



ECOWAS Commission

## Workshop on Sensitisation on the Creation/Strengthening of SPS National Committees

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## Training of Trainers in Science-based methods and the Use of scientific methods in setting standards

*MALI – Bamako, 28 February to 05 March 2011*

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### Summary of Conclusions and Final Decisions

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#### Introduction

Following the decision of the ECOWAS Commission and the AU/IBAR-PANSPSO, a « Workshop on Sensitisation on the Creation/Strengthening of SPS National Committees and the Training of Trainers in Science-based methods and the Use of Scientific Methods in Setting Standards » took place from 28 February to 5 March 2011.

Present at the workshop were : *(i)* delegates from ECOWAS member countries (apart from the Republic of Côte d'Ivoire) representing the membership of SPS bodies at national level, *(ii)* staff and experts from the ECOWAS Commission, *(iii)* staff and experts of the PANSPSO Project of the AU/IBAR. The full list of participants is annexed to the present report.

The main objective of the workshop was to sensitise ECOWAS member countries on the need to put in place and strengthen National SPS Committees through capacity building (training of trainers) on the use of science-based arguments in setting standards.

#### 1. Opening ceremony

This featured five speeches:

- **Dr Ibrahim GASHASH AHMED**, representative of the Federal Minister of Agriculture and Rural Development of the Federal Republic of Nigeria, noted, in his speech, the importance of the workshop and its relevance for strengthening collaboration and joint efforts among ECOWAS member states.
- **Dr COLY Raphael**, PAN SPSO coordinator, welcomed, on behalf of the Director of AU-IBAR (who was unavoidably absent), all the delegates from member countries of ECOWAS. He expressed satisfaction with the collaboration between the Commission and AU/IBAR on the activities of PANSPSO. In conclusion, he urged ECOWAS member states and the Commission to demonstrate greater commitment to SPS standards in order to give more relevance to African countries at international meetings on standards.

- **Mr Bertrand SORET**, representing the European Commission Delegation in Mali, expressed pleasure with the work of PANSPSO. According to him, the meeting was being organised with funds provided by the European Union for member countries and regional organisations.
- **Mr Ousseini SALIFOU**, Commissioner for Agriculture, Environment and Water Resources thanked the Malian authorities for facilitating the holding of the meeting. He stressed the importance of the SPS theme for the ECOWAS Commission which has led to the elaboration, harmonisation and several regulatory decisions on seeds, pesticides, fertilisers, sanitary and phyto-sanitary standards. He also emphasised the need to adopt the participatory and inclusive approach as part of the process for setting up national SPS committees in each country.
- **Mme DIALLO Madeleine BA**, the Minister of Livestock and Fishing of the Republic of Mali, in her opening speech, welcomed all the participants to the African hospitality of Mali. She thanked all the partners involved in the process of capacity building on SPS standards in the ECOWAS member countries. She concluded by asking all participants to be fully involved in the activities of the workshop. She then declared open the workshop.

After the various speeches, a bureau was elected:

- Chairman : Dr Ibrahim GASHASH AHMED
- Two rapporteurs : Mr KEBBA DAFTEH (the Gambia) and Mme Hassane AISSATOU CISSE (Niger)

The draft agenda was adopted without any modification.

## 2. Work sessions

Following the presentation of the objectives of the workshop by the ECOWAS Commission, the sessions heard several presentations on the theme for the benefit of participants and these were followed by discussions, exchanges and eventually, recommendations. :

### 2.1. Presentations and exchanges

- **Presentation of Regulation C/REG 21/11/10 on the harmonisation of the structural framework et operational rules in the area of health safety of plants, animals and food items in the ECOWAS region:** *In informing* participants, this presentation traced the history and content of the regulation. The regulation was drawn up in a participatory and inclusive manner. It spells out the general principles and indicates the conditions and organisational procedures which sustain health safety of food and animals at the local and national levels. It also defines the structures and mechanisms for cooperation in the area of health safety in the ECOWAS region. A copy of the regulation thus adopted was given to each participant.
- **Country reports:** Thirteen countries reported on the level of implementation of SPS standards in their country and described the organisational structure which assists them in maintaining standards. Finally, they listed their constraints and perspectives for strengthening their activities. It was generally evident that :
  - i. In terms of structures: there are various degrees of organisation and differences in application of SPS standards. Mention must be made the effective presence of an OIE, a CIPP focal point, a CODEX contact point and a WTO focal point in each country.

- ii. On constraints : the common constraint mentioned was that of coordination and synergy in action
- iii. On perspectives for development :

- **Presentation by PANSPSO:** The coordinator of the PANSPSO project recalled the history of the project and outlined the results achieved as well as perspectives for the future. This project which is the fruit of cooperation between the ACP secretariat and the European Union is designed for capacity building among African nations so that they can participate in the activities of organisations engaged in sanitary and phytosanitary standards. The advantages of the project were globally appreciated by participants. It is expected that the project could be extended to a second stage.
- **Reminder on « Resolutions of the 8th conference of ministers of animal resources in Africa. »:** Several types of resolutions were adopted in Uganda. The one concerning « access to markets » dwelt on sustainability and strengthening of the mechanisms on SPS standards and the creation/strengthening of national and regional mechanisms for the harmonisation of SPS activities. This fully underscores the intervention and development of PANSPSO project activities in member states.
- **Presentation on training/strengthening of national SPS committees:** The setting up of national SPS committees is in response to the need for the harmonisation of actors and structures involved in SPS standards. The presentation handed down « directives » on the composition, leadership, functions, possible sub-committees, ad hoc working groups. In addition, the directive outlined modes of operations of the committees, especially the secretariat, capacity building activities, report formats as well as monitoring, etc. The directive therefore proposes that the committees should be legal entities in each country.

Case studies on functional or developing SPS committees (Uganda, Namibia and Burkina Faso) were presented as a point of discussion for the current directives, followed by discussions and exchanges.

- **World Trade Organisation/General Information :** the presentation detailed the history of the organisation from the GATT initiative up to the WTO (153 members : Distinct States and Customs Units), defined the objectives and functions of the WTO (including technical assistance and training for developing countries) its operational structure, the structure of negotiating groups. The basic principles and duties concern absence of discrimination, definite expectations, suppression of barriers to negotiations. These rights concern waivers and exemptions. WTO decisions are reached through consensus.
- **SPS Agreement:** The SPS agreement (*Article XXb* of GATT, 1947) is the point of convergence for the three sisters (OIE, CIPV, CODEX) along with the WTO for preservation of the health of animals, plants and human beings. The legal basis is that no WTO member can prevent another member from taking steps to protect the health and lives of human beings and animals as well as the protection of plants.
- **Film projection:** The film dealt with two case studies, one on the return of the lost pawpaw market in Belize and that of shrimps in Benin. The capacity building programmes and technical assistance in these countries made it possible to resume marketing activities which had been stopped on account of sanitary and phytosanitary problems.

- **SPS WTO committees:** An SPS committee was established for the WTO in order to hold regular consultations. The roles and functions were presented with particular emphasis on notification to be carried out at the level of the WTO.
- **Procedures for notification:** The legal bases for the notification procedures were presented and dwelt on the issues leading to GATT, the publication of regulations, the establishment of information points, the bases and reasons for notification and such bodies as are entitled to receive them, the management of statistic data. It must also be added that each country shall have a single « notification » authority.
- **Private standards:** the problem of private standards was raised and it is recurring at the level of SPS committees of WTO. The main difficulty is in the fact that apart from problems in obeying the standards set by the three sisters, the adoption of private standards would place African countries at a disadvantage.
- **International convention on plant protection (CPP):** the CPP is the standards organisation specialised in plant protection. It presented its mode of operation, the decision-making bodies, and its notification procedure. Plant protection involves a number of sectors including trade, education, the environment as well as agriculture and rural development. The presenter also highlighted the major operational constraints and modes of providing information on phytosanitary standards at national and global levels.
- **Codex Alimentarius:** the presentation emphasised the structure of Codex, its mode of operation and in particular the bodies involved in it. Administered by the FAO for FAO/WHO, Codex has as its basic mandate to « administer the process of standardisation ». Codex has nine (9) horizontal committees in eight different countries all over the world and eleven (11) product committees (vertical) found in eleven countries. It also has subsidiary bodies including CCAFRICA. The methods and procedures for elaboration and adoption of standards as well as revisions were presented. The final part of the presentation was on procedures for risk evaluation and scientific analyses.
- **World Animal Health Organisation (OIE):** The history of this organisation was presented from its inception (1924), its growth and the various agreements reached with other organisations such as ECOWAS in 2007. Some notions and definitions made it possible to clarify different concepts (SPS agreement, OTC agreement, etc..) OIE is recognised by the SPS agreement and spells out sanitary standards for animals which have been recognised consensually by veterinary authorities. There was also a presentation on the structure (Delegates general assembly, focal points, the Council), the objectives, mission, membership (178) and the organisation of meetings. The presenter concluded with a chapter on the main issues of the OIE strategy plan.
- **Practical thematic activity:** The various discussions led to greater understanding of mechanisms for discovering SPS related problems as well as the drawing up, critical evaluation and revision of draft and existing standards. The discussions emphasised what arguments to put forward (scientific antecedents, functions, responsibilities and competences ...), relevant questions to ask in order to ensure that, at national and regional levels, there will be effective involvement in matters related to standards.

- **Regional Role:** ECOWAS Commission made a comprehensive presentation on the regional mandate which it intends to assume on SPS standards so as to give support at national, regional, continental and global levels.
- **Risk evaluation:** The presenter gave a full and comprehensive report on the various components of risk management for the implementation of SPS standards, the relationship between the work of evaluators and the final decision as well decisions on management of information (communication) risks. The examples given clearly showed the complex nature of risk evaluation in a context already threatened by production systems, animal mobility and interdependence among all indicators.
- **Management of equivalencies:** Article 4 of the SPS agreement deals with the management of the principle of equivalences. The general principle can be summed up as the fact that members in the SPS agreement must accept equivalent measures taken by other signatories to the agreement. The presentation showed the objective criteria for demonstration and reasonable and acceptable guarantees that should be supplied. The presenter also highlighted difficulties in determining equivalences of SPS measures as found in Article 5 of the SPS agreement. The area of action on equivalences refers to Article 7 of the SPS and it is to be agreed upon by the exporting and importing countries (various means are acceptable for security measures).
- **Regulating body for various disputes in the WTO:** Since the inception of the procedures concerned by Articles XXII and XXIII of GATT 1947, a new concept has come into being called ORD, a principle which guarantees compliance and execution of WTO agreements. As the General Council, its composition was defined and its ultimate mandate is to find definite solutions to disagreements. Disputes brought before the WTO are often related to lack of compliance with undertakings. Finally, the presenter spelt out the procedures for ORD by indicating the conditions for consultation and dispute resolution. (deadlines, stages, constitution of special groups, panels, report writing, etc.) and sanctions.
- **Negotiation process:** the process of negotiation implies two or several persons with equal or different powers. The presentation talked about negotiation tools, aptitudes to be developed especially knowledge of international relations as well as arbitration tools and methods. A simulated exercise took place (two opposing parties on a case study) which highlighted the shortcoming and mistakes to be corrected, the strengths and aptitudes to deploy as well as key arguments to be marshalled in the course of negotiations.
- **Introduction to cost benefit analysis:** Cost-benefit analysis is a mode of argument to be developed in order to show not only the relevance of a project but also how to deal with phytosanitary constraints. In this case, participants were required to develop scenarios on decision making and in particular to evaluate their far-reaching consequences. It also makes it easier to appreciate the cost-benefit as against physical facilities available.

Details of the various presentations are annexed to this report.

## 2.2. Exchanges and general discussions

All participants were given the opportunity to make comments, ask for clarifications and to air their views on the subjects presented. The main issues of discussion were the following:

- **Creation of SPS committees in each country:** *Delegates noted and agreed on the problems of convergence and communication among the various focal points of different standards bodies including WTO at international level.*
- **Notification and information sharing:** ECOWAS member states do not entirely or partially abide by procedures for notification of their regulations to international standards bodies.
- **SPS National Information Desks:** The SPS national Information Desks find it difficult to develop, organise and forward information to national actors and other groups on SPS standards.
- **Regional SPS process:** It was noted that there are problems in understanding the regional process in terms of harmonisation, integration, synergy and convergence.
- **Funding of activities and increased technical assistance to countries:** countries seldom make use of the windows for funding and technical assistance within international standards bodies which are well placed to assist in capacity building on issues related to standards.
- **Attendance of member countries at meetings and international fora:** It was noticed that ECOWAS member states have a low level of participation at meetings held by the three sisters and WTO.
- **Reference/accredited laboratories:** There is virtually no reference /accredited laboratory (apart from the Institut Pasteur in Dakar, Senegal) on veterinary science in West Africa to deal with demand for analyses, control and risk evaluation.

### 3. Recommendations / Conclusions

After all the presentations, discussions and various exchanges, participants at the workshop made the following recommendations:

#### For Member States:

- I. There shall be a National SPS Committee for each country to respond to SPS related issues in their countries and to draw up action plans
- II. There shall be capacity building with relevant tools for national information desks in each ECOWAS member country for proper functioning of the national SPS committee
- III. Increased participation of ECOWAS member countries at international fora on standards and capacity building for compliance with international commitments (Appoint competent persons to serve on various international bodies)
- IV. Harmonise the schedule of national, regional, and international meetings.
- V. Carry out joint inspections at common borders.
- VI. Notification

#### For ECOWAS:

- VII. To provide support for the celebration of the World Veterinary Year ;
- VIII. Broker a common ECOWAS position on standards so as to achieve a common African position
- IX. Fast track implementation of the regional plan for coordinated action against fruit flies. To provide support for the creation of reference/accredited laboratories in the ECOWAS region.
- X. Organise capacity building for action on international negotiations especially for WTO related matters.
- XI. All commodities not for specific products

**For AU/IBAR-PANSPSO:**

- XII. Participants expressed the appreciation for the holding of the workshop and found it relevant to the set objectives.
- XIII. Develop capacity building on various aspects of SPS standards in order to sustain continuity in each country.
- XIV. Continue to assist African countries to harmonise their positions in order to present common fronts at international fora
- XV. Forward to the ECOWAS Commission an inventory and a list of experts on SPS standards
- XVI. Capacity building on the three sisters to integrate the regional dimension in international negotiations

**Bamako, 5 March 2011**

**The participants**

**Vote of thanks**

Participants at the "Regional Sensitisation Workshop on the Creation of national SPS Committees and the Training of Trainers on Science-based methods and the Use of Scientific Arguments in Setting Standards" wish to express their profound gratitude to His Excellency, Amadou Toumani TOURE, President of the Republic of Mali and the people of Mali for the warm welcome and the facilities and courtesies extended towards the successful organisation of the meeting.

**Bamako, 5 March 2011**

**The participants**

**Annex 1 – List of Participants at the meeting**

**Annexe 2 – Presentations**



## COMMISSION DE LA CEDEAO

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ATELIER DE SENSIBILISATION DU 28 FEVRIER – 1<sup>ER</sup> MARS 2011 - BAMAKO

SENSITIZATION WORKSHOP ON ECOWAS SANITARY AND PHYTOSANITARY REGULATIONS  
BAMAKO, MALI, 28<sup>TH</sup> FEBRUARY – 5<sup>TH</sup> MARCH 2011 IN BAMAKO

HOTEL PALAIS DE CONGRES  
28<sup>TH</sup> FEBRUARY – 5<sup>ST</sup> MARCH 2011 IN BAMAKO

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