

**TECHNICAL ASSISTANCE AND COOPERATION INITIATIVE
FOR THE AMERICAS IN SANITARY AND PHYTOSANITARY MEASURES**

Information Submitted by the Inter-American Institute
for Cooperation on Agriculture (IICA)

I. INTRODUCTION

1. Article 10.4 of the Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement), which deals with special and differential treatment, states that "Members should encourage and facilitate the active participation of developing country Members in the relevant international organizations." The effective participation of developing countries in the international organizations has also been a topic of discussion both in the Review of the Operation and Implementation of the Agreement on the Application of SPS Measures and in the Doha Ministerial. (G/SPS/36 and WT/MIN(01)/17).

2. The insistence on this point by the countries, added to the importance of the international organizations for agrifood trade, contributed in large part to the development of the Initiative for the Americas in SPS (Initiative), which was launched in October 2002. The main purpose of the Initiative is to promote the **active participation** of the countries of the Americas in the SPS Committee of the WTO.

3. To date, 34 countries have participated. At present, six countries provide support for the Initiative and 28 are direct beneficiaries. Also, 214 capital-based specialists from ministries or institutions responsible for food safety, animal and plant health and foreign trade have participated in meetings of the SPS Committee of the WTO.

4. The Initiative has supported their participation in 15 consecutive meetings of the SPS Committee of the WTO over a period of five years.

II. IMPLEMENTATION OF THE INITIATIVE: FACILITATING MORE THAN THEIR PHYSICAL PRESENCE

5. To implement a program intended to foster active participation in international forums, in this case the SPS Committee of the WTO, it was necessary:

- (a) To focus the program on strengthening national institutions and not only on ensuring their physical presence at meetings.
- (b) To foster intersectoral and interinstitutional dialogue by setting up national forums to analyze and articulate the agendas of the SPS Committee of the WTO and of the Three Sisters.

- (c) To establish criteria for participation while respecting the right of the countries to designate their delegates.
- (d) To establish mechanisms for monitoring the actions carried out in the countries.
- (e) To tap experience existing in the region to foster cooperation among the countries.
- (f) To reduce the financial benefits over time and set responsibilities for the countries.

6. As part of their participation in the Initiative, the countries are expected to report on all actions taken internally to strengthen their institutional capabilities in the area of SPS measures, following a format established by those administering the program.

7. On the basis of the information compiled in the reports, and the comments shared with the developing countries which participated actively in the SPS Committee, five fundamental variables were identified that facilitate and promote active participation at the international level. These fundamental variables were presented to the SPS Committee for the first time in document G/SPS/GEN/497 in June 2004.

8. The five fundamental variables are:

- (a) **Coordinating mechanisms:** Describes the national mechanism through which the different public sector ministries are brought together along with the private sector in order to address topics that arise from the SPS Committee of the WTO.
- (b) **Human resources dedicated to the topic:** Defines the priority and attention given by personnel to provide follow-up to the SPS Committee of the WTO.
- (c) **Coordination between the capital and the Geneva mission:** Indicates the level of interaction between the Capital and the Geneva mission.
- (d) **Priority of the topic:** Indicates the level of support that the national authorities give to developing national SPS capacity.
- (e) **Financial and technical resources:** Indicates the financial capacity to develop functions (e.g. to operate enquiry and notification points), important actions, and to actively participate in the SPS Committee of the WTO.

III. RESULTS OBTAINED ON KEY VARIABLES

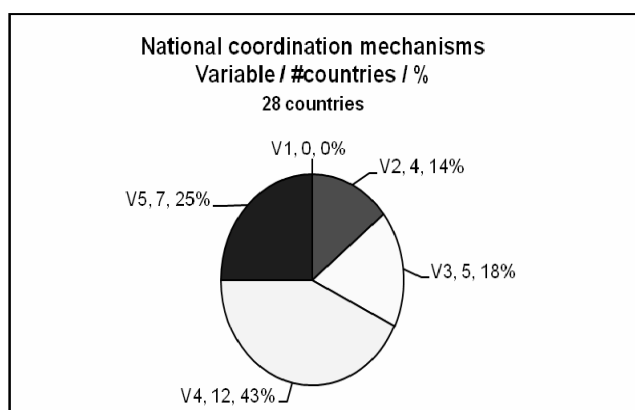
9. Based on the information reported by the countries, using a methodology of variables that represent different levels of development, the following information was obtained:

- (a) **Coordinating mechanisms**

10. Coordinating mechanisms make it possible for the different actors involved in negotiating, administering and implementing SPS measures to monitor them, assess their impact and take advantage of opportunities that come up in international fora dealing with SPS measures, especially the Committee on SPS Measures of the WTO.

11. Coordination mechanisms enable the country to monitor the work of the international organizations, and even to participate in their technical deliberations without the capital-based experts being physically present.

12. The Initiative for the Americas has focused on promoting these coordination mechanisms, in the belief that they are essential for active participation and help solve the financial problems of the countries.



13. Of the 28 countries benefiting from the Initiative, 100 per cent claim to have some institutional mechanism in place for discussing and analyzing topics related to the working agendas of the international organizations. This is without a doubt one of the most important results achieved by the Initiative and of the countries themselves.

14. Fourteen per cent (4 countries) state that they have a coordinating mechanism based on ad hoc meetings, involving mostly public institutions, while in 18 per cent (5 countries) the mechanism involves mostly the private sector.

15. Forty-three per cent (12 countries) state that they have a coordinating mechanism in place, but that they need to meet more regularly. Twenty-five per cent (7 countries) state that they have a standing body that defines national positions. Seven countries (25 per cent) stated that their mechanism had even been legally constituted.

V1: No established coordinating mechanism exists to discuss topics of interest from the SPS Committee of the WTO.

V2: No established coordinating mechanism exists to discuss topics of interest from the SPS Committee of the WTO, but there are *ad-hoc* meetings between the public sector ministries.

V3: No established coordinating mechanism exists to discuss topics of interest from the SPS Committee of the WTO, but there are *ad-hoc* meetings between the public sector ministries and the private sector.

V4: An established coordinating mechanism exists to define the country position, but does not meet in a consistent manner in order to coordinate with the meetings of the SPS Committee of the WTO.

V5: An established coordinating mechanism exists and operates in a consistent manner to discuss topics of interest from the SPS Committee of the WTO.

16. **Conclusions and future challenges:** IICA and the countries of the hemisphere must continue to strengthen these coordinating mechanisms, which make it possible for the countries to continue to participate in the international fora.

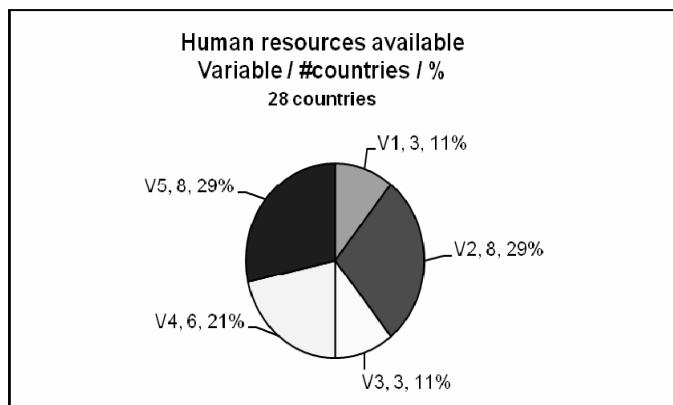
17. The exchange of successful experiences is an effective mechanism for increasing interest in strengthening these coordinating mechanisms, and also a tool for the members to provide technical assistance to one another.

18. The countries which do not have a mission at the WTO can develop a strategy based on regional collaboration and internal strengthening (coordinating mechanisms), to make up for the fact that they are not permanently represented at the WTO.

(b) **Human resources dedicated to the topic**

19. One of the most important constraints for those countries that find it difficult to participate actively at the international level is their human resources, specifically as regards their number and the responsibility and authority assigned to them.

20. In recent years, the institutions have undergone changes and restructuring processes that, to a large extent, have focused on reducing the size of their payroll and not on taking on new areas of work. Therefore, it is common to find staff with multiple responsibilities, including that of representing the institution at the international level. There are also cases in which countries have split up responsibilities among different institutions, mostly in the areas of negotiation, representation and implementation of SPS measures. Given the lack sufficient full-time personnel with clearly defined responsibilities, in some cases, the countries are limited to responding to emergency situations or meeting obligations, and cannot take advantage of opportunities offered by the international organizations. According to the last report from the countries, 61 per cent (17 countries) have at least one staff member whose primary responsibility is to monitor the SPS Agreement of the WTO. Three countries (11 per cent) have no staff member with such responsibilities, and in 29 per cent (8 countries) this responsibility is only one of many.



V1: There is not a person designated by the country to provide follow-up to the SPS Committee of the WTO.

V2: There is at least one person designated by the country to provide follow-up to the SPS Committee of the WTO, but it is not their primary responsibility.

V3: There is at least one person designated by the country, whose primary responsibility is to provide follow-up to the SPS Committee of the WTO, but this person does not have the authority to coordinate the country position between the different sectors.

V4: There is at least one person designated by the country whose primary responsibility is to provide follow-up to the SPS Committee of the WTO, and this person has the authority to coordinate the country position between the different sectors.

V5: There is at least one person designated by the country whose primary responsibility is to provide follow-up to the SPS Committee of the WTO, with the authority to coordinate the country position between the different sectors and represent the country position in international forums.

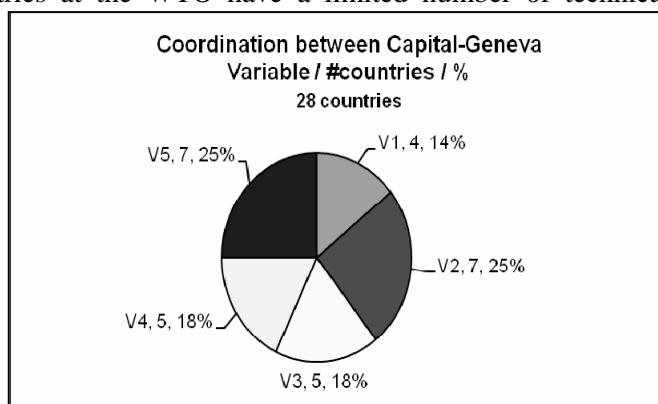
21. **Conclusions and future challenges:** Two of the principal challenges IICA and the member countries face is to continually strengthen the capabilities of the staff responsible for international aspects of SPS measures, especially those that have held their positions and had the same responsibilities for some time, and to support those actions that can make decision makers more aware of the importance of those international aspects on the competitiveness and development of the agrifood sector.

(c) **Coordination between the capital and Geneva mission**

22. Coordination between the capital and Geneva is a fundamental variable for active international participation since it constitutes the link between experts based in the capital and the

missions of their countries at the WTO. Also, it is very helpful when capital-based experts are not present in the deliberations of the SPS Committee of the WTO.

23. Some of the missions of the countries at the WTO have a limited number of technical personnel and a considerable number of forums and meetings to attend. Therefore, the attention they can pay to the SPS Committee does not necessarily reflect the needs of the country. As a result, the capital-based experts become true allies in monitoring the agendas of the SPS Committee.



24. Four countries (14 per cent) state that the SPS Committee is not a priority among their authorities with responsibility for matters related to WTO. This figure must be analyzed with some degree of caution and optimism since nine countries have no mission at the WTO. The use of regional resources has proven to be, to some extent, the solution to this problem. Forty-three per cent of the countries (12 countries - variables 2 and 3) report that the capital-based experts coordinate with their mission at the WTO on particular situations, and 43 per cent (12 countries, variables 4 and 5) coordinate on a regular basis.

V1: The Geneva mission does not have within its priorities to provide follow-up to the SPS Committee of the WTO.

V2: There is *ad-hoc* coordination between the capital and the Geneva mission on emergencies or special situations that arise in relation to the SPS Committee of the WTO.

V3: The capital and Geneva mission communicate on technical subjects and special activities related to the SPS Committee of the WTO.

V4: The capital and Geneva mission maintain continuous interactions in relation to the SPS Committee of the WTO

V5: The capital and Geneva mission maintain continuous interactions. The representatives from capital are considered part of the Geneva mission “virtual team” in regards to the SPS Committee of the WTO and information received is distributed as needed to the other stakeholders in the capital.

25. **Conclusions and future challenges:** The strengthening of ties between the capital-based experts and their missions at the WTO must be a permanent objective for the countries benefiting from the technical assistance and for those facilitating it. The partnerships that can be developed in Geneva and the support that can come from the capital will go a long way in improving the performance of the missions.

(d) **Priority of the topic**

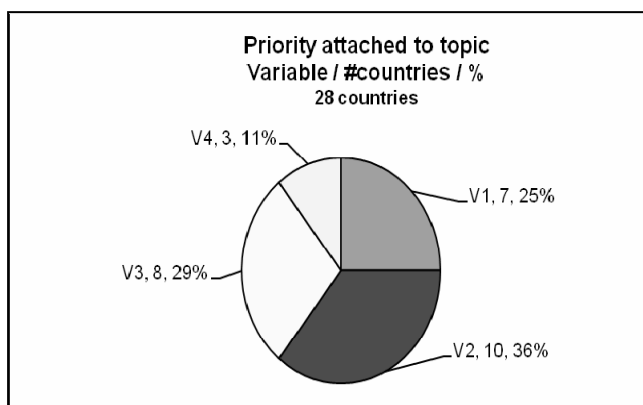
26. The priority of the topic refers to the importance political leaders or technical decision makers attach to the topic of SPS measures. As those who make the decisions and allocate budgetary resources, they have the power to support, to a greater or lesser extent, the actions linked to international forums dealing with SPS measures.

27. According to the reports from the countries, 25 per cent (7) of the countries state that the country does not have an agenda for SPS measures.

28. Thirty-six per cent have an agenda on major topics, and follow up on them to some degree.

29. Twenty-nine per cent have prioritized issues based on the interests of the country and have analyzed them to some degree.

30. Lastly, only three countries have indicated that their SPS agenda has the support of political leaders and decision makers.



V1: The country does not have an established agenda of important issues associated with the SPS Committee of the WTO.

V2: The country has an established agenda of important issues associated with the SPS Committee of the WTO.

V3: The country has an established agenda of important issues associated with the SPS Committee of the WTO and from this agenda, has identified at least two or three high-priority issues.

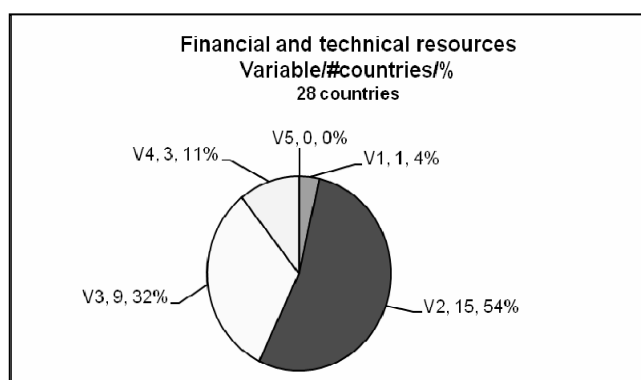
V4: The politicians and technical personnel with decision-making powers to initiate actions and give specific help to implement actions on at least the two or three high-priority issues identified.

31. **Conclusions and future challenges:** Given the high turnover rate among those who occupy political and technical decision posts, it is necessary to establish an ongoing training program for such officials on the importance of international issues related to SPS measures.

(e) **Financial and technical resources**

32. The developing countries or the least developed countries most often cite the lack of financial resources as the cause of their limited participation in international forums. However, this variable, far from being the most important is, in many cases, the result of a number of institutional actions and policies that culminate with the allocation of financial resources. Also, some countries that have had access to the resources needed to participate are not in a position to take advantage of those opportunities.

33. The results presented in the reports indicate that financial resources continue to be the weakest among the five fundamental variables for active international participation. Only one country stated expressly that it did not have the financial resources needed to monitor the SPS Committee of the WTO and the activities related to transparency. Nonetheless, it has a national coordinator and the necessary human resources, which might enable it to offset to some extent the lack of financial



resources. Fifteen countries (54 per cent) state that few resources are available for monitoring the SPS Committee, and even for the actions related to transparency, because there is competition for funds.

No country stated that it has the resources required for ongoing participation, and 32 per cent (9 countries) stated they had the resources required for transparency activities, but only for monitoring of the SPS Committee on a part-time basis.

V1: There are no resources which allow for follow-up to the SPS Committee of the WTO nor to operate the enquiry and notification points.

V2: There are resources that allow for follow-up to the SPS Committee of the WTO and to operate the enquiry and notification points, but budget and resources are not specifically designated and these actions must compete with other functions and actions in other areas.

V3: There are designated resources that allow for follow-up to the SPS Committee of the WTO and to operate the enquiry and notification points.

V4: There are designated resources that allow for follow-up to the SPS Committee of the WTO, the presence of official "capital" representatives with the SPS Committee of the WTO on special occasions, and to operate the enquiry and notification points.

V5: There are designated resources that allow for follow-up to the SPS Committee of the WTO, coordination of country positions, carrying out specific actions, and maintaining continuous official representation and the efficient operation of the enquiry and notification points.

34. **Conclusions and future challenges:** To encourage and facilitate international participation through the provision of financial resources (as established in Article 10.4 on Special and Differential Treatment) should not be an ongoing strategy or the only one for achieving this objective. Therefore, inasmuch as the Initiative for the Americas in SPS is about to come to an end, it is necessary to strengthen those variables that can lead to the allocation of more financial resources and ensure their more effective use.

35. Lastly, it is important to understand how the five fundamental variables are interrelated in the active participation in international fora, and the opportunity cost of not participating actively. The successful experience of the Latin American countries in participating in international fora is a good guide for identifying actions that must be taken within the context and situation of each country or region.

36. IICA wishes to share with the international community the lessons learned during implementation of the Initiative, and applauds all actions aimed at developing the capabilities the countries need to benefit fully from the relevant international organizations.

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