

# WORLD TRADE ORGANIZATION

RESTRICTED

**G/SPS/W/69**

26 July 1996

(96-2668)

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**Committee on Sanitary and Phytosanitary Measures**

Original: Spanish

## REVISION OF THE INTERNATIONAL PLANT PROTECTION CONVENTION

### Statement Made by Uruguay at the Meeting of 29-30 May 1996

The delegation of Uruguay stressed the relevance of the revision of the Convention for the SPS Committee, inasmuch as the Convention is explicitly mentioned in Annex A of the WTO Agreement on the Application of Sanitary and Phytosanitary Measures (SPS) and there are inconsistencies between the text in force and the Agreement. It proposed that to enable the Committee to follow up the matter properly the question should be retained as a standing item on the Committee's agenda until the new text was approved.

Despite the progress made by the FAO's Expert Consultation, the proposed text still had a number of inconsistencies which needed to be analysed and corrected in the next stages of the revision and approval process. In particular:

Despite the fact that the proposed document now included the concept of "regulated non-quarantine pests" (Article VI bis), the term was not defined, so that the inconsistencies mentioned in the document "Control of agricultural pests in international trade", submitted to the meeting by the delegation of Uruguay (document G/SPS/W/65), still remained. There was a need for a definition of these types of pests which clearly specified those which were regulated, in a manner consistent with the scope of the SPS and TBT Agreements.

With regard to the inclusion in the new text of the principle of "solidarity" (page 2, paragraph 3, last sentence of document G/SPS/W/70), that principle ought not to be incorporated in the Convention, since it was in conflict with the spirit and the letter of the WTO Agreements. The application of the principle was clearly a technically unjustifiable restriction on international trade. If adopted, it would prove a serious impediment to trade between economic blocs and result in the reservation of markets within them, with no technical justification.

As for the terminology employed in the proposed text, in order to ensure consistency between the Convention and the SPS Agreement, it would be desirable to make the maximum possible use of the terminology adopted in the latter in the process of revising the text of the former. For example, the definition of "phytosanitary measures" in the SPS Agreement was broader than that to be found in the Convention, covering all types of pests according to the purpose of the measure. Under the Convention, phytosanitary measures are specified only for quarantine pests, the control of "other regulated pests" being the subject of "phytosanitary procedures" (Article VI bis of the proposed text).