



# **Future of SPS in CAREC: Best Practices and International Experience: Models for Strengthening Regional Cooperation**

Central Asia Regional Economic Cooperation (CAREC) Program  
**Workshop on SPS Measures**

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# Plan of this presentation

- Best practice in CAREC region (observed during SPS field visits, January-February 2012)
- SPS (projects) in GMS and CAREC compared
- Easing constraints to SPS capacity
  - Priorities for improvement where international cooperation could help
- Modalities of international cooperation with indications of best practice internationally

# Best practice observed in CAREC region

## – CIS/Mongolia field visits Jan-Feb 2012

- Best practice overall in the implementation of SPS measures consistent with international practice was seen in Uzbekistan:
  - Single Window implemented for export and *de facto* for import
  - Customs automated information systems, being implemented, integrated with competent authorities for food safety, veterinary and plant health
  - This is the approach to Integrated Border Management (rather than integrated inspection agency)
  - GOST-type certification being replaced by SPS measures based on international standards and norms and HACCP for producers
  - No overlap between MOH and MOA over food of animal origin

## Best practice (2)

- There was progress to smoother border operations in Kazakhstan and this country was best equipped for analysis of pesticide and antibiotic residues in food
- The private sector in all countries had a positive attitude to SPS and the needs for improvements in border operations, with Mongolia perhaps being the most pro-active in these respects.

# Comparison of SPS (projects) in GMS and CAREC

GMS	CAREC
ADB Project looking at SPS overall with emphasis on e.g. domestic food safety	Initial ADB project focused on border operations
Different cultures, political history, regulatory systems among countries in GMS	Outdated legislation and GOST approach but common heritage from Former Soviet Union
Some countries more advanced than other	Positive heritage of CIS technologically but similar basis
Understanding of SPS and priority to address variable	Some countries reforming faster than others but all aware
Cooperation through Twinning & bilateral agreements – more advanced countries helping less-advanced	Cooperation proposed through Regional Working Group Plant health: joining EPPO Food Safety: participation in RASFF

# **Removing/easing constraints to SPS capacity through international cooperation**

## **Priority areas identified**

- Institutional/organisational reform
- Scientific and technical capacity building
- Standards setting, implementation and monitoring
- Legal reform and better governance

# Institutional/organisation reform in SPS area

- International cooperation projects for
  - Single window
  - Integrated Border Management
- Current status of projects in CAREC region?

- Important principle:

***Not everything needs physical inspection. Once goods cleared for entry, further 'certification' for placing on market unnecessary and contravenes WTO principle of non-discrimination – same level of protection for imported and domestic goods***

- Pre-requisites for these systems →

# Pre-requisites for Single Window and Integrated Border Management

- Risk-based import requirements (prohibitions, restrictions with conditions of import) feeding into Customs lists
  - Replacing complex and out-of-date SanPin-GOST requirements
- Automated documentary system, managed by **Customs** but with full access to all relevant agencies, with automatic alerts ('flags' for goods requiring attention)
- Clarity over Competent Authorities for each SPS area (food safety, veterinary and plant health) and clarity over respective jurisdictions – see also 'Standards' later
- **Best practice: EU**



# Scientific and technical capacity building

- Risk analysis
  - Risk assessment methodology
  - Formal structures for risk analysis to achieve quality control and credibility
- Risk analysis used in:
  - Developing standards providing higher level of protection than international standards
  - Compilation of risk-based import requirements, using international standards as much as possible
  - Assessing risk of new commodities not listed in import requirements

# Scientific and technical capacity building (continued)

- Risk-based border controls to eliminate unnecessary inspection, testing and certification
- Laboratory capacity and laboratory practices (SOPs) geared to risk-based tests – import and export
- Accreditation of laboratories (ISO 17025)
- Quality Management in inspection services (ISO 9001)
- *Consider in relation to 'Standard Setting' – ➔*

# Standards setting and implementation

- Encompasses institutional/organisational, scientific/technical and legal aspects
- What are standards?
  - Yardstick to measure compliance with Regulations – objective parameters
  - Key issue is *level-of-protection*
  - Not *Technical Regulations* (regulatory package)
  - There are no 'real' standards for animal and plant health in the same sense as food safety standards
- Best practice (Policy for *level of protection*): EU

# Best practice for Standards Law and Regulations

Standards Law conforming to international models

- Avoid outdated and confusion voluntary/obligatory split
- Distinguish between products standards (e.g. food safety) and process standards (e.g. HACCP)
- National Standards Organisation has legitimate role in metrology, calibration and laboratory accreditation (Confusion over the meaning of 'accreditation' noted)
- National Standards Organisation should not be involved directly in conformity assessment and certification of products in the national system
- National Standards Organisation may be contracted to issue test certificates for import requirements but laboratory test certificates should not be confused with import permits issued by Competent Authority

# Legal reform and good governance

- Linking technical and legal skills
  - Training for scientists and legal experts together in SPS
- Speeding up adoption of new or amended laws
  - ‘Bill teams’ within sponsoring Ministry and repeated feedback between parliamentary draftsmen and Bill team. Best practice: UK?
  - Sensitising Cabinet and other stakeholders. Best practice: Rwanda (validation by invited stakeholders); Former Yugoslav Republic of Macedonia: public hearing (required by Constitution)
  - Sensitising parliament. Best practice: Seychelles (SPS project meeting MPs)

# Modalities of international cooperation/technical assistance

- Regional SPS Working Group
- 'Traditional' donor support – regional or individual countries
- Bilateral assistance within CAREC\*
- Twinning arrangements\*
- SPS Committee participation

\* Taking cue from GMS SPS project

# CAREC SPS Working Group

- Proposed WG to determine priorities for improving SPS capacity and seek support for key activities → Sessions tomorrow
- Key part of SPS action plan

# Best practice for regional SPS working groups?

- Comprehensive African Agriculture Programme (CAADP) – NEPAD/USAID

Several dimensions but *Pillar 2 (Market Access)* includes *Value Chains, Trade Corridor Approach and SPS under Tripartite Agreement of three Regional Bodies (COMESA, SADC and EAC)*

<http://www.nepad-caadp.net/pillar-2.php>



# International cooperation with donors

- WTO formed and SPS Agreement came into effect in 1995 but only since mid-2000's has there been concerted efforts by developed countries and international donors to address poor SPS capacity in developing and emerging countries
- Many SPS projects, mostly with individual beneficiary countries, some regional
- Many EU Approximation, Association and market access projects have had SPS focus, including CIS
- Best practice difficult to assess but it is clear that for success, project team of international experts must be working in a genuine partnership with local experts.
- This may be more difficult to achieve with a regional project with multi-country beneficiaries because of potential remoteness of core team from national activities

# Bilateral assistance within CAREC

- More advanced countries helping less-advanced countries within CAREC
- Support could still come from international donors
- What sort of activities best fit this modality?
- What countries within region could help others?

# Twinning

- Twinning mentioned in GMS recommendations
- Concept originating in EU – applies to pre-accession assistance to countries in association or partnership with EU – includes Georgia, Azerbaijan and other countries in CIS
- In EU, involves **public servants** from EU providing training and detailed guidance. (Most ‘traditional’ projects involve private-sector consultants.)
- **Structural reform** is a condition
- Can this concept be applied in CAREC?

# Information exchange/training

- Information exchange/training
  - SPS National Notification Authority and Enquiry Point
  - RASFF
  - Regional food safety information exchange
  - EPPO

# Discussion