

# WTO

# Agreement on Trade Facilitation

# (ATF)

## Update and comments

### Regional IPPC Workshops

### 2015

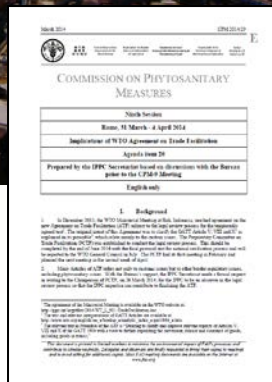


# Why to update the ATF here?

The ATF refers not only to customs issues but to other border regulatory issues, including plant health issues

At the CPM-9(2014), NPPOs raised concerns:

- lack of consultation with customs authorities
- possible conflicts with ongoing phytosanitary measures
- scope of application of the ATF



# Relationship between the ATF and SPS(&IPPC)

Many Articles of the ATF refer not only to customs issues but to other border regulatory issues, including plant health issues

- Member shall make available importation, exportation and transit procedures through the Internet, in the WTO official languages (Article 1.2)
- Member shall provide opportunities and an appropriate time period to comment on proposed introduction or amendment of laws (Article 2.1.1)

Some ATF obligations duplicate the SPS, and/or introduce new SPS obligations

## Possible issues (1)

- Final Provision includes *“nothing in this Agreement shall be construed as diminishing the right and obligations of Members under the TBT Agreement and the SPS Agreement”*
- The specific Articles refer to the border regulatory measures other than customs operation (Article 4.1.6 , 5.1, 7.4.3)
- The ATF does not have any explicit reference to clarify the relationship with other international conventions such as IPPC



This may create diverse interpretations of the ATF and application of its obligations at national level

## Possible issues (2)

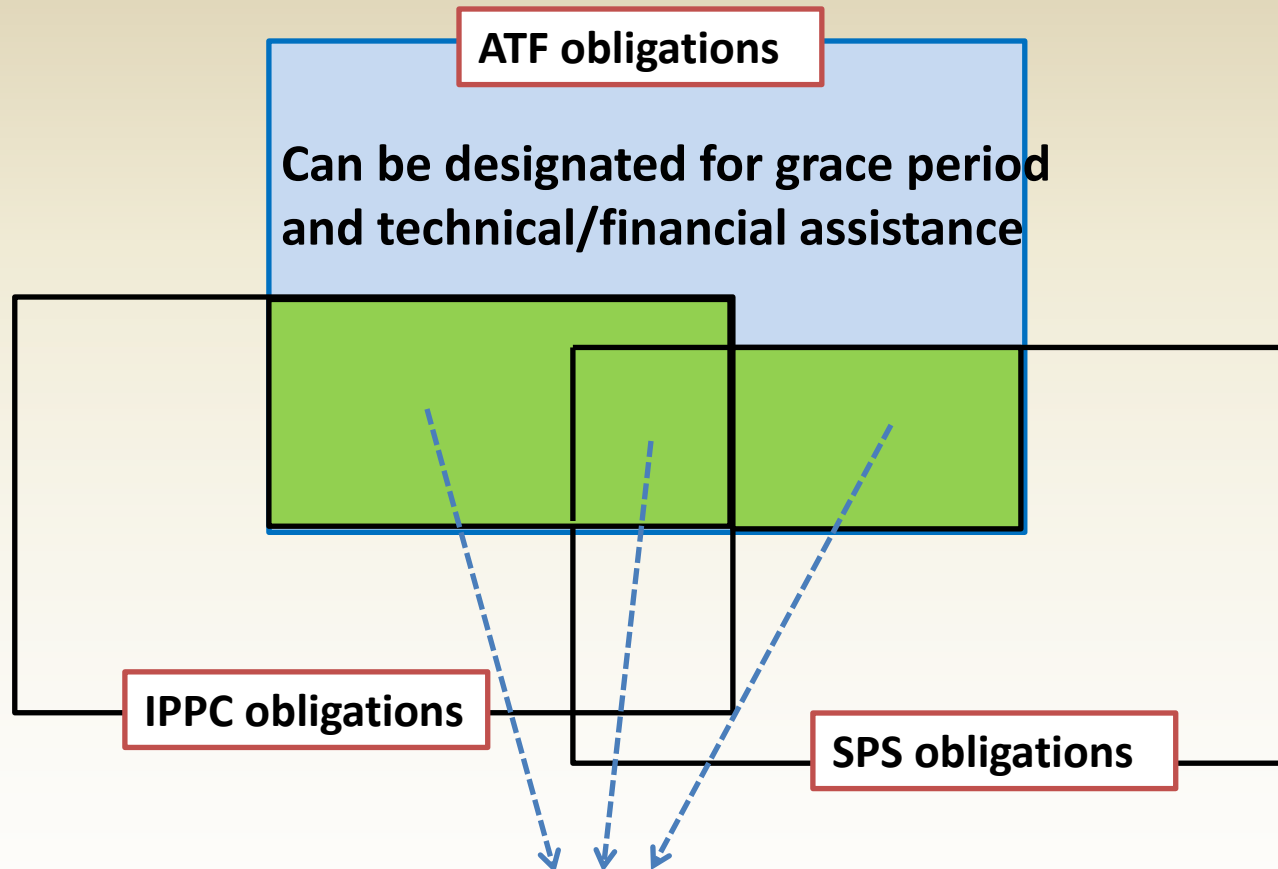
As the enforcement mechanisms under the ATF, a Committee on Trade Facilitation is established (Article 13)



There could be overlaps or conflicts in the scope of discussions and activities between the existing SPS Committee and new Committee on Trade Facilitation



# Possible issues (3)



The IPPC and/or SPS obligations may be improperly designated for grace period and technical/financial assistance

# Which is the current status of the ATF?

- **At the end of June 2015 there are 6 countries having ratified the ATF.**
- **Once accepted by two thirds of Members, enter into force (incorporation into Annex 1 A of the WTO Agreement)**
- **[New Web Site http://www.tfafacility.org/](http://www.tfafacility.org/)**

# Recommendation

**NPPOs should:**

- **carefully review the ATF to identify possible plant health issues**
- **ensure that plant health issues should be regulated by the NPPOs in accordance with the IPPC and the SPS Agreement as well as the ATF**

**NPPOs of the developing countries should:**

**contact their national representative to consider the designation of categorizations, taking into account existing the IPPC and SPS obligations**

**<http://www.tfafacility.org/national-contact-points>**





# Discussion

- **Have you carefully considered the implications of the ATF within your NPPO?**
- **Have you identified what obligations need to be addressed by the NPPO?**
- **Is there any possible concerns in terms of plant health issues in your NPPO?**
- **Have you find your national contact point for the ATF? What should you do then?**
- **If you haven't found it, what should you do?**

# Contact

**IPPC Secretariat**

**Viale delle Terme di Caracalla 1**

**00153 Rome, Italy**

**Tel: (+39) 06 5705 4812**

**E-mail: [ippc@fao.org](mailto:ippc@fao.org)**

**Website: [www.ippc.int](http://www.ippc.int), [www.phytosanitary.info](http://www.phytosanitary.info)**

