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Page: 1/3

Committee on Sanitary and Phytosanitary Measures

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INFORMATION ON RELEVANT ACTIVITIES OF COMESA (COMMON MARKET FOR EAST AND SOUTHERN AFRICA)

The following communication, received on 11 March 2013, is being circulated at the request of the COMESA.

1 BACKGROUND

1.1. COMESA (Common Market for East and Southern Africa) would like to thank members of the SPS Committee for granting us *ad hoc* Observer Status. COMESA is a Regional Economic Community (REC); one of the building blocks of the African Economic Community (AEC), with a membership of 19 countries, the majority of who are members of the WTO. Thank you also for inviting us to update members of this Committee on major capacity building initiative in the COMESA region, including the technical assistance we receive from various partners.

1.2. Recognizing individual countries' rights and their sovereignty, and cautious of the limited but critical role of COMESA, as a member-driven organization, to coordinate SPS matters for smooth and safe trade across the region, I will highlight a few of the SPS priorities that have emerged over the recent years and created barriers to intra-regional trade. I will further highlight a few initiatives we are coordinating at regional level to remove/reduce the related SPS barriers.

1.3. Most critical SPS issues in the region that are hurting intra-regional trade and threatening to undermine gains made on the COMESA FTA, and ultimately the tripartite FTA (that combines SADC, EAC and COMESA), with a population of over 600 people (nearly half of the African continent) and GDP of USD 1 trillion, are:

- Pests and plant diseases, particularly fruit flies;
- Foot and Mouth Disease (FMD) and other animal diseases; and
- Multiple inspections for food safety/quality that are rarely risk based.

2 CAPACITY BUILDING INITIATIVES

2.1 Strengthening capacity for Pest Risk Analysis (PRA) and implementation of appropriate mitigation measures

2.1. Throughout the region, a wide range of fruits and vegetables are grown both for regional and export markets. However, countries' regulatory systems are increasingly challenged to manage existing and new phytosanitary risks. Several examples of pest and disease outbreaks in the region that impacted on market access and resulted in economic losses of billions of US dollars have been documented.

2.2. I would like to thank the Trademark Southern Africa (TMSA) for the support they have given towards strengthening countries' capacities to respond to the threat from plant pests and diseases. Work is going on to establish the extent and status of invasive flies through implementation of surveys and monitoring together with the private sector, in order to establish Pest Free Areas (PFAs) and Areas of Low Pest Prevalence (ALPPs). Also, with TMSA support, countries are sharing pest status reports and building local capacity to conduct PRAs for quarantine pest listing and the establishment of import conditions.

2.3. We would like to commend those organizations that have engaged in research into the biology, ecology and appropriate post-harvest treatments to mitigate the effects of this pest in the Tripartite Region. Research done on avocado by the International Centre of Insect Physiology and Ecology (ICIPE) was concluded and recently published in the Journal of Economic Entomology, and may now be used to negotiate for mitigation options for *Bactrocera invadens* on avocado; *Cold Tolerance and Disinfestation of Bactrocera invadens (Diptera: Tephritidae) in "Hass" Avocado* (Authors: Ware, A. B.; Du Toit, C.L.N.; Mohamed, S. A.; Nderitu, P. W.; Esaki, S).

2.4. In addition to the research being done by ICIPE, the following organizations are also busy with or planning further research:

- Citrus Research international (CRI), the research arm of the Citrus Growers Association of Southern Africa;
- Subtropical Growers Association of South Africa;
- ICIPE is leading a continent-wide initiative on African fruit flies, which threaten production and export of fruits and vegetables. This initiative is being conducted in close collaboration with the International Institute of Tropical Agriculture (IITA), Bremen University, together with National Agricultural Research System (NARS) and Agricultural Research Institute (ARI) partners in Africa, Asia, Europe and the United States;
- FAO/IAEA Division's Insect Pest Control Laboratory (IPCL) is working on various identification tools to distinguish between species; and
- Others actors we may not be aware of.

2.2 Supporting research to advance implementation of the commodity-based trade approach

2.5. Within the COMESA region, trade in live animals and meat cuts has been constrained by foot and mouth disease (FMD) and other Transboundary Animal Diseases (TADs). Several examples exist where market access has been denied because of inadequate assurance.

2.6. The safe importation of livestock commodities and products depends upon the absence of TADs, such as foot-and-mouth disease (FMD), from the country of origin in compliance with the OIE-established mechanism for recognising the disease-free status of countries or zones. However, in the COMESA region and Africa in general, total freedom from FMD is impossible due to the nature of our production systems and the interface with wildlife that is a natural carrier of the FMD virus, effectively locking COMESA producers out of the formal markets.

2.7. On the other hand, the commodity-based trade (CBT) approach is viewed as an alternative to diseases freedom, and has the potential to enhance trade in meat from the COMESA region. In 2008, COMESA formally adopted the CBT approach as policy to increase opportunities for trade in livestock products. We are pleased to note that the OIE has progressively accepted the CBT approach by gradually introducing chapters in the OIE's Terrestrial Animal Health Code (TAHC, 2012 – <http://www.oie.int>), enabling safe trade of animals and commodities, such as hides, skins, and tinned beef from infected countries or zones subject to the application of specific risk mitigation measures. Article 8.5.25 of the TAHC is a considerable advance in this regard - though COMESA is of the view that OIE member should consider some further refinements and clarifications.

2.8. Since then COMESA has supported interventions to advance implementation of the CBT approach in the region. We have linked industry and governments to ongoing research on CBT and in particular sought to understand the economic feasibility of the CBT approach. Ongoing studies, supported by United States government, examining the introduction of CBT to general social, environmental and developmental goals are underway and results will be formally released later in March. These studies build on earlier studies supported by the UK government through DFID. We would like to acknowledge support from the US government and DFID, for the regional research on CBT.

2.3 Simplifying inspection and certification procedures for intra-regional trade

2.9. A major challenge for exporters/cross border traders in the COMESA region has been the cumbersome inspections and certification procedures, falling under different jurisdictions and institutions. It is true that while countries have made progress with simplifying customs verification procedures, SPS systems remain unattended. Often, Regional Integration diagnostic studies are specific on the gaps in customs processes but only speak to SPS constraints in general terms, with no differentiation between legitimate and illegitimate measures that constitute NTBs. Thus, several policy instruments developed for trade facilitation do not address the specific SPS and TBT challenges faced by cross border traders. The result is policy instruments that are not as effective as they should be in terms of facilitating cross border trade, including those designed for the simplified trade regime (STR).

2.10. We acknowledge support from the European Union (EU) through the Regional Integration Support Programme (RISP), where a simplified trade regime (STR) for informal small scale traders has been explored. This trade (informal), which quite often is far removed from the capitals where SPS certificates are obtained, is gradually being mainstreamed into the formal sector. We recognize the progress made on simplifying customs procedures under the STR, but also note that compliance with sanitary and phytosanitary measures is often done arbitrarily, by the customs officials without clear guidelines, and quite often translating into unjustified trade barriers. Governments have urged the COMESA secretariat to continue to explore ways and means of simplifying SPS measures to facilitate smooth trade, whilst ensuring effective and efficient mitigation of risks in agricultural goods traded under the STR.

2.11. In May this year, COMESA with support from the Standards and Trade Development Facility (STDF) and its partners will convene a regional workshop to identify SPS sensitive products and the associated Non-Tariff Barriers (NTBs) in seven pilot countries, while conceiving a new initiative that will seek to simplify SPS measures for smooth and safe cross border trade (formal and informal trade). This work will further complement regional research proposed by the STDF to document SPS bottlenecks and best practices in the tripartite region (EAC, SADC, and COMESA). This work, once accomplished, will integrate SPS measures with customs processes and procedures in a simplified and practical manner to facilitate intra tripartite trade.

2.12. In addition, the introduction and more widespread use of analytical tools such as the Multi Criteria Decision Analysis (MCDA) tool, alongside the Phytosanitary Capacity Evaluation and the OIE PVS tool, are significant steps in promoting analytical research into SPS constraints in the COMESA region. The application of the MCDA tool has been supported by the STDF and the US government to help the public and private sector stakeholders to prioritize SPS capacity building options in a transparent fashion while linking the options to the estimated trade impact. The MCDA tool is particularly attractive as it has mobilized key stakeholders to clearly identify collective actions that will remove illegitimate SPS measures or NTBs.

2.4 Supporting countries to comply with SPS transparency obligations under the WTO

2.13. In addition to facilitating intra-regional trade, COMESA is conceiving a project to support countries to fully comply with the transparency obligations under the WTO and thus enable them to participate in the global trading system more effectively.

2.14. Finally, we would like to thank all donors and partners who have supported SPS work in COMESA as we pursue the objectives of the AUC Lagos Plan of Action for the Economic Development of Africa.
