-operation and Development	<i>OECD</i>	01-Mar-99	Nov-99
5.	Regional International Agricultural Health Organization	<i>OIRSA</i>	01-Mar-99	Nov-99
6.	Latin American Economic System	<i>SELA</i>	01-Mar-99	Nov-99
7.	Economic Community for West African States	<i>ECOWAS</i>	05-Oct-09	Mar-10
8.	The Community of Sahel Saharan States	<i>CEN-SAD</i>	22-Nov-09	Mar-10
9.	The Southern African Development Community	<i>SADC</i>	21-Dec-09	Mar-10
10.	The West African Economic and Monetary Union	<i>WAEMU</i>	29-Apr-10	Jun-10
11.	The Agency for International Trade Information and Cooperation	<i>AITIC</i>	08-Apr-10	Jun-10

C. INTERGOVERNMENTAL ORGANIZATIONS WHOSE REQUESTS ARE OUTSTANDING AS OF AUGUST 2011

6. The various organizations requesting observer status in the SPS Committee fall into several categories. These include, for example, UN-affiliated organizations, various regional bodies, commodity-specific bodies, and international scientific organizations. The outstanding requests are, therefore, categorized as below to facilitate Members' consideration of requests for observer status.

**1. African regional secretariats and development bodies**

- Common Market for Eastern and Southern Africa (COMESA)
- Economic Community of Central African States (ECCAS/CEEAC)
- Intergovernmental Authority on Development (IGAD)

**2. Other regional bodies**

- Gulf Cooperation Council Standardization Organization (GSO)

**3. Commodity-specific organizations**

- Asian and Pacific Coconut Community (APCC)
- International Cocoa Organization (ICCO)
- Office international de la vigne et du vin/International Vine and Wine Office (OIV)

**4. International "Scientific" Organization**

- Commonwealth Agricultural Bureau International (CABI)

**5. Other global bodies**

- Convention on Biological Diversity (CBD)
- Standing Committee of the Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)

- (a) Organizations seeking observer status were requested to provide complete documentation relevant to the criteria identified in paragraph 7 of document G/SPS/W/98, in support of their applications. The information provided is contained in the following documents:

	<b>Application received on</b>	<b>Background information</b>
African regional secretariats and development bodies		
COMESA	15 February 2011	G/SPS/GEN/121/Add.12
ECCAS/CEEAC	8 January 2011	G/SPS/GEN/121/Add.10
IGAD	March 2011	not yet received
Other regional bodies		
GSO	6 May 2007	G/SPS/GEN/121/Add.3
Commodity-specific organizations		
APCC	25 October 1999	G/SPS/GEN/121/Add.1
ICCO	14 July 2011	not yet received
OIV	25 October 1999	G/SPS/GEN/121
Other global bodies		
CBD	original 13 June 2002 renewed 11 August 2010	G/SPS/GEN/121/Add.2/Rev.1
CABI	11 February 2011	G/SPS/GEN/121/Add.9
CITES	14 March 2011	G/SPS/GEN/121/Add.11

**Attachment 1**  
**(WT/L/161, 25 July 1996, Annex 3, pp. 16-17)**

OBSERVER STATUS FOR INTERNATIONAL INTERGOVERNMENTAL  
ORGANIZATIONS IN THE WTO<sup>1</sup>

1. The purpose of observer status for international intergovernmental organizations (hereinafter referred to as "organizations") in the WTO is to enable these organizations to follow discussions therein on matters of direct interest to them.
2. Requests for observer status shall accordingly be considered from organizations which have competence and a direct interest in trade policy matters, or which, pursuant to paragraph V:1 of the WTO Agreement, have responsibilities related to those of the WTO.
3. Requests for observer status shall be made in writing to the WTO body in which such status is sought, and shall indicate the nature of the work of the organization and the reasons for its interest in being accorded such status. Requests for observer status from organizations shall not, however, be considered for meetings of the Committee on Budget, Finance and Administration or of the Dispute Settlement Body.<sup>2</sup>
4. Requests for observer status shall be considered on a case-by-case basis by each WTO body to which such a request is addressed, taking into account such factors as the nature of work of the organization concerned, the nature of its membership, the number of WTO Members in the organization, reciprocity with respect to access to proceedings, documents and other aspects of observership, and whether the organization has been associated in the past with the work of the CONTRACTING PARTIES to GATT 1947.
5. In addition to organizations that request, and are granted, observer status, other organizations may attend meetings of the Ministerial Conference, the General Council or subsidiary bodies on the specific invitation of the Ministerial Conference, the General Council or the subsidiary body concerned, as the case may be. Invitations may also be extended, as appropriate and on a case-by-case basis, to specific organizations to follow particular issues within a body in an observer capacity.
6. Organizations with which the WTO has entered into a formal arrangement for cooperation and consultation shall be accorded observer status in such bodies as may be determined by that arrangement.
7. Organizations accorded observer status in a particular WTO body shall not automatically be accorded such status in other WTO bodies.
8. Representatives of organizations accorded observer status may be invited to speak at meetings of the bodies to which they are observers normally after Members of that body have spoken. The right to speak does not include the right to circulate papers or to make proposals, unless an organization is specifically invited to do so, nor to participate in decision-making.
9. Observer organizations shall receive copies of the main WTO documents series and of other documents series relating to the work of the subsidiary bodies which they attend as observers. They may receive such additional documents as may be specified by the terms of any formal arrangements for cooperation between them and the WTO.
10. If for any one-year period after the date of the grant of observer status, there has been no attendance by the observer organization, such status shall cease. In the case of sessions of the Ministerial Conference, this period shall be two years.

<sup>1</sup> These guidelines shall apply also to other organizations referred to by name in the WTO Agreement.

<sup>2</sup> In the case of the IMF and the World Bank, their requests for attendance as observers to the DSB will be acted upon in accordance with the arrangements to be concluded between the WTO and these two organizations