

IMPLEMENTATION OF THE SPS AGREEMENT

Information for the Workshop on 31 March 2006

Communication from Costa Rica

The following communication, received on 30 March 2006, is being circulated at the request of the delegation of Costa Rica.

1. In preparation for the Workshop on the Implementation of the SPS Agreement, participants were asked to provide replies to the following questions.

1. How regularly do representatives of your country participate in meetings of the SPS Committee? Who usually participates from your country (capital-based experts? Geneva-based trade representatives?)? What information do you receive regarding meetings of the SPS Committee, and how do you receive this information?

Participation in SPS Committee meetings

2. Since 2004, at least one capital-based representative (from the Ministry of Foreign Trade of Costa Rica– COMEX) has participated in SPS Committee meetings. Since 2005, two capital-based delegates, one for foreign trade and one for agriculture, have participated in the meetings. Their participation has been possible thanks to the Initiative for the Americas of the Inter-American Institute for Cooperation on Agriculture (IICA). It should be noted that the support provided by this Initiative will end in 2006. In Costa Rica's opinion, alternative financing methods must be sought so as not to waste the efforts and achievements that participation in the Committee has brought the Initiative's beneficiary countries. In this respect, it would be ideal if each country could ensure the presence of at least one person responsible for trade and one person responsible for agriculture at all Committee meetings.

3. In addition to the participation of capital-based experts, the Mission has assigned one person to deal with SPS issues. This person attends SPS meetings and provides support to capital-based delegates, but is also responsible for numerous other issues, which severely limits the follow-up given to SPS matters. Coordination between capital and the Mission is nevertheless very close.

Information management

4. After every formal meeting of the SPS Committee, the capital-based participants prepare a written report containing the main points of interest for Costa Rica. This information is shared with the National SPS Committee and a follow-up agenda is drawn up. Whenever special sessions of the

SPS Committee are held in Geneva, the Mission representative forwards any relevant information to capital.

5. The IICA information bulletin is a valuable source of information. Before each meeting, the IICA also distributes electronic versions of the documents to be examined to the various institutions involved in such issues. This support is important to Costa Rica.

6. As regards transparency, Costa Rica obtains information on notified international standards from the SPS Secretariat of the WTO and from the IICA website.

2. Does your country have an SPS national committee? How do your exporters find out about your trading partners' new SPS requirements? What national mechanisms can be created to ensure that stakeholders in your country are informed in a timely manner of new SPS requirements, so that the SPS requirements of trading partners can be evaluated and so that the views of relevant stakeholders can be taken into account when responding to SPS notifications? In establishing such mechanisms, how can Members identify the relevant domestic stakeholders and promote effective interaction among those stakeholders that can be sustained over time? How can information about SPS requirements be transmitted to groups outside of the capital?

7. In 1997, Costa Rica introduced a decree establishing the National Committee on Sanitary and Phytosanitary Measures. However, the country's lack of experience at the time meant that the structure and functions assigned to the Committee were not entirely appropriate, and this prevented it from operating in practice.

8. To date, the National SPS Committee has met every three months on an informal basis. However, new rules of procedure are currently being drawn up and other sectors such as health and the private sector are being incorporated.

9. Costa Rica is also working on the creation of a database in which users are classified according to sector. On the basis of their field of work, the users will be provided with information regarding international regulations notified to the WTO and national standards. Costa Rica is already in the preliminary phase of setting up this database and would very much welcome technical assistance in this area.

10. Costa Rica has made significant efforts to generate information regarding the SPS Agreement and to circulate such information within the private sector through the SPS enquiry point and the website www.protecnet.go.cr. The country has also made efforts to inform the private sector of international standards affecting trade *inter alia* by notifying private associations and publishing announcements in newspapers.

11. So that the private sector becomes better informed and better versed in the various aspects of compliance with the SPS Agreement, Costa Rica is considering incorporating this sector into the National SPS Committee. A lot of work and as much support as possible is needed in this area.

3. Has there been any national planning on how to implement the SPS Agreement in your country? If so, was this planning developed using a particular methodology?

12. No, in Costa Rica there has been no formal national planning on how to implement the SPS Agreement. In practice, significant efforts have been made to improve the implementation of the Agreement through meetings with the various sectors involved and by facilitating solutions to trade concerns. Nevertheless, it would be highly beneficial to build institutional capacity in this area.

4. How does your country identify its technical assistance needs? What has been your country's experience in both the request and the supply of SPS-related technical assistance? How can technical assistance supply and demand be most effectively matched, priority areas identified and duplication of donor efforts avoided?

13. Needs are identified through consultation with the public and private bodies concerned, which include industries, producers and exporters, and are notified to the National SPS Committee and the Inter-Institutional Food safety Commission (CIIA).

14. In general, Costa Rica has benefited significantly from the technical assistance it has received. Despite being a small country, we also provide technical assistance to other countries in the region through a technician exchange scheme, whereby technicians from other countries receive training in our institutions. For example, Costa Rica has an agreement with the Spanish Government on plant and animal health, and food safety. Furthermore, the Directorates of Animal Health and Plant Health have assigned certain members of staff to the area of international cooperation. Competence for food safety is to some extent shared, which makes the preparation and follow-up of projects more difficult.

15. As regards SPS-related technical assistance, we suggest:

- A single database for the registration of projects and donor institutions and countries, which allows for cross-checking.
 - Working with countries to evaluate their strengths and weaknesses so that they can recognize their specific technical assistance needs and prioritize them in terms of urgency and importance with a view to fulfilling the objectives of the Agreement. In other words, we must strengthen our capacities in order to facilitate trade (both the export of goods to other markets and access for imported products) as more widespread implementation of the SPS Agreement depends on this. For instance, a review of how national sanitary and phytosanitary requirements are established could highlight a need to strengthen capacity in the area of risk analysis.
 - Ensuring that developing countries are not overlooked and, above all, strengthening those areas in which progress has already been made but in which support is needed to prevent backtracking. For instance, it is important not only to continue supporting the developing and least developed countries so that they can participate in the relevant international bodies, but to seek alternative ways to increase their participation in the regular meetings of the SPS Committee.
 - The relevant international bodies should support and listen to the suggestions made by developing and least developed countries, with a view to developing technical standards, that are really necessary to facilitate trade in our markets and that take account of the specific production conditions and the technology available in our countries.
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