

Committee on Sanitary and Phytosanitary Measures

TECHNICAL ASSISTANCE TYPOLOGY

Note by the Secretariat

1. At the 21-22 June 2000 meeting of the SPS Committee, the Secretariat was requested to prepare a paper outlining a possible typology of technical assistance needs to help Members to decide which types of technical assistance action were most appropriate. For the preparation of this note, the Secretariat drew on its own experience in the context of its technical assistance activities¹ and on information provided by Members, especially during the process of review of the application and implementation of the SPS Agreement.² In addition, information provided by the Codex Alimentarius Commission (Codex), the Office international des épizooties (OIE) and the International Plant Protection Convention (IPPC) was used. Documentation distributed under the Committee on Trade and Development has also been consulted.

2. The objectives of technical assistance and cooperation are to help beneficiary countries to improve their understanding of the SPS Agreement, implement the obligations and fully benefit from rights derived therefrom. In this regard, technical assistance could be systematically classified by way of four broad categories: information; training; "soft" infrastructure development; and "hard" infrastructure development.

Information

Improving the general understanding of the SPS Agreement

3. The key objective of this type of technical assistance is to enhance the awareness and understanding of Members' rights and obligations under the SPS Agreement. The activities under this category consist typically of an introduction to the WTO and the international trading system and a comprehensive presentation of the SPS Agreement and related issues. It normally takes the form of conferences, seminars or workshops. This is a typical area of competence of the WTO Secretariat in cooperation with the secretariats of the Codex, OIE and IPPC. The format and substance of this type of technical assistance depends on whether it is mainly addressed to: (a) the technical level, (b) the policy level, or (c) the public, media and private sector.

Technical level

4. Officials directly responsible for the application of food safety, animal or plant health trade requirements need to fully understand the Agreement. Training takes the form of seminars and workshops typically including (i) a general introduction to the WTO and the international trading system; (ii) a comprehensive introduction to the SPS Agreement, including the work of the SPS Committee (emphasis put on the implementation of transparency provisions and practical examples

¹ Note by the Secretariat, "Experiences from technical assistance and cooperation in developing countries", 24 June 1997 (G/SPS/GEN/17).

² In particular the Note by the Secretariat "The SPS Agreement and developing countries", 5 November 1998 (G/SPS/W/93).

from the Committee discussions of trade problems); (iii) an introduction to the WTO dispute settlement procedures; and (iv) an introduction to the work of the Codex, OIE and IPPC. This "first step" of technical assistance should allow participants to understand the importance of the SPS Agreement for international trade, and help them to initiate an assessment of their needs for an appropriate implementation of its provisions.

Policy level

5. Officials responsible for the development of the regulatory framework with regard to food safety, animal health and/or plant protection and the development of SPS measures need to have a thorough understanding of the Agreement, as well as of the work of the international standard-setting organizations. Activities usually take the form of seminars and workshops similar in content to those organized for the technical level, but the accent is put on specific provisions of the Agreement dealing with policy questions, including the concept of the appropriate level of health protection; the use of non-discriminatory, least trade-restrictive measures; the implementation of the guidelines developed by the SPS Committee (e.g. consistency); and the analysis of SPS-related dispute settlement cases. It also includes detailed explanation of the work of standard-setting bodies and consideration of ways and means to encourage more active participation in the development of international standards, guidelines and recommendations, including through the use of the procedure to monitor the process of international harmonization.

Public, media and private sector

6. Food safety issues are increasingly subject to public and media scrutiny. Moreover, with the expansion of modern "farm to table" production/marketing techniques, the private sector (agricultural producers and agro-industries) plays an increasing rôle in the practical implementation of SPS measures. Technical assistance activities must take this evolution into consideration and provide for the participation of representatives of consumers, producers and industry in seminars and workshops (as well as other activities) of a more general nature. Such participation enriches these activities by bringing forward specific concerns and practical experiences. It also facilitates the task of government officials in educating their traders and consumers with regard to the rights and obligations under the Agreement and their implications. Media representation should also be considered.

Training

Specific understanding of the SPS Agreement

7. This category of technical assistance flows naturally from the more general "information-type" assistance described above. The demand for more detailed explanations and discussions of particular provisions of the Agreement continues to grow along with a better general understanding of the Agreement. At the core of this type of technical assistance are issues such as the implementation of *transparency* provisions, application of *risk analysis*, determination of appropriate *level of protection*, recognition of *equivalence* and *regionalization*. *WTO dispute settlement* procedures and analysis of SPS-related trade disputes are also addressed in detail. The format of delivery is typically national/regional technical seminars, workshops or training courses. Normally these activities take place at the *technical level*. This is an area of shared competence between Codex, OIE, IPPC and the WTO Secretariat, but also one where initiatives by Members are helpful. Examples of such initiatives by Members include the sponsoring and conduct of training courses in risk analysis and transparency requirements (establishment of enquiry points, notifications procedures, etc.).

Infrastructure development

8. The implementation of the SPS Agreement by developing countries requires appropriate technical and scientific capacity of these countries to meet their obligations under the SPS Agreement. As recognized in the Agreement, substantial investments may be required to enable an exporting developing country Member to fulfil the SPS requirements of an importing Member. In such cases, Article 9.2 provides that the importing Member shall consider providing adequate technical assistance. Demand for "field-related" specific technical assistance, likely involving credits, donations or grants, is increasing. This category of technical assistance is frequently delivered by way of human and financial bilateral assistance by WTO Members. It can also be provided by the relevant standard-setting international organizations (although the financial and human resources are limited), as well as by other relevant regional and international organizations.

9. Infrastructure development covers two distinct although complementary aspects: (i) "soft" infrastructure and (ii) "hard" infrastructure.

"Soft" infrastructure development

10. "Soft" infrastructure development deals mostly with training activities. This type of technical assistance includes the formation of technical and scientific personnel, including *food chemists and microbiologists, veterinarians, epidemiologists, plant pathologists, etc.* This can be done through financial and/or human support in the developing country itself, or in the country providing this type of assistance. This type of technical assistance also includes training of technical and scientific experts in the application of specific techniques and procedures such as: *control and inspection, surveillance, certification, laboratory practices, risk assessment, diagnosis techniques, HACCP techniques, etc.*

11. Technical assistance dealing with the development of *national regulatory frameworks* is also critical. The SPS Agreement has led numerous developing countries to entirely review and reformulate their regulatory frameworks. International organizations are often solicited to give advice in this regard and several Members have also reported assisting with the development of regulatory systems. One important aspect in this type of activities is harmonization of national regulations and international standards, guidelines and recommendations.

12. Finally, this type of technical assistance includes a range of other activities such as the provision or development of SPS-related electronic software or *consumer education* programmes.

"Hard" infrastructure development

13. Proper implementation of the SPS Agreement provisions depends on adequate field equipment and infrastructure. *Laboratories, testing equipment, veterinary services, processing and storage facilities, computer databases, disease information/monitoring systems,* are some of the identified areas where technical assistance is required.

14. This type of technical assistance also covers other aspects of infrastructure related to the SPS Agreement. For example, the establishment of disease-free regions which, in addition to the experts' know-how, requires substantial investments in infrastructure, such as the establishment of "buffer-zones", surveillance systems, etc.

Alternative approaches

15. This paper does not attempt to establish an exclusive typology for technical assistance. Other approaches can be taken. For instance, technical assistance activities could be organized according to

the "stable to table" chain. This would classify technical assistance on the basis of: (i) the *production* level needs (safe inputs: clean water, appropriate seeds, safe fertilizers; safe use of fertilizers, pesticides and insecticides, etc.; safe techniques of animal husbandry, product harvesting, storage, etc.); (ii) the *processing* level needs (safe processing plants; HACCP; testing/inspection; safe packaging, etc.); (iii) the *marketing* level needs (transportation, refrigerated containers, uncontaminated containers, storage, wholesale and retail marketing conditions, etc.); and (iv) the *regulatory* level needs (national laws and regulations, international standards, participation in the standard-setting bodies work, participation in the SPS Committee work, etc.).

16. Another approach is to classify technical assistance taking into account three broad parameters: (i) the regulatory framework (need to modernize laws, decrees, regulations, etc., taking into account international standards, guidelines and recommendations); (ii) the institutional framework (need to strengthen developing countries' participation in the international standard-setting bodies and to encourage their technical independence and financial sustainability); and (iii) the technical framework (need for risk assessment techniques; quarantine procedures; emergency systems, etc.).

17. In the approaches presented above, the same typology would apply to food safety, animal or plant health, the three areas covered by the SPS Agreement. However, in practice, much of the technical assistance in the SPS area, in particular at the technical level, addresses specific needs in one or another of these areas. Therefore, a possible alternative is to classify technical assistance accordingly. Such an approach is illustrated in the annex which lists types of activities provided by Codex, OIE and IPPC. The responses to the technical assistance questionnaire circulated by the Secretariat shows that many such activities take place bilaterally or regionally.³

³ G/SPS/GEN/143/Rev.1/Add.1 and G/SPS/GEN/181

ANNEX

Food safety

This is the typical area of competence of the FAO/WHO Codex Alimentarius. Specifically, FAO provides technical assistance to its member countries:

- in developing national food control strategies;
- up-dating food control laws and regulations;
- developing food control policies and procedures;
- assessing management and organizational requirements for establishing effective food-control programmes;
- recommending equipment, facilities, and resource needs, including personnel and budgetary requirements;
- establishing performance requirements and quality assurance programmes;
- providing laboratory methods and improving laboratory practices;
- developing inspection, sampling and investigative procedures;
- developing information and data handling and analysis systems;
- establishing voluntary and regulatory compliance policies and procedures;
- developing co-operative industry assistance and developmental programmes;
- establishing consumer education programmes;
- assisting in developing the management and operational procedures for specialized food control programmes such as those needed to manage food control related problems associated with: natural disasters (earthquake, flooding); foodborne disease outbreaks (such as the cholera outbreak in Latin America); and, industrial accidents resulting in toxic material spills or exposure (such as Chernobyl);
- strengthening national Codex Contact Points and national Codex Coordinating Committees.⁴

Animal health

This is the typical area of competence of the OIE. The following are some of the types of technical assistance provided by this organization:

- disease information systems, methods of animal disease surveillance and diagnosis, harmonization of the registration and control of vaccines and chemoprophylactic products;
- veterinary drug registration, harmonization of technical requirements for registration of medicinal products;
- regional training activities on epidemiology, including the setup of epidemiological monitoring systems;
- FMD control/elimination programmes;
- organization of animal disease surveillance systems in Africa;
- diagnosis of animal disease and assistance and advice in combating them;
- Brucellosis control in the Middle East;
- training and information programmes on veterinary drugs;
- evaluation of veterinary services and laboratories;
- practical courses on the control of veterinary drug residues;
- courses on the administration and management of Veterinary Services;
- surveillance activities and risk assessment.

⁴ For more details, see G/SPS/GEN/39.

Plant protection

This is the typical area of competence of the IPPC. However, the IPPC technical assistance resources are limited and most of the related plant protection technical assistance is provided by the FAO. This assistance is given through the regular programme as well as the FAO field programme. The following are some of the types of technical assistance provided by this organization:

- upgrading of plant quarantine services;
- assessment and improvement of quarantine legislation;
- provision of basic facilities for inspection and treatment;
- establishment of survey programmes;
- training of staff in quarantine procedures (including developments in harmonization in plant quarantine);
- training in pest risk analysis and in phytosanitary treatment and inspection;
- capacity building and strengthening plant protection infrastructures;
- dispute avoidance;
- updating legislation;
- emergency programmes;
- regional harmonization and upgrading phytosanitary systems;
- plant/animal/human health policy alignment and upgrading;
- certification and import inspection services;
- questionnaire to help developing countries to evaluate their phytosanitary capabilities and identify their weaknesses.⁵

⁵ Initiative undertaken by the Chairperson of the Interim Commission for Phytosanitary Measures, with assistance from New Zealand.