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**Working Party on the
Accession of Yemen**

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ACCESSION OF YEMEN

Revised Check-list of Illustrative Sanitary and Phytosanitary (SPS) Issues

Revision

The following submission, dated 28 March 2010, is being circulated at the request of the Delegation of the Republic of Yemen.

Commitments (by the time of accession)	Status of Implementation and Progress
1. Standstill: the introduction of new standards, animal health regulations and food safety regulations shall conform to SPS Agreement principles.	Yemen, being a member to the international conventions: Codex Alimentarius (Codex), IPPC and OIE, is working on the application of the international guidelines and recommendations of the respective conventions and needs technical and financial assistance to this end. The respective technical assistance needs are reflected in the Action Plan on the Implementation of the WTO Agreement on Sanitary and Phytosanitary Measures.
2. Establishment and operation of a single Contact Point for Information ("enquiry point").	<p>Enquiry Sub-point; Unit of Phytosanitary, General Department for Plant Protection, Ministry of Agriculture and Irrigation.</p> <p>Enquiry Sub-point; Unit of Animal Health, General Department of Animal Health and Quarantine, Ministry of Agriculture and Irrigation.</p> <p>Enquiry Sub-point; Unit of SPS, Yemen Standardization, Metrology and Quality Control.</p> <p>These points need technical assistance to ensure its activation.</p>
3. Transparency: notification and access to documentation:	
(a) identification of authority responsible for making notifications to the WTO and ensuring transparency obligations are met on an ongoing basis;	SPS Unit in Ministry of Agriculture and Irrigation.
(b) establish guidance or law requiring publication of proposed measures at an early stage for comment;	According to the decision establishing the TBT enquiry point and the SPS subsidiary point in Yemen Standardization , Metrology and Quality Control; and the amended draft law for plant quarantine, the preparation for any SPS measure is not based on international standards issued by international Agreements : OIE,IPPC, Codex Alimentarius, but is based on risk analysis process to provide scientific justification for that measure. And WTO Members and concerned will be notified in early stage and 60 days will be available for comments and notes prior to approval (justified, and convincing comments will be taken into consideration).
(c) provision in law or administrative procedure to provide copies of proposed measures to WTO Members; and	This provision is included in the decision establishing the TBT enquiry point, the subsidiary SPS point in Yemen Standardization, Metrology and Quality Control, and the amended draft law for plant quarantine.
(d) require in law or administrative procedure, a reasonable period of time for comment from Members and the public, and establishment of a process to take comments into account without discrimination.	See items 3-b and 3-c above.

Commitments (by the time of accession)	Status of Implementation and Progress
4. Necessity: measures are applied only to the extent necessary to protect human, animal or plant health.	Based on the Action Plan of SPS and its related Technical Assistance, Yemen is working to meet such commitment through the application of Pest Risk Analysis (PRA) and HACCP according to international standards issued by Codex, IPPC and OIE.
5. Regulations Based on Science: regulations governing animal and plant health and food safety shall be based on scientific evidence.	Yemen depends, when adopting any measure of SPS, on international standards issued by international conventions OIE, IPPC and Codex Alimentarius and/or the process of risk analysis and critical control points to provide the scientific justification for the measure, and it needs technical assistance to develop.
6. Harmonization: to the extent possible, Members shall follow international standards, guidelines, and recommendations in establishing SPS measures.	Yemen is working to apply international standards issued by the IPPC Code, OIE, and harmonizing its measures related to Sanitary and Phytosanitary based on those standards and it needs technical assistance to develop that.
7. Equivalence: Members shall recognize different measures that achieve the same level of protection.	See items 1, 4, 5 and 6 above.
8. Risk Assessment: developing scientific evidence and conducting risk assessments to ensure that measures are based on science and applied only to the extent necessary to protect health.	See item 5 above.
9. Regional conditions: measures take into account the regional characteristics both of the areas from which products originate and the areas for which they are destined.	Yemen will take into consideration regional characteristics in accordance with the Action Plan on the Implementation of the WTO Agreement on Sanitary and Phytosanitary Measures, and with the technical assistance needed for that purpose.
10. Non-discrimination: measures do not arbitrarily or unjustifiably discriminate between different members or between domestic and foreign suppliers.	This commitment is included in the decision establishing the TBT enquiry point. And the sub-point of SPS in Yemen Standardization, Metrology and Quality Control and Amended Draft Law for Plant Quarantine, and in Law No.17/2004 regarding Organizing and Protecting Livestock and its By-law issued by Prime Minister Decree No.1/2006.
11. Control, inspection and approval procedures: ensure that procedures, including systems for approval of the use of additives or for establishing tolerances for contaminants in foods, beverages or feedstuffs comply with the Agreement.	See item 1 above.