STATEMENT OF COMMITMENT

**by the National Plant Protection Organization of [State] (NPPO)** For the Implementation of Trade Cases Submitted under the Project

“Rolling out Systems Approach Globally: sharing tools for enhanced application of Systems Approach and market negotiation on plant pest risk" (MTF/INT/336/STF STDF/PG/503)

1. In the framework of the International Plant Protection Convention (IPPC), the Food and Agriculture Organization of the United Nations (FAO), acting through the IPPC Secretariat is implementing the Project "Rolling out Systems Approach Globally: sharing tools for enhanced application of Systems Approach and market negotiation on plant pest risk" (MTF/INT/336/STF STDF/PG/503) (Project) with the technical support provided by the Centre for Environmental Policy, Imperial College London (ICL).
2. The goal of the Project is to increase opportunities for export trade in plant products by developing countries through developing capacity to deal with phytosanitary issues during market access negotiations and implementing more options for managing pest risk. This will be achieved by enhancing competency and confidence in applying Systems Approach through the use of Beyond Compliance Tools (Tools), innovative decision support tools, which were developed by the ICL and will be applied to real Trade Case(s) submitted by national plant protection organizations (NPPOs) in response to the call[[1]](#footnote-1) issued by the IPPC Secretariat on 25 September, 2018 within the framework of the Project.
3. The implementation of the Trade Case(s) will be conducted with the involvement of individuals appointed by the IPPC Secretariat who are trained on the use of the Tools under the Project (Facilitators).
4. The overall application of the Tools will be performed with the technical support provided by the ICL under the general supervision of the IPPC Secretariat.
5. At the national level the process will be led by a National Coordinator appointed by the NPPO, that will inform and maintain in copy the IPPC Official Contact Point (OCP) if she/he is not the same person, and consult with the Facilitator(s), NPPOs and other national designated experts and stakeholders, as appropriate.
6. The NPPO has submitted and agreed to participate in the implementation of the Trade Case (s) *(please name the trade case/s)* as attached to this Statement of Commitment and described in ANNEX 1.
7. The responsibilities and roles of the NPPO, key persons or entities to be involved in the application of the Tools during the period of the project and main stages are described in the ANNEX 2 of this Statement.
8. Nothing in or relating to this Statement of Commitment or in any document or arrangement relating thereto shall be construed i) as a waiver, express or implied, of any of the privileges and immunities of FAO, nor as extending any privileges or immunities of FAO to the NPPO, or to its personnel, ii) as the acceptance by FAO of the applicability of the laws of any country to FAO, or iii) as the acceptance by FAO of the jurisdiction of the courts of any country.
9. This Statement of Commitment is subject to general principles of law to the exclusion of any single national system.
10. Any dispute relating to the interpretation or execution of this Statement of Commitment shall, unless amicably settled, be subject, at the request of either FAO or the NPPO, to one conciliator. Should FAO and the NPPO fail to reach agreement on the name of a sole conciliator, each of them shall appoint one conciliator. The conciliation shall be carried out in accordance with the Conciliation Rules of the United Nations Commission on International Trade Law, as at present in force. In the event of failure of the latter, the dispute shall be settled by arbitration. The arbitration shall be conducted in accordance with the Arbitration Rules of the Arbitration Rules of the United Nations Commission on International Trade Law as at present in force. FAO and the NPPO shall accept the arbitral award as final.

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| On behalf of the NPPO  Full Name (NPPO Director) |  | Signature: |
|  |  | Date: |

ANNEX 1 – Trade Case (s)

*(Please attach all submitted Trade Cases in the application template provided in the call)*

ANNEX 2 - Responsibilities and roles of the NPPO, key persons or entities to be involved in the application of Tools for the Trade Case(s) *(please name the trade case)* during the period of the project:

**Stage I - Preparatory Stage**

***The NPPO :***

* To appoint a National Coordinator to manage the Trade Case(s) and inform the IPPC Secretariat through the OCP and ICL of the appointment. Ideally this should be an individual who is already involved with the trade topic and offers expertise in the phytosanitary issues related to that case.

***The National Coordinator******in collaboration with the IPPC OCP:***

* To review the original Trade Case(s) to ensure that all the information is accurate and up to date at the time this Statement is signed.
* If the Trade Case(s) information needs updating, to do so and submit along with the signed Statement.
* To ensure that confidential information shared over the course of the Trade Case development is clearly marked as confidential.
* To establish an NPPO Team[[2]](#footnote-2) to be involved in the implementation of the Trade Case(s) and communicate names and contact details to the IPPC Secretariat and ICL.
* To identify persons who should be copied into correspondence between the IPPC Secretariat, ICL and the NPPO Team. The IPPC OCP is to be copied in the email exchange. All internal communications beyond this step are the NPPO's responsibility.
* To clarify the membership of the market negotiation team and meet with them, ensure full briefing if not the same technical staff who worked with the tools.
* To ensure that the Facilitators and ICL personnel signed the Statement of Commitment and Confidentiality Undertaking and address any questions or concerns to the IPPC Secretariat and ICL[[3]](#footnote-3).
* To Create an initial Trade Case(s) dossier(s) to form a basis for the further development of the Trade case(s) including:
* All information that is publicly available on the Trade Case(s) as per template to be provided. This information will be used for open discussions and sharing across the development of the Trade Case(s).
* A preliminary list of stakeholders to be involved (producers, representatives of the export sector, suppliers, treatment or services providers, brokers, etc.) in the implementation of the Trade Case.
* Existing pest risk analysis (PRA) or dossier submitted to a trade partner NPPO, and the list of potentially regulated pests and proposed measures.

**Stage II – The development of the trade case(s)**

**Step I – The Development of the Trade case(s) by the NPPO:**

***The NPPO Team:***

* To review with the ICL Team and the Facilitator(s) all the details of the Trade Case(s), including taxonomic identity of the potential pests identified and details of the production sector, based on the form to be provided by the ICL.
* To provide the ICL Team and the Facilitator(s) with all the relevant documents exchanged (e.g. a dossier, a PRA) and summaries of correspondence with the partner trade country NPPO.
* To work with the Facilitator(s) to prepare a Production Chain in the Beyond Compliance format, to identify all measures and the objective of each (this will probably be done with stakeholders – see next step, depending on the case).
* To work with the Facilitator(s) to complete the elicitation tool regarding efficacy and other features of these measures (this may be done through expert elicitation with others outside the NPPO, such as researchers, international quarantine experts, or inspectors – see next step).
* If any significant change occurs in the Trade Case(s) at any time while participating in the Project to inform as soon as possible and in any event not later than 5 working days the IPPC Secretariat, the ICL Team through the National Coordinator and copying the IPPC OCP. Such changes could include: the decision of the relevant company not to pursue proposed trade; response is received from the NPPO of the target market or supplier country of an import Trade Case; choice of trade measures significantly alters; etc.

***The Facilitator:***

* To act as a resource for the NPPO staff in applying the Tools and a resource for other meetings (e.g. with stakeholders) in explaining the Tools and their use in the market access process.
* To provide facilitation for the meetings and help to achieve clarity on how best to use the Tools and support documentation of responses to the questions presented at the stakeholder or expert elicitation meetings.
* Work with the NPPO staff in completing the information indicated by the Tools and relating to presentation of a trade case to the trading partner country NPPO.

**Step II– Stakeholders Input:**

* The National Coordinator, NPPO Team and the Facilitator(s) to involve stakeholders, for the discussions of Trade Case(s), interested in the trade proposed or closely involved in services in that production sector. This should include small farmer groups as well as large producers, and any larger consolidators or international distribution companies. Other relevant stakeholders along the production, packing and shipping chain should be invited to participate as well.
* The National Coordinator, NPPO Team and the Facilitator(s) to organize one or more meetings, according to the appropriate grouping of stakeholders. The purpose of the meeting to be clearly set and communicated to the stakeholders.
* The National Coordinator, NPPO Team and the Facilitator(s) to involve relevant stakeholders in the preparation of their case. Identify other issues that could prevent trade and consider the impact of these or how to remediate. Stakeholders input should be properly recorded for further actions.
* The National Coordinator, NPPO Team and the Facilitator(s) to involve relevant stakeholders such as researchers, international quarantine experts, and others outside the NPPO in the work on the elicitation tool regarding efficacy and other features of these measures.
* The National Coordinator, NPPO Team and the Facilitator(s) to review the responses received and consolidate them. Consolidated information to be shared with stakeholders. Consider other criteria in the elicitation tool, or as requested by the trade partner country NPPO, if not covered in the meetings.
* Document the meeting and consider any lessons learned for future stakeholder meetings. Organize any follow up to clarify comments or share conclusions. Clarify willingness of the stakeholders to carry out the proposed system. Identify any additional administrative or technical schemes such as traceability that will be required for the proposed Systems Approach. (Note: implementing a Systems Approach may involve additional costs earlier in the production chain, but then possibly save costs later.)

**Stage 3 – Progress to market negotiation:**

***The National Coordinator and NPPO Team with the technical advice provided by the ICL Team and the Facilitator(s) to:***

* Conclude on the preferred Systems Approach to be proposed to the trade partner country NPPO and the representations of the system in terms of pest risk management.
* Proceed to market negotiation.
* Share the outcomes with the Facilitator and ICL team over the course of the discussions.
* Evaluate the Facilitator, using a form provided, and the overall use of the Tools.

***The Responsibilities of the Facilitator:***

* Carry out an evaluation of the experience of the NPPO in using the Tools and give feedback to the ICL Team on the status of the case.
* Prepare a technical report with the ICL Team and IPPC/FAO and the funder on activities conducted, while avoiding the use of any confidential or sensitive information.
* Liaise with the NPPO Management and others on the case to ensure the accuracy and acceptability of the report.

**Estimated time line** (note: Facilitator and ICL participation to be completed by end of Project, June 2021)**:**

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| **Task** | | **Timing** |
| **Stage I - Preparatory Stage** | | dependent upon NPPO |
| **Stage II – The development of the trade case(s)** | |  |
|  | **Step I – The Development of the Trade case(s) by the NPPO:** | approx. 2 months, depending on the status of the case |
|  | **Step II– Stakeholders Input:** | approx. 4 – 6 months, depending on the nature and status of the case |
| **Stage 3 – Progress to market negotiation:** | |  |
|  | **Prepare proposal** | approx. 2 months |
|  | **Technical report to ICL and the IPPC; report on outcomes** | approx. 1 month after involvement of Facilitator is complete; as outcomes are finalised |
|  | **Present proposal to target market country’s NPPO** | dependent upon applicant and recipient NPPOs |

***Facilities and Equipment Required:***

* A personal computer (PC) system with Microsoft Office for Windows 2010 version or more recent
* Up to 200 MB available hard drive
* Reliable internet for remote meetings, a microphone and a camera if possible (although dial in options will be available)
* Facilities to hold expert or stakeholder meetings will also be required.

1. Call for trade cases - <https://www.ippc.int/en/calls/call-for-trade-cases-to-receive-support-from-the-project-rolling-out-systems-approach-globally-sharing-tools-for-enhanced-application-of-systems-approach-and-market-negotiation-on-plant-pest-risk-mtfint336stf-stdfpg503/> [↑](#footnote-ref-1)
2. Please note: NPPO Team will be asked to review the final report to FAO to ensure agreement on all points and that no confidential information has been inadvertently included. [↑](#footnote-ref-2)
3. Both the Facilitator and the ICL Team will sign Confidentiality Undertakings so that your Trade Case information will not be shared without written express permission, although the fact that you are participating and the commodity and pest concerns will be included in reports by the IPPC or the funder, the Standards and Trade Development Facility (STDF). [↑](#footnote-ref-3)