

**WORK OF THE COMMITTEE ARISING FROM THE THIRD REVIEW –
PROPOSED PRIORITIES**

Cooperation between the SPS Committee and the International Standards-Setting Bodies

Communication by Japan

The following communication, received on 30 September 2010, is being circulated at the request of the Delegation of Japan.

I. INTRODUCTION

1. In the Third Review of the Operation and Implementation of the SPS Agreement, which was finalized in May 2010, the issue of the cooperation between the SPS Committee and the three international standard-setting organizations (the "three Sisters"), namely, the FAO/WHO Codex Alimentarius Commission (Codex), the FAO International Plant Protection Convention (IPPC), and the World Organization for Animal Health (OIE), was underscored.

2. This issue was first identified in the Second Review of the Operation and Implementation of the SPS Agreement (G/SPS/36, paragraphs 89-91). On 26 October 2009, the WTO Secretariat organized a workshop on the relationship between the SPS Committee and the three Sisters in response to the request by the SPS Committee pursuant to the Second Review for further clarification and consideration.

3. In the October 2009 workshop, specific points for the enhancement of coordination between the SPS Committee and the three Sisters were discussed and clarified. The points include:

- the need to enhance the participation of developing countries in developing international standards and other relevant areas;
- the need to avoid unnecessary duplication of efforts and to identify future collaboration in light of limited financial and human resources in the three Sisters, also to promote deeper understanding and increased usefulness for developing countries; and
- the need to ensure that the standard-setting process is in line with the implementation of the SPS Agreement and facilitates trade in agriculture and food products, especially for developing countries.

4. Noting the above-mentioned points, the workshop made eleven useful recommendations with a view to enhancing coordination and avoiding duplication of work between the WTO SPS Committee and the three Sisters (G/SPS/R/57).

5. The Third Review explicitly recommends to the SPS Committee that it follow up on any recommendations resulting from the October 2009 workshop (G/SPS/53 paragraphs 127-134). The Third Review also encourages Members to provide information on their experience in coordinating their involvement in the work of Codex, IPPC and OIE at the national level.

II. FOLLOW-UP ON RECOMMENDATIONS FROM THE OCTOBER 2009 WORKSHOP

6. Pursuant to the recommendations put forward by the Third Review, Japan would like to propose the following actions as next steps with a view to materializing the recommendations from the October 2009 workshop.

A. IMPROVEMENT AT THE NATIONAL LEVEL

Workshop Recommendation 10: Identify ways to improve coordination at the national level of the relevant representatives of the three Sisters and SPS representatives.

The WTO Secretariat is encouraged:

- to solicit from Members information regarding the current information flow and develop understanding of the information-sharing structure among relevant representatives to the three Sisters and the SPS Committee at the national level;
- to compile and categorize the information provided by Members in order to identify "best practices" and possible challenges and difficulties in their coordination at the national level for Members (especially developing countries);
- to provide guidance and/or information on reading of terms and provisions of the SPS Agreement in connection with the relationship between the SPS Committee and the three Sisters, in line with the interpretation by the WTO dispute settlement body. (This should include improving Members' understanding as well as ensuring the consistency of the interpretation of the SPS Agreement.); and
- to organize a regional and/or national seminar through collaborative work with other relevant WTO fora and/or relevant international organizations (e.g. the Institute for Training and Technical Cooperation (ITTC) of the WTO, the Standards and Trade Development Facilities (STDF)) in order to provide suitable technical assistance.

Members are encouraged:

- to provide the SPS Committee with information about the current information flow and the information-sharing structure among relevant representatives to the three Sisters and the SPS Committee at the national level;
- to share "best practice" experiences with other Members;
- to identify ways to address challenges and difficulties for better coordination at the national level through a focus group; and
- to provide questions on the reading of terms and provisions of the SPS Agreement in connection with the relationship between the SPS Committee and the three Sisters aiming to facilitate a more structured coordination at the national level.

B. ENHANCEMENT/IMPROVEMENT AT THE INSTITUTIONAL LEVEL

Workshop Recommendation 3: Joint work by two or all three Sisters on cross-cutting issues such as certification, inspection, approval procedures and/or risk analysis

Workshop Recommendation 2: Increase the number of joint capacity-building activities which could provide an opportunity to discuss current work, for example, draft standards

The WTO Secretariat is encouraged:

- to solicit proposals from Members for future work, and identify the areas in cross-cutting issues where joint work by two or all three Sisters is sought by Members, with a view to avoiding duplication of efforts among the SPS Committee and the three Sisters and facilitating agriculture trade from developing countries (e.g. generic model health certificate of Codex which was completed in 2009, where the spatial layout of the certificate was aligned with that of the OIE Model Veterinary Certificate late in the consultations);
- to facilitate the discussion on joint capacity-building activities among the three Sisters and the WTO including through the STDF framework.

Members are encouraged:

- to form a focus group consisting of relevant representatives of Members to the SPS Committee and the three Sisters in order to discuss the identified cross-cutting issues and make recommendations to the SPS Committee, with a view to facilitating the involvement of all Members, especially developing countries.

Workshop Recommendation 4: Hold coordination meetings among the three Sisters and with the WTO Secretariat

Workshop Recommendation 6: Solicit more information at the strategic planning phase of the three Sisters' work

The WTO Secretariat is encouraged:

- to jointly report and update details of coordination meetings with the three Sisters at the beginning of each regular meeting of the SPS Committee, followed by complementary reports and comments by the three Sisters for Members' consideration and better understanding;
 - to regularly exchange information and views on mid- to long-term business plans of the three Sisters among them in order to ensure effective coordination on long-term projects between the WTO Secretariat and the three Sisters. This is recommended with a view to enhancing the interest of developing countries in the areas of technical assistance, capacity building, and other cross-cutting issues (e.g. recent STDF initiatives that have improved collaboration and communication and facilitated better programme management).
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