



24 June 2022

(22-4888)

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Committee on Sanitary and Phytosanitary Measures

Original: English

**AGENDA ITEM 3A – INFORMATION SHARING –
INFORMATION FROM MEMBERS ON RELEVANT ACTIVITIES**

SUBMISSION BY UKRAINE

The following submission, received on 23 June 2022, is the statement made by Ukraine at the 22-24 June 2022 WTO SPS Committee, and is being circulated at the request of the Delegation of Ukraine.

1. Ukraine would like to use this opportunity to inform the WTO Members on relevant developments and activities in the sphere of Sanitary and Phytosanitary Measures (SPS) measures.
2. As Members are well aware, the war launched by the Russian Federation on Ukraine has caused immense suffering and destruction. The infrastructure of the State Food and Consumer Service of Ukraine, along with its institutions and laboratories have been damaged, destroyed and looted. Many employees are forced to work in extremely harsh circumstances on the territories where military actions are taking place.
3. Against this backdrop, the competent bodies of Ukraine in the sphere of SPS measures continue to diligently fulfil their professional obligations to ensure food safety, protect animals' health and welfare, maintain necessary sanitary and phytosanitary security. Ukraine takes all practicable measures in accordance with the relevant international treaties and Ukraine's membership in international organizations to ensure global food safety.
4. In particular, in the plant quarantine and plant protection field, Ukraine has simplified SPS measures and procedures, and introduced the mechanism of phytosanitary procedures by territorial bodies of the State Food and Consumer Service on the principle of extraterritoriality. Today 100% of phytosanitary procedures are carried out by means of PHIS and LIMS information systems that allow competent bodies to reduce time for processing and issuance of phytosanitary certificates. Since the enactment of the martial law in February 2022, 77,000 phytosanitary certificates have been issued by the state phytosanitary inspectors. This has ensured the export of almost 2.37 million tons of Ukrainian grain. In addition, up to 0.5 million tons of imported plant products, including vegetables, fruits, cereals, flour, planting material and other goods have been phytosanitary inspected within the past three months.
5. To ensure compliance with international treaties and to establish the phytosanitary quality of Ukrainian soil, appropriate monitoring and survey continue. During the spring inspections, state phytosanitary inspectors of Ukraine surveyed an area of 0.6 million hectares.
6. In order to prevent the spread of low-quality seeds and planting material, more than 19 tons of low-quality seeds and 403.5 thousand units of planting material, which could not have been used for sowing and other purposes, were withdrawn from the market and destroyed under the supervision of the State Food and Consumer Service.
7. To date, state phytosanitary inspectors and state phytosanitary laboratories continue to work for the benefit of Ukraine despite extreme conditions. Let me give you one example of the sense of courage and responsibility of Ukrainian authorities. The Chief Office of the State Food and Consumer Service in the Kharkiv region did not stop its work for a single minute despite constant shelling from

the first day of the invasion and while around 25% of region has been under the temporary Russian occupation. Similarly, same dedication was shown by authorities in Zaporizhzhya region, part of which is now under temporary occupation and constant shelling by Russian troops.

8. Since the beginning of the Russian military invasion, the State Food and Consumer Service of Ukraine and its territorial bodies have also been doing everything possible to control and ensure the epizootic situation in Ukraine. Thus, where possible, routine vaccinations are being carried out. In case of animal diseases, necessary measures are taken to eliminate them in accordance with current instructions; necessary follow-up with preventive measures is ensured.

9. In this regard, we would like to thank the European Union and its member States, namely Poland, Germany, France, Lithuania, Latvia, Italy, the Czech Republic, as well as the United Kingdom, Switzerland, Canada, United States of America, Japan, Georgia, and all of our partners for their valuable assistance to the livestock industry and support of pets by providing free feed and veterinary drugs.

10. As a result of the Russian shelling of civilian infrastructure facilities, destruction of logistical links, and disruption of civilian supplies, including livestock, poultry and zoo facilities, there is a critical supply situation and a direct threat to Ukrainian livestock and household farms. Large pig and livestock complexes are located on the territories of active hostilities and their list is constantly growing. On the temporarily occupied territories of Ukraine animals do not receive food and are restricted in receiving timely veterinary care. On the territories already liberated from the Russian troops, Ukrainian authorities record numerous dead and wounded animals that were left behind.

11. We would like to emphasize that conducting state veterinary and sanitary inspection and control on the temporarily occupied territories of Ukraine is impossible.

12. At present, assistance is urgently needed to restore the full functioning of several institutions of the State Food and Consumer Service of Ukraine. In particular, Ukraine is seeking assistance to replace destroyed veterinary and phytosanitary laboratories. We will be grateful to WTO Members for all possible assistance in this regard and are ready to provide detailed information on the most urgent needs.

13. In order to improve the efficiency of anti-epizootic measures, Ukraine has established a legal framework to ensure a stable epizootic situation and to create appropriate conditions for exports and imports of livestock products. In this regard, several Resolutions of the Cabinet of Ministers of Ukraine have been adopted, namely related to procedures for state registration of livestock facilities and market operators, as well as for the establishment of the livestock farms for the purposes of exporting, importing, and carrying out high-risk activities. The abovementioned Resolutions were notified to the WTO as per Ukraine's obligations.

14. In addition, the Government also approved the rules of state veterinary and sanitary control that regulate the procedure of state control over compliance with the legislation on food, feed, animal by-products, veterinary medicine and animal welfare, and features of their application in Ukraine during martial law. These rules were also notified to the WTO.

15. Regarding export of Ukrainian products, we are grateful for the high level of trust to Ukrainian agriculture products and measures taken to resume Ukraine's ability to produce, trade and export of agricultural products. As Ukrainian seaports remained blocked, today the only possibility of exporting products of animal and plant origin to third countries is transit through the EU countries. Ukraine would welcome further liberalization of the SPS measures in trade with Ukraine and would ensure the implementation of all appropriate measures in full.

16. Finally, in the context of the unravelling global food crisis provoked by Russia's war against Ukraine, we note that Russia's proposals to establish humanitarian corridors for exporting Ukrainian grain from the seaports in exchange for lifting the sanctions demonstrates Kremlin's intention to blackmail the world by using the threat of hunger as a weapon, while attempting to arise from the self-inflicted catastrophe as a saviour of the world. All this, while Russian occupiers continue stealing grain from Ukrainian territory and attempting to sell it illegally as their own on international markets.

17. Such actions would require issuance of illegal phytosanitary certificates, and we would like to apprise the WTO Members of possible risks such transactions bear. In particular, absence of legitimate certificates could indicate non-compliance of products with current phytosanitary requirements, quality and safety standards, presence of contamination of products by various quarantine pests, be evidence of illegal trade in products and their non-compliance with terms of foreign trade contract. Moreover, it is a violation of existing legislation and direct criminal liability.

18. The Russian Federation is tampering with relevant certificates in breach of appropriate official procedures for inspection, testing, phytosanitary examination (analysis) to ensure safety of products and their compliance with phytosanitary requirements. Such activities of Russia undermine fundamental principles of international trade, as well as the principles of traceability of trade in goods covered by the SPS Agreement. Ukraine calls on all states to stay vigilant and refrain from buying grain from the Russia Federation if there is no certainty about its origin.
