

**SPECIAL MEETING ON THE STRENGTHENING OF NATIONAL  
ENQUIRY POINTS AND NOTIFICATION AUTHORITIES**

Communication by Panama

1. Pursuant to their commitments under the Agreement on the Application of Sanitary and Phytosanitary Measures, Members of the World Trade Organization (WTO) have established contact points, i.e. they have created enquiry points in addition to the central institution responsible for notifications. For the most part, the above-mentioned obligations have clearly been met by Members. What is still needed in order to make these commitments more effective is a number of measures relating to the creation of a national SPS system with a legal and institutional structure to monitor compliance with WTO obligations and to examine and challenge or defend, where appropriate, measures introduced by WTO Members with no scientific justification. This may seem simple once the problem has been identified, but in fact, the root of the problem for the developing and least-developed countries is that they are not in a position, financially, to meet the costs involved in creating an effective national SPS system. This is why we share the view that not all WTO Members are on an equal footing when it comes to complying with their current or future obligations, nor do they suffer the impact of trade restrictions in the same way. This document seeks to explain the procedure adopted by Panama for its notifications and to identify the difficulties and tasks still to be overcome before it can rely on an effective SPS policy.

**Notifications made**

2. In Panama, the coordination of the national body in charge of notifications has been entrusted to the Ministry of Commerce and Industry through the National Directorate for International Trade Negotiations (DINECI), which gathers together all of the information provided by the competent SPS authorities in order to produce the WTO notification. One of the shortcomings we have identified is the impossibility of providing the WTO Secretariat with draft standards in time to receive comments and/or recommendations from WTO Members as stipulated in the Agreement.

3. The notification procedure in Panama is conducted jointly with the five institutions notified as enquiry points, i.e. the National Directorate for Animal Health, the Directorate for Plant Health, and the Executive Directorate for Agricultural Quarantine, from the Ministry of Agricultural Development, and the Food Protection Department and the Department of Pharmacy and Drugs from the Ministry of Health.

4. Once the draft standard has been publicized through the appropriate legal mechanisms, it is sent by the competent authority to the DINECI, which sets about preparing the documentation using the manuals and formats suggested by the WTO Secretariat. As soon as the information is ready in WTO format, a national coordination meeting is held to complete the final details before actually submitting the notification to the WTO.

5. To date, Panama has submitted just over forty notifications to the WTO SPS Committee. These notifications have given rise to consultations, requests and questions from WTO Members to which the enquiry points have responded promptly, in spite of their limited resources.

#### **Notifications received**

6. Notifications submitted by WTO Members are normally received through the WTO Secretariat. However, the institutions in charge of SPS have had trouble obtaining a database of notifications submitted to the WTO. The fact is, it is extremely difficult for our countries to analyse all of these notifications and to obtain access to the technical elements they would need to defend themselves properly in the face of any standards and regulations introduced by other trading partners without proper scientific justification.

7. To remedy this situation, we think that an inter-institutional committee should be created to coordinate tasks that are still outstanding and thereby make it possible to establish an effective national SPS system.

#### **Participation in international SPS forums**

8. Panama's participation in international SPS forums has been very limited. It has participated to a certain extent in the WTO thanks to funding by regional bodies. The obstacles to proper participation are:

- Lack of human resources qualified in the area of SPS notification procedures;
- insufficient funds to participate actively in international forums and to follow up SPS properly;
- high turnover among staff responsible for the enquiry points, making it difficult to establish an effective national system and ensure proper SPS follow-up.

#### **Future SPS projects**

9. Panama is working towards the creation of an inter-institutional committee bringing together the competent SPS authorities and the institution in charge of carrying out the notifications. The purpose of this committee will be to participate more actively in monitoring the rights and obligations deriving from the WTO Agreement on Sanitary and Phytosanitary Measures.

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