
Committee in Sanitary and Phytosanitary Measures

APPLICANTS FOR OBSERVER STATUS

Note by the Secretariat¹

Revision

1. An application for observer status in the SPS Committee was received on 13 September 2011 from the African Union (AU). Information from the official website of the AU is summarized below.

1. Membership (54)

Algeria	Libya
Angola	Madagascar
Benin	Malawi
Botswana	Mali
Burkina Faso	Mauritania
Burundi	Mauritius
Cameroon	Mozambique
Cape Verde	Namibia
Central African Republic	Niger
Chad	Nigeria
Comoros	Rwanda
Congo, Rep. of	Republic Arab Saharawi
Cote d'Ivoire	Sao Tome and Principe
Dem. Rep. of Congo	Senegal
Djibouti	Seychelles
Egypt	Sierra Leone
Equatorial Guinea	Somalia
Eritrea	South Africa
Ethiopia	South Sudan
Gabon	Sudan
The Gambia	Swaziland
Ghana	Tanzania
Guinea	Togo
Guinea-Bissau	Tunisia
Kenya	Uganda
Lesotho	Zambia
Liberia	Zimbabwe

¹ 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.

2. Mandate, scope and area of work

2. The AU was established under the Constitutive Act of the African Union, adopted in 2000 at the Lomé Summit in Togo. It entered into force in 2001. The African Union sees its role as seeking primarily to improve the quality of life of the continent's citizens through integration, cooperation and development. It strives to promote unity, solidarity, cohesion and cooperation among the peoples and states of Africa, while developing new and stronger strategic partnerships worldwide for Africa's sustainable development. To this end, the AU Commission works in close collaboration with and through the member states, as well as with the Regional Economic Communities (RECs) on the basis of subsidiarity and in complementarity with other AU organs. According to the AU Commission, it will put in place appropriate mechanisms "to ensure efficient and effective engagement of the civil society, the Diaspora and the private sector in the process." The objectives of AU include, *inter alia*:

- To accelerate the political and socio-economic integration of the continent and to promote and defend African common positions on issues of interest to the continent and its peoples;
- To encourage international cooperation, taking due account of the Charter of the United Nations and the Universal Declaration of Human Rights;
- To establish the necessary conditions which enable the continent to play its rightful role in the global economy and in international negotiations;
- To promote sustainable development at the economic, social and cultural levels as well as the integration of African economies;
- To promote cooperation in all fields of human activity to raise the living standards of African peoples;
- To coordinate and harmonize the policies between the existing and future Regional Economic Communities for the gradual attainment of the objectives of the Union;
- To advance the development of the continent by promoting research in all fields, in particular in science and technology;
- And to work with relevant international partners in the eradication of preventable diseases and the promotion of good health on the continent.

The ultimate objective of AU is to enable all member states to adopt coordinated positions on matters of common concern to the continent in international fora and defend the interests of Africa effectively.

3. The AU has observer status in Codex, IPPC, OIE and an ad hoc observer status on a meeting-by-meeting basis in the Committee on Trade and Development at the WTO.

4. According to the AU Commission, having observer status in the WTO SPS Committee would enable it to provide effective support and guidance to the participating AU member states and the African RECs in the affairs of the Committee. It could also enhance the significant role of the AU Commission in providing support to its member states in their participation in the affairs of the WTO.

5. The AU Commission, through the Participation of African Nations in the International Standard-Setting Organizations (PANSPSO) Project, is already supporting the RECs to acquire observer status, not only in the WTO, but also in the Codex, the IPPC and the OIE. It would, therefore, be appropriate for the AU Commission to effectively participate in these fora.

3. Contribution to the Work of the SPS Committee

(a) Comprehensive Africa Agriculture Development Programme

6. With regard to agriculture, the AU has developed the Comprehensive Africa Agriculture Development Programme (CAADP) in which SPS issues fall under Pillar 2. Pillar 2 aims to increase market access through improved rural infrastructure and other trade-related interventions. (<http://www.caadp.net>). AU's contribution to the work of the WTO SPS Committee relates mainly to issues falling under area A of Pillar 2 of the CAADP: raising competitiveness and seizing opportunities in domestic, regional, and international markets. This emphasizes the following:

(i) *Regional markets and potential for cross-border trade*

7. Several promising efforts to facilitate domestic and regional trade in agricultural commodities are under way at the regional and country levels. To build on these strengths and boost domestic and cross-border trade, the CAADP agenda will include: (i) the modernization and harmonization of standards, norms, and grades across national markets; and (ii) the promotion of modern trading systems, including the development of regional and national commodity exchanges.

(ii) *Agricultural trade facilitation.*

8. The objective is to create an institutional, regulatory, and policy framework that will boost regional trade and cross border investment. Indicative activities include building the capacities of the RECs to develop and operate agricultural and trade policy surveillance systems to monitor and remove barriers to cross-border commodity movement, to collect and disseminate information on regional trade flows, and to study trends in regional commodity markets. Other indicative activities include creating trading platforms to better link international supply and demand and reducing the cost of transactions in regional staples markets by building on East African efforts to develop a regional commodity exchange and replicating these efforts throughout Africa.

(iii) *International trade advocacy and negotiations skills.*

9. The objective is to build international trade advocacy and negotiation skills to better articulate African interests in bilateral and multilateral trade negotiations in order to remove foreign policy distortions that limit market access and affect the competitiveness of African exports. Indicative activities include establishing full-time regional and national negotiating teams with mechanisms for effective coordination of positions and representations and providing short-term training in international trade policies and negotiation processes to equip these teams with the skills to effectively formulate and represent regional and country positions.

(b) Role of AU Commission and its specialized technical offices

10. The role of the AU Commission in the SPS arena focuses mainly on policy aspects and aims at harmonizing SPS regulatory frameworks on the continent and ensuring compliance with international standards. The AU Commission has no direct regulatory role in the SPS arena.

11. The African Union Inter-African Bureau for Animal Resources (AU-IBAR) and the Inter-African Phytosanitary Council (AU-IAPSC) are two AU Commission specialized technical offices that are active in the SPS arena. AU-IBAR is responsible for animal health and food safety while AU-IAPSC is responsible for plant health. Since 2010, these two technical offices have focused their activities in the sector on support to member states to improve their participation in the standard setting processes in the three sister organizations (Codex, IPPC and OIE), and in the WTO SPS Committee. The progress made in terms of participation of African nations in the activities of these

four organizations has been widely acknowledged and can be considered as a valuable contribution of the AU Commission to the implementation of the SPS agreement and the activities of the SPS Committee.

12. The AU Commission, through its two technical offices, has also encouraged African RECs and AU member states that are not members of WTO or the three sister organisations, to seek observer status or full membership in the Three Sisters and the WTO SPS Committee. This is fully supportive of the roles of WTO SPS Committee and the Three Sisters.

(i) *Inter-African Bureau for Animal Resources (IBAR)*

13. The functions of the AU Inter-African Bureau for Animal Resources (AU-IBAR) are summarized as follows:

- (a) Improve public and animal health through the control and possible eradication of transboundary animal diseases and zoonoses;
- (b) Improve the management of animal resources and the natural resource bases on which they depend;
- (c) Explore investment options and enhance competitiveness of African animal products;
- (d) Contribute to the development of relevant standards and regulations and enhance compliance by member states;
- (e) Strengthen institutional capacity and support policy development and harmonization;
- (f) Disseminate information and knowledge on animal resources to member states, RECs and other relevant institutions; and
- (g) Provide essential support to member states with special needs or in emergency situations.

14. AU-IBAR coordinates capacity development to set and comply with essential production and trade standards relevant for animals and animal products, and to strengthen the capacities of public and private institutions to effectively perform their core roles, in order to transform the animal resources sector for greater impact on poverty alleviation. These efforts will be intensified through the provision of timely and reliable up-to-date data, information and knowledge on animal resources to support planning and decision-making.

15. AU-IBAR has organized its projects under its strategic plan 2010 - 2014 into six strategic programmes:

Programme 1: Reducing the impact of transboundary animal diseases and zoonoses on livelihoods and public health in Africa;

Programme 2: Enhancing Africa's capacity to conserve and sustainably use its animal resources and their natural resource base;

Programme 3: Improving investment opportunities and competitiveness of animal resources in Africa;

Programme 4: Promoting development of, and compliance with, standards and regulations;

Programme 5: Improving knowledge management in animal resources to facilitate informed and timely decision-making;

Programme 6: Facilitating development of policies and institutional capacities for improved utilization of animal resources in Africa.

16. AU-IBAR recognizes the reality for partnership building and will adapt the most efficient and effective arrangements to get things done. Operationally, these projects will be implemented in close collaboration with the RECs and member states. Technically, key partners like FAO, OIE and WHO will be engaged as and when required within the framework of One Health.

(ii) *Inter-African Phytosanitary Council (IAPSC)*

17. The AU Inter-African Phytosanitary Council (AU-IAPSC) is a project purposely built to ensure effective control systems against harmful organisms on plants and plant products based on standard procedures and quality management systems, through the whole phytosanitary sector of African countries, so as to enhance crop production and trade. It aims at strengthening the procedures and standardizes the work at the phytosanitary administration of African countries, and its work includes:

- (a) enhancing phytosanitary capacity evaluation;
- (b) promoting pest surveillance;
- (c) risk analysis;
- (d) laboratories for diagnostics and phytosanitary inspection at borders entry points that apply to general phytosanitary actions by bringing them to comply with SPS issues and International Standards for Phytosanitary Measure (ISPM); and
- (e) undertaking training, in order to achieve in National Plant Protection Organization (NPPO) more effective control system in relation to pests and diseases.

(c) Relationship between AU Commission and RECs

18. With regard to the RECs, the strategic plan of the AU lays out clearly their relationship in Strategic Objective 18 – Promote effective cooperation and collaboration with member states and RECs. The RECs are considered as the building blocks of the AU and the modalities of collaboration between the AU Commission and RECs based on the principle of subsidiarity are articulated in the Protocol on Relations between the African Union and the Regional Economic Communities (<http://www.iag-agi.org/bdf/docs/au-recs-protocol.pdf>).

19. The role of the AU Commission with regard to RECs mainly consists in coordinating RECs and promoting intra-regional best practices. In the SPS area, the AU Commission provides support to RECs, directly and through its specialized technical offices, to strengthen their technical and institutional capacities, and to ensure harmonization of SPS measures and policies across the continent.

4. Reciprocity

20. The WTO Secretariat has not requested observer status in the African Union. The WTO Secretariat is, however, an observer in the PAN-SPSO Steering Committee under AU-IBAR.
