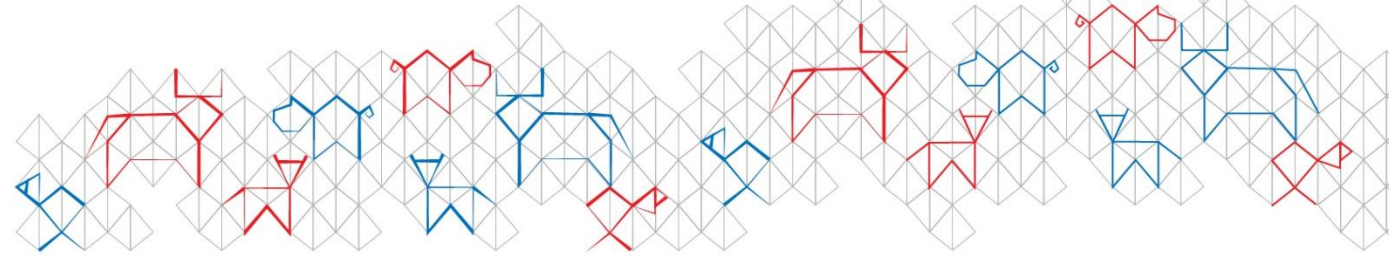




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An Overview of the SPS Agreement and obligations for Member countries

Regional training on Import Risk Analysis for African swine fever for ASF National Coordinators for English speaking Member Countries (Africa)

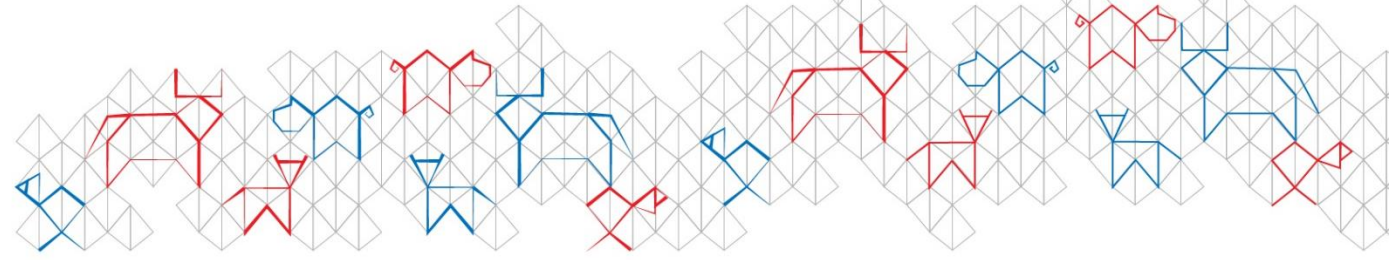
Thomas Dulu, Programme Officer , OIE SRR Eastern Africa





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The WTO agreements cover goods, services, and intellectual property. They spell out the principles of liberalization and permitted exceptions.

These agreements are often called the WTOs trade rules and the WTO is often described as “rules -based”, a system based on rules

1. Agreement establishing the WTO – relations in the field of trade and economic endeavour should be conducted with the view to raising standards of living.

LIST OF ANNEXES

ANNEX 1A: Multilateral Agreements on Trade in Goods

2. General Agreement on Tariffs and Trade 1994
3. Agreement on Agriculture

STANDARDS AND SAFETY

4. Agreement on the Application of Sanitary and Phytosanitary Measures – it allows countries to set their own standards, based on science and applied only to the extent necessary to protect human, animal or plant life or health.
5. The Technical Barriers to Trade Agreement (TBT) – ties to ensure that regulations, standards, testing and certification procedures do not create unnecessary obstacles.

BACK IN THE MAINSTREAM

6. Agreement on Textiles and Clothing
7. Agreement on Technical Barriers to Trade
8. Agreement on Trade-Related Investment Measures
9. Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 Agreement on Implementation of Article VII of the General Agreement on Tariffs and Trade 1994 Agreement on Preshipment Inspection
10. Agreement on Rules of Origin
11. Agreement on Import Licensing Procedures
12. Agreement on Subsidies and Countervailing Measures
13. Agreement on Safeguards

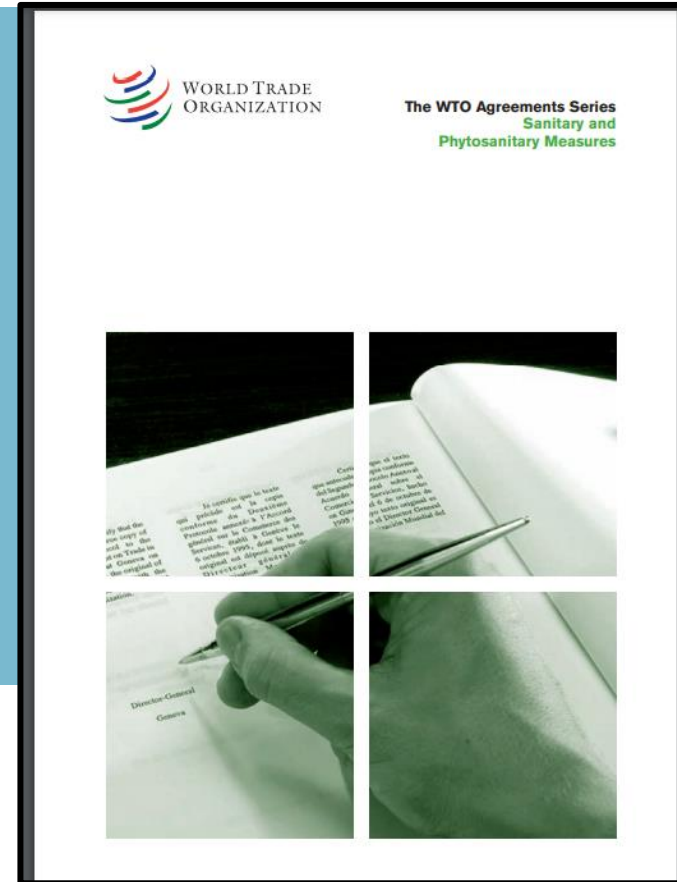
ANNEX 1B:

14. General Agreement on Trade in Services and Annexes

ANNEX 1C:

15. Agreement on Trade-Related Aspects of Intellectual Property Right

Agreement on the Application of Sanitary and Phytosanitary (SPS) Measures



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SPS Agreement - Coverage

- 14 articles and 2 Annexes to protect human, animal, plant life or health, provided that;
- Sanitary measures must not be arbitrary and inconsistent with provisions of this Agreement;
- Must be applied to the extent necessary to reasonably and effectively manage overall risk;
- Sanitary measures must not be a disguised trade barrier;
- Should not distort or divert trade;
- Sanitary measures must be technically, operationally and economically feasible.



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SPS Measures – Examples (*Annex A*)

- A measure taken to protect Human life from animal-carried diseases



e.g. measures to prevent introduction of Swine Flu



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SPS Measures – Examples (*Annex A*)

- A measure taken to protect :
Animal life  animal-carried diseases



e.g. measures to
prevent
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swine fever*



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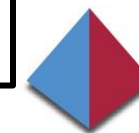
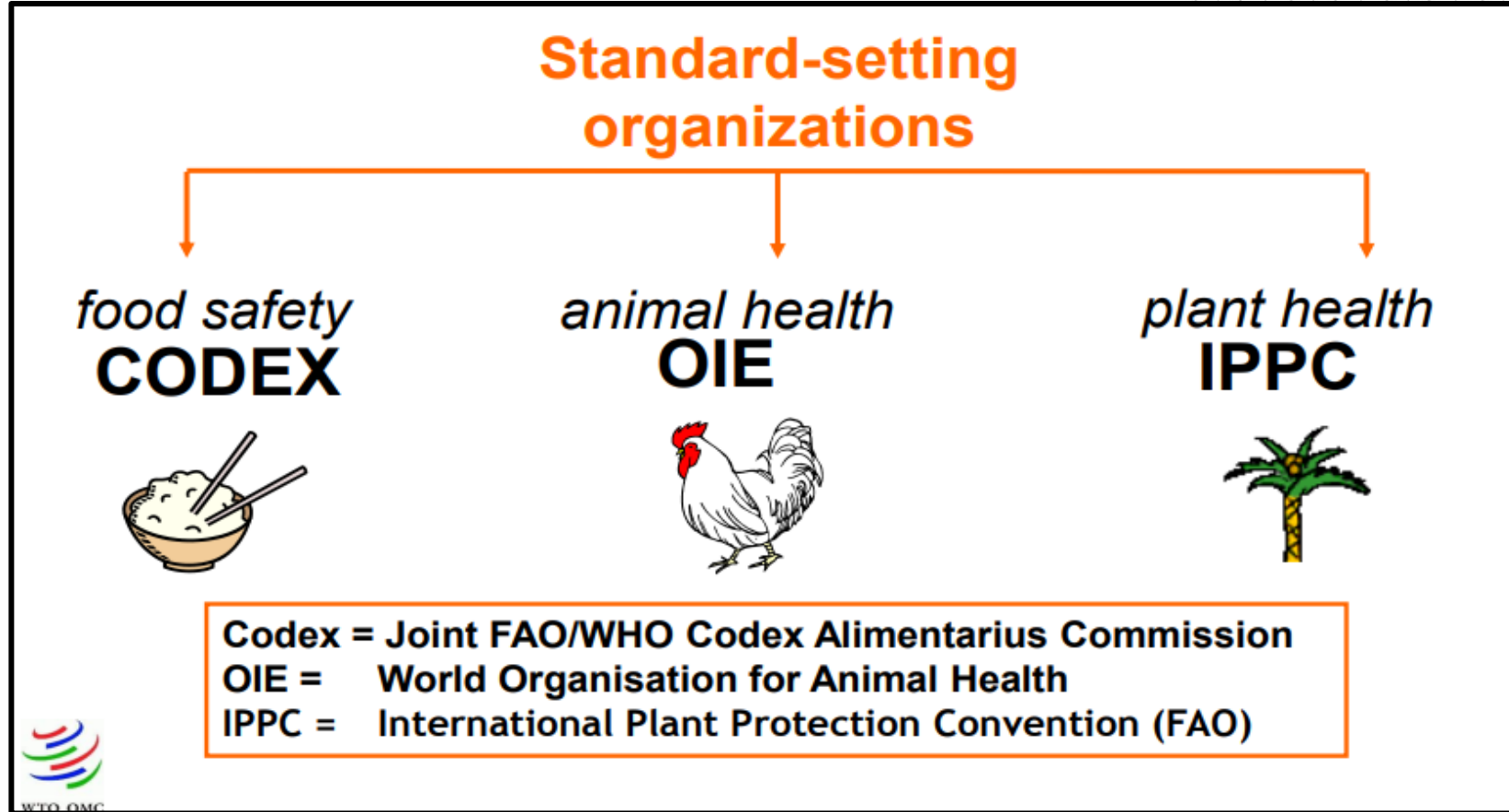


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SPS Measures – Harmonization (Annex A: subsection 3)



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Principles of the WTO SPS Agreement

Appropriate level of sanitary and
phytosanitary protection (ALOP)



*Recognizing the right to
protect human, animal,
plant life or health*

*Avoiding unjustified
barriers to trade*

Scientific justification

1. Harmonisation
2. Scientific risk assessment
3. Equivalence
4. Regionalisation
5. No discrimination
6. Least trade restrictive
7. Transparency



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Equivalence Article 4.1

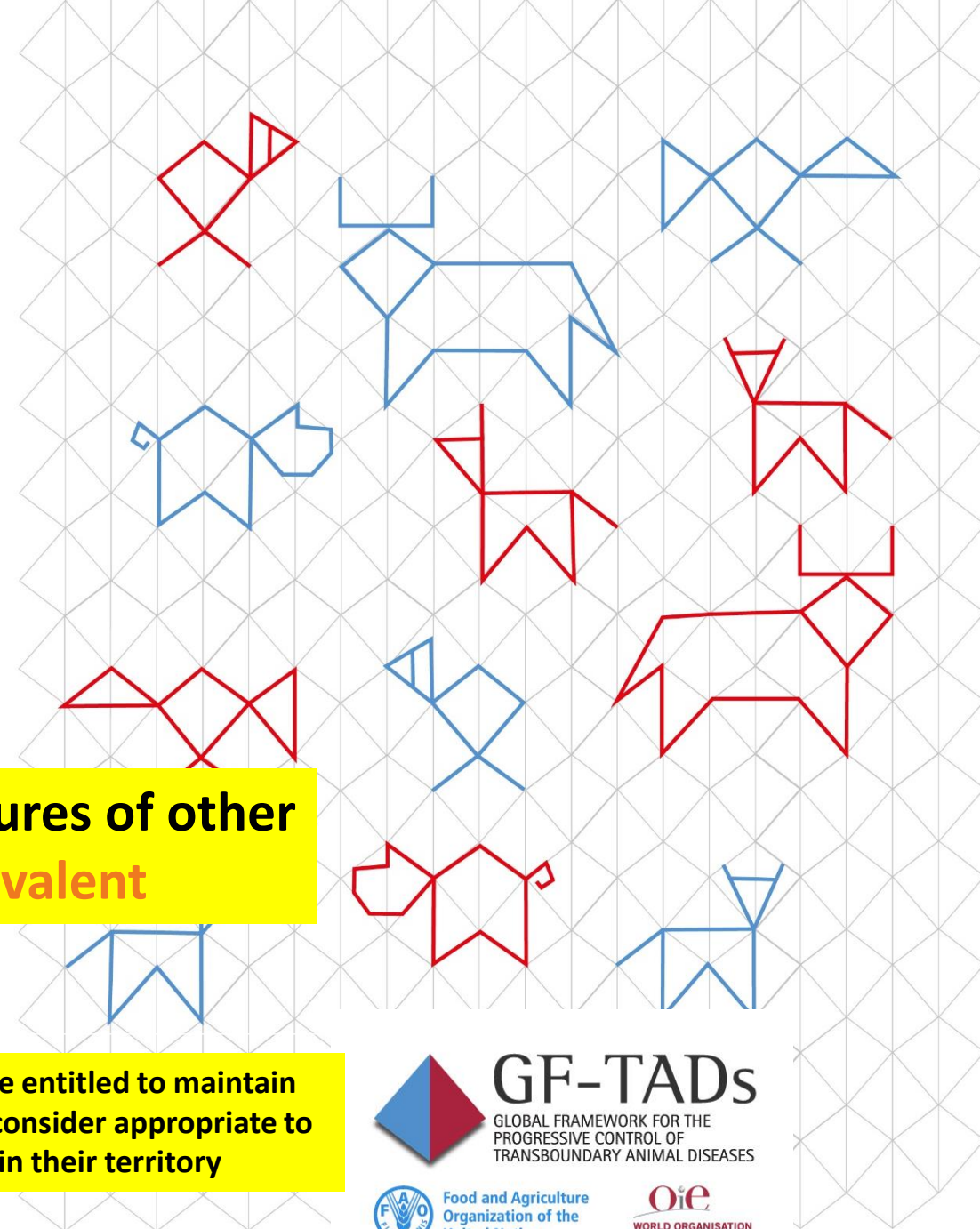
If the exporting Member **objectively** demonstrates that its measures achieve the **Appropriate Level of Sanitary Protection (ALOP*)** of the importing country

Members shall

Accept SPS measures of other Members as **equivalent**

Committee Guidelines
on Equivalence
(G/SPS/19/Rev.2)

Under SPS – A, members are entitled to maintain a level of protection they consider appropriate to protect life or health within their territory



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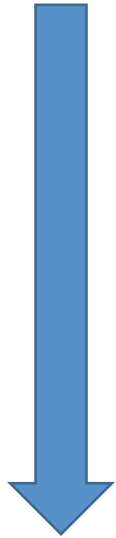
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Transparency Article 7 & Annex B

Members shall



Establish an Enquiry Point
AND designate a Notification Authority



no international standard exists
OR

the new measure is different from
the international standard

AND

measure may have
significant effect
on trade

Notify other Members of new or
changed SPS measures when



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The OIE international Standards

The **OIE International Standards** aim to improve **animal health** and **welfare** as well as **veterinary public health** worldwide, for both terrestrial and aquatic animals.

OIE standards contribute to a **fairer rules-based trading system** by supporting **international harmonisation**.



OIE STANDARDS

- For disease prevention and control
- For quality of Veterinary Services/
Aquatic Animal Health Services
- For safe international trade



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The principles of OIE Standard setting process

Science-based



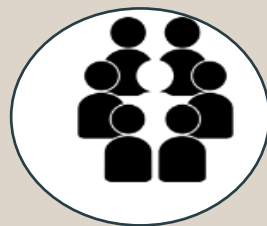
Specialist
Commissions
Working & *Ad-hoc*
Groups

Consensus-based



2 Cycles of
comments by
Delegates

Inclusiveness



Key role of
Delegates to
consult national
stakeholders

Adoption by resolution of the World
Assembly (182 Members)



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Chapter 5.3. OIE procedures relevant to the WTO SPS Agreement

Article 5.3.1.

- SPS Agreement in brief

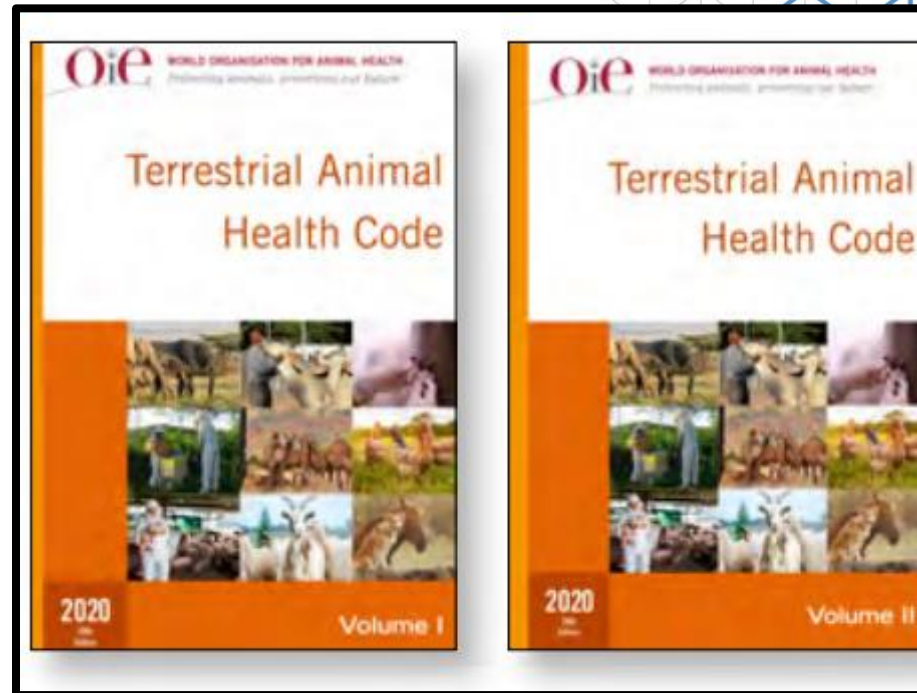
Article 5.3.2. to 5.3.6.

- General considerations on the judgement of the **equivalence** of sanitary measures

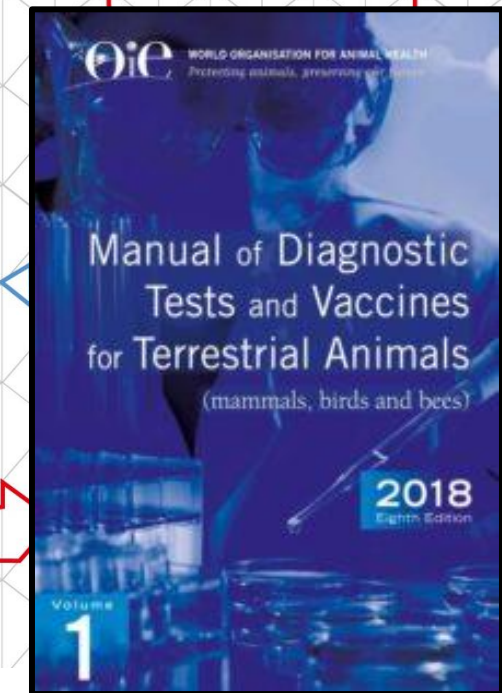
Article 5.3.7.

- Sequence of steps to be taken in establishing a **zone/ compartment** and having it recognised for international trade purposes

TERRESTRIAL CODE



TERRESTRIAL MANUAL



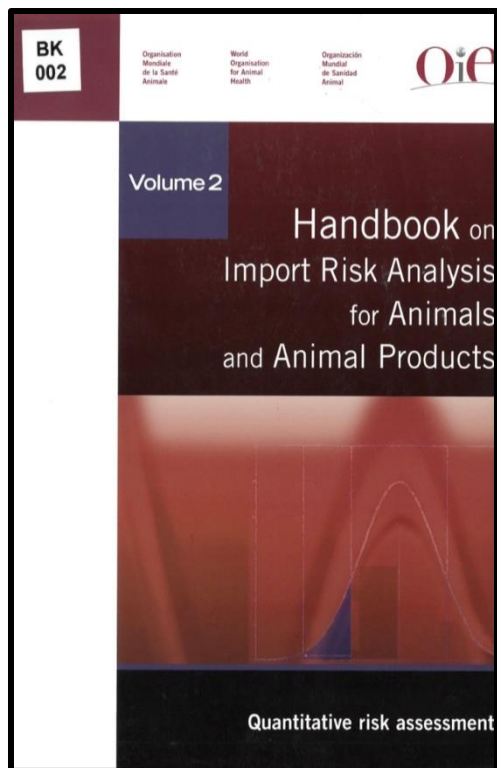
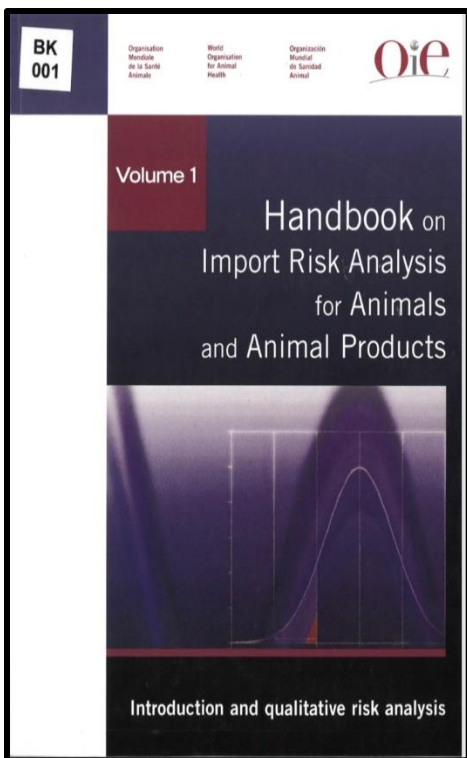


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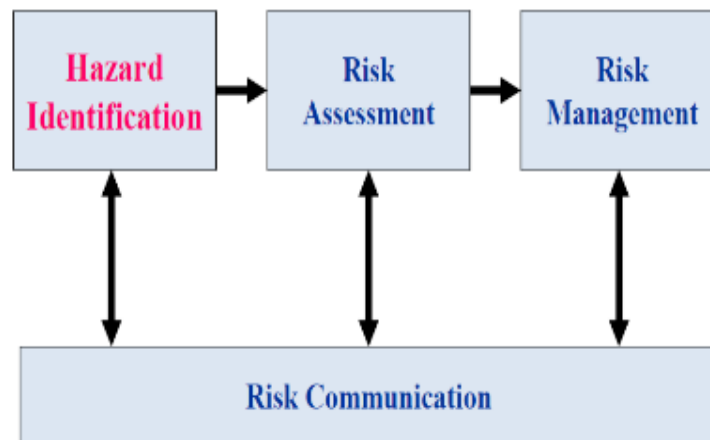


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Application of risk assessment *OIE Code: Article 2.1.1. & 5.3.4.*



The OIE risk analysis framework



provides a structured basis for
judging equivalence among
different *sanitary measures*



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OIE Standards and guidelines developed for ASF Control

- OIE *Terrestrial Animal Health Code Chapter 4.4* on zoning and compartmentalisation; providing recommendations on the principles of zoning and compartmentalisation
- *Chapter 4.5 on application of compartmentalisation* a structured framework for the application and recognition of compartments;
- *Chapter 15.1 on African swine fever* providing general criteria required for the determination of the ASF status of a country, zone or compartment;
- *OIE Terrestrial Manual Chapter 3.8.1 on African swine fever* providing Laboratory diagnostic techniques for detection of the ASF virus and serology to facilitate robust disease surveillance system,
- *Guidelines on compartmentalisation for African swine fever.*
- *Guidelines on biosecurity for African swine fever (pending validation)*



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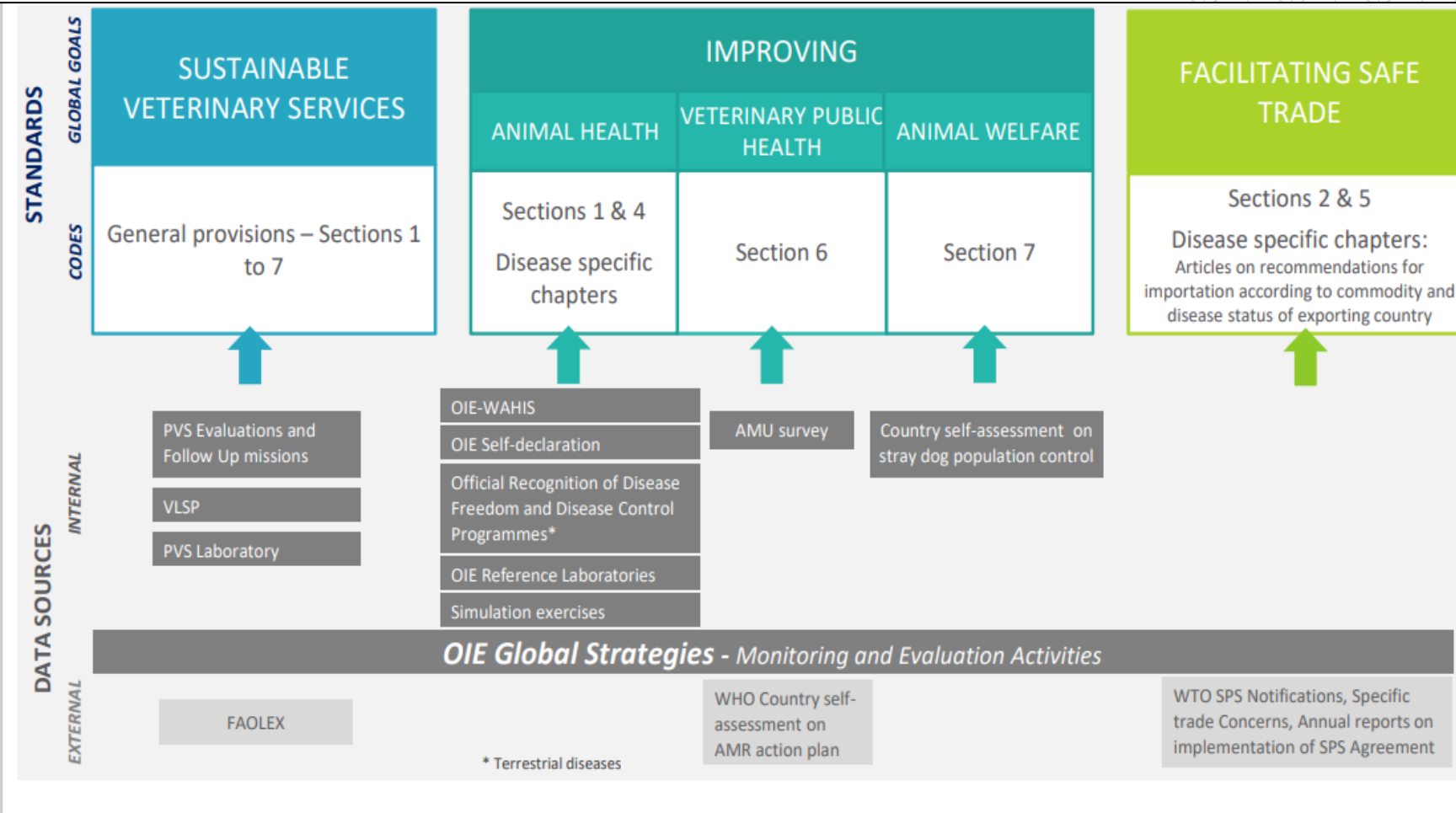
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Linkage between data sources and OIE Standards



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In Conclusion

- WTO SPS Agreement – legally binding for WTO Members;
- Recognises OIE as international standard setting organisation for animal health, animal welfare and zoonoses;
- If you apply OIE standards you are complying with WTO obligations;
- Details of how to meet WTO obligations are in the SPS Agreement (+Annexes and Guidelines) and OIE Codes.



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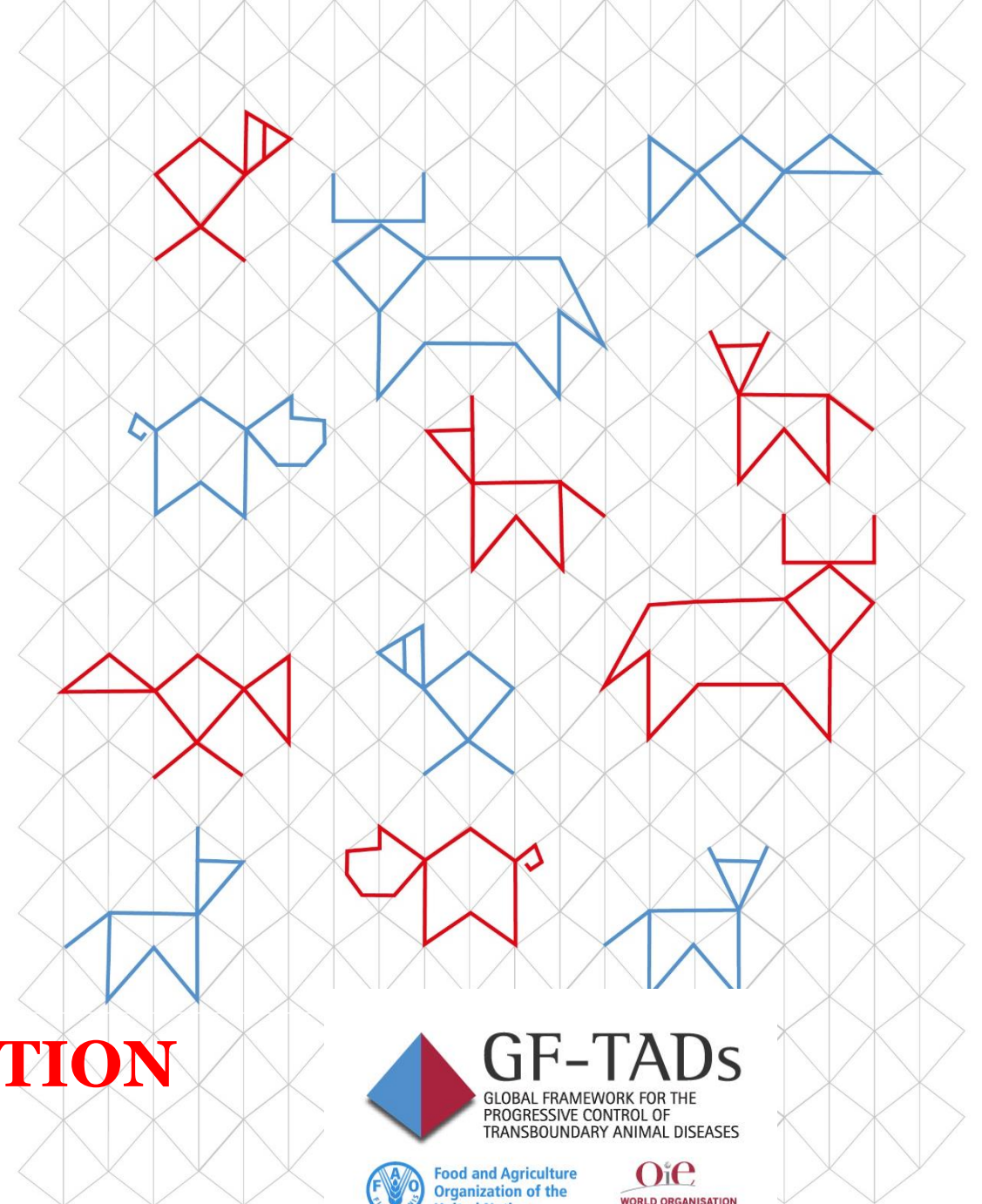


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THANK YOU FOR YOUR ATTENTION



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