

**TECHNICAL ASSISTANCE FOR OPERATING THE SPS NOTIFICATION
AUTHORITY AND SPS ENQUIRY POINT**

Proposal by New Zealand

The following communication, received on 27 September 2007, is being circulated at the request of the Delegation of New Zealand.

BACKGROUND

1. The SPS Agreement has been operating now for over ten years and great strides have been made by Members to meet their obligations of transparency under Article 7 and Annex B.
2. The SPS Secretariat has run workshops on transparency every three years alongside the formal meetings of the SPS Committee. These have highlighted issues of concern and provided information to Members on ways in which to establish successful and effective National Notification Authorities (NNA) and National Enquiry Points (NEP). These areas, however, remain challenging for many developing country Members.
3. This paper suggests how more technical assistance can be given in this area to meet the needs of developing country Members.

Step-by-step Practical Procedures Manual

4. The document "*How to Apply the Transparency Provisions of the SPS Agreement*", available on the WTO website on the SPS Agreement, offers excellent general information on the application of the transparency provisions of the SPS Agreement, but it does not describe the actual practical procedures on the process.
5. Many developing country Members struggle with implementing basic operations. Breaking down the process into practical, manageable parts would make the task less overwhelming. For example, the process of sending notifications to the WTO could be broken down into:
 - writing the notification;
 - allocating its unique WTO number (and the process for doing that);
 - checking it;
 - recording it,
 - saving it (including steps for developing a logical filing system) and finally;
 - sending it to WTO.

The development of this type of step-by-step operational procedure manual would assist many developing country Members in their transparency operations.

Transparency Mentoring System

6. This proposal aims to offer developing country Members a single contact point for gaining assistance and support to resolve their individual transparency issues. This could be achieved through a mentoring system.

7. Mentoring involves developing a long term, positive and proactive relationship between those involved. It is a relationship based on trust, which requires thoughtful interaction and a commitment to providing ongoing assistance and support to those being mentored.

8. Transparency Mentoring would involve mentoring Members being available to give advice where needed on the many practical issues developing country Members face in meeting their transparency obligations. The types of support a mentoring Member could offer are:

- email/phone contact point for issues;
- procedural/operational guidance (a mentoring Member could work through a basic procedure step-by-step manual with its assigned developing country Member, adapting it as necessary for that Member's unique requirements e.g., lack of computer access, split NEP and NNA responsibilities across government departments or lack of reliable internet);
- legislative guidance;
- assistance with resources;
- assistance with translations;
- hands-on workshops; and
- in-house training.

9. It is envisaged that the NNA or NEP operators in the participating Member countries would be the dedicated contact point. The individuals who run these operations have the technical knowledge and experience to provide the best practical assistance to developing Members NNA and NEP operators.

10. Members that wish to be involved would register with the SPS Secretariat. Mentoring Members would provide information on the level of mentoring they could offer and the supported Members would indicate their level of need. The Secretariat would then pair the Members based on the information provided and on geographical region and language.

11. To ensure that the system meets its objective of providing reliable and focused assistance, it would be important to have an annual review process. This could be carried out by the Secretariat or a small working group could be established to undertake the annual review. This would assist in guaranteeing that any issues participating country Members were having could be raised independently. The review process could be achieved through the use of simple annual questionnaires. Handling of ongoing issues could be carried out by the working group or possibly by appointing advisers who would be available to liaise between the participating country Members, offering assistance and advice on solutions for resolving any difficulties.
