
Committee on Sanitary and Phytosanitary Measures

EXPERIENCES FROM TECHNICAL ASSISTANCE AND
COOPERATION IN DEVELOPING COUNTRIES

Note by the Secretariat

Article 9

Technical Assistance

1. Members agree to facilitate the provision of technical assistance to other Members, especially developing country Members, either bilaterally or through the appropriate international organizations. Such assistance may be, *inter alia*, in the areas of processing technologies, research and infrastructure, including in the establishment of national regulatory bodies, and may take the form of advice, credits, donations and grants, including for the purpose of seeking technical expertise, training and equipment to allow such countries to adjust to, and comply with, sanitary or phytosanitary measures necessary to achieve the appropriate level of sanitary or phytosanitary protection in their export markets.
2. Where substantial investments are required in order for an exporting developing country Member to fulfil the sanitary or phytosanitary requirements of an importing Member, the latter shall consider providing such technical assistance as will permit the developing country Member to maintain and expand its market access opportunities for the product involved.

1. At the 19-20 March 1997 meeting of the Committee on Sanitary and Phytosanitary Measures (the "SPS Committee"), the Secretariat was requested to prepare a brief paper identifying issues of concern brought to its attention in the context of technical assistance to developing countries. This note outlines, on a factual basis, the nature of these concerns as perceived by the Agriculture and Commodities Division during missions undertaken since November 1994.

2. The technical assistance provided by the Secretariat has had two phases. In the initial phase the focus has been on enhancing the awareness and understanding of Members' basic rights and obligations under the SPS Agreement. This includes the manner in which the SPS Committee works and emphasizes the implementation of notification procedures as well as other transparency provisions of the Agreement. As awareness of the Agreement increases, the assistance needs of developing countries is becoming increasingly more specific, and the second phase of the Secretariat's technical assistance is focusing on those needs specifically identified by Members.

3. In the first phase, in addition to the considerable assistance provided at and from (i.e. through telecommunications with capitals) headquarters, the bulk of the technical assistance provided by the Agriculture and Commodities Division in the SPS area has taken the form of regional seminars. The target audience have been mid- to high-level officials directly responsible for the application of food safety, animal or plant health trade requirements, as well as representatives of interested industry associations and consumer organizations. The Seminars have been organized and presented in cooperation with the Codex Alimentarius Commission (Codex), the Office international des épizooties (OIE) and the International Plant Protection Convention (IPPC). To date, regional seminars have been held in

Bangkok (November 1994), Mexico City (May 1995), Pretoria and Dakar (November 1995), Prague (March 1996), Moscow (July 1996) and Dubai and Cairo (December 1996). On average seven developing countries were represented at each seminar; attendance averaged about 50 officials. Further regional seminars are planned in West Africa and India in late 1997, and, tentatively, in the South Pacific and South East Asian regions in 1998.

4. As part of the second, more demand-specific phase, technical assistance regarding the SPS Agreement has also been provided on a national level in Bogota (July 1995), Ghana and Kenya (June 1997), as well as on a regional level in Harare (November 1996), Mexico City (January 1997) and Budapest (June 1997).

5. In the course of this technical assistance, developing countries have identified different needs and concerns, which are listed below.

- (a) There continues to be a need for expanding the knowledge and understanding of the Agreement. In some countries, agencies directly affected by the Agreement are still not sufficiently familiar with it, nor are interested producer and consumer associations. Uncertainties remain, in particular, with regard to the difference between the coverage of the SPS Agreement and the Agreement on Technical Barriers to Trade. In the area of transparency, the recommended notification procedures are not always fully understood.
- (b) In many countries, coordination and exchange of information on a national level, within and among the three sectors - food safety, animal health and plant health - needs to be further developed. The SPS Agreement sets out provisions which are common to food safety, animal, and plant health regulations, requiring effective inter-agency coordination. Better coordination *within* the different sectors is also needed to ensure efficient communication and the exchange of information among those officials who attend, for instance, SPS Committee meetings, those who attend Codex sessions and those directly responsible for the implementation of food safety regulations in their country.
- (c) As awareness of the SPS Agreement increases, there is a growing need for more technical assistance with regard to the establishment of national regulatory frameworks, including the development of legislation. Technical assistance is currently provided by the relevant international standard-setting organizations with regard to the establishment of national regulatory procedures and model legislation. Some Members also provide technical assistance of this kind.
- (d) In addition, risk analysis and the concepts pertaining to it (such as risk assessment and risk management) are seen as complicated and there is insufficient practical knowledge in this area. Assistance with risk assessment methodologies and their application is being provided by the international organizations and by some Members.
- (e) There appears also to be a need to broaden awareness of, and make fuller use of, existing international standards, guidelines and recommendations. In some cases, the implementation of these standards may require technical assistance, particularly from the standard-setting international organizations.

- (f) There is especially a growing demand for field-related, specific technical assistance. Such technical assistance may involve the training of personnel in the areas of veterinary and quarantine services, the creation of reference laboratories, development of appropriate testing procedures, etc. For some Members, the situation is aggravated in that the commitment of national resources to the food safety, animal and plant health sectors is not always seen as a priority relative to other concerns. Such specific technical assistance can be provided by the relevant standard-setting international organizations as well as bilaterally by Members.

6. In the light of the resource constraints faced by many developing countries, in particular the least developed among them, and the technical assistance provisions of the SPS Agreement (Article 9), Members and the relevant international organizations may wish to consider the expansion of their technical assistance programmes. In turn, there may be scope for developing countries to make better use of the technical assistance provisions of the SPS Agreement and to take advantage of existing opportunities for technical assistance from the appropriate institutions.

7. Among the concerns raised by Members is the need for improved coordination among the relevant international organizations in their approach to technical assistance in developing countries, to ensure adequate geographic coverage, to ensure consistency in the advice offered and to avoid unnecessary overlap. Similarly, improved coordination among Members providing bilateral or regional technical assistance would be beneficial.

8. Another need which has been identified is for more active participation by appropriate officials and experts from developing countries in the relevant international organizations. Active participation in these organizations is particularly important in the light of concerns expressed by some developing countries that these international organizations are not giving sufficient priority to the development of international standards, guidelines and recommendations which address their primary needs.

9. A number of regional organizations also provide technical assistance both with regard to regulatory processes and in-the-field needs. Some Members have suggested the need for increased coordination on a regional basis. This could, for instance, entail the setting up of a central laboratory for testing within a region, or creating common regional entry ports with central testing, inspection or quarantine facilities. The development of regional standards can be valuable in terms of the scientific evidence and risk assessment they contain, and their specific relevance in the region where they apply. However, it must be clearly understood that regional standards do not have the same status as international standards. They are not explicitly recognized by the SPS Agreement.