



منظمة الأغذية
والزراعة
للأمم المتحدة

联合国
粮食及
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Organización
de las
Naciones
Unidas
para la
Agricultura
y la
Alimentación

INTERIM COMMISSION ON PHYTOSANITARY MEASURES

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Implementation of the International Plant Protection Convention (IPPC) (Report of the Chairperson)

Agenda Item 3 of the Provisional Agenda

I. COORDINATING ROLE OF THE INTERIM COMMISSION ON PHYTOSANITARY MEASURES (ICPM)

1. The mandate of the ICPM is "... to promote the full implementation of the objectives of the Convention ..." (Article XI. 2 of the IPPC, 1997). Many issues are related to the full implementation of the IPPC, however the participation of countries in the activities of the IPPC and the adoption of the IPPC and international standards for phytosanitary measures (ISPMs) at the national level are key elements for implementation at the global level. The Third Session of the ICPM (April 2001) endorsed several recommendations in relation to technical assistance activities and identifying the role of the ICPM in reinforcing the implementation of IPPC. In particular, the ICPM adopted a recommendation to further develop the Phytosanitary Capacity Evaluation (PCE) as a tool for the evaluation of phytosanitary capacity building needs, including institutional and regulatory aspects of national phytosanitary systems.

2. This report summarizes results obtained through the application of the PCE in a group of more than 20 developing countries in South America (Andean and Caribbean sub-regions), Africa, and Asia. The same information has also been considered by the Third Meeting of the ICPM Informal Working Group on Strategic Planning and Technical Assistance (4-6 December 2001 in Bangkok, Thailand).

II. PHYTOSANITARY CAPACITY EVALUATION - METHODOLOGY

3. The PCE is intended primarily as a tool to assist countries in modernizing their phytosanitary systems. Other future potential uses could be developed. For example the PCE could be useful in helping countries to establish mutual recognition processes.

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4. The PCE methodology is based on the premise that the contemporary needs of a national phytosanitary service can be estimated by a measure of its capacity to meet the international phytosanitary obligations of the country in an efficient and sustainable manner (e.g. the IPPC and ISPMs). One way to review a country's position in relation to its capacity to fulfill its international obligations is to develop an inventory of the functions and resources that are needed for basic phytosanitary services and to comply with ISPMs.

5. The major categories currently used in the PCE are:

- Country background information
- Phytosanitary legislation
- Institutional issues
- Pest diagnostic capabilities
- Pest risk analysis
- Surveillance
- Exotic pest response
- Inspection systems
- Export certification.

New categories may be added to the PCE system as new ISPMs are adopted.

6. In all the categories of the version used in this study (except country background information), the PCE is structured in five sections as follows:

- **Reference Standards (IPPC or ISPMs):** To be taken into consideration when answering the questions for specific categories.
- **Questionnaire:** Including an important set of questions addressing relevant points for the effective implementation of the corresponding reference standards, including legal and regulatory provisions, management, human resources, documented procedures, expertise availability, facilities and equipment.
- **Self-improvement of the questionnaire:** A special section dedicated to the suggestion of additional questions that could be necessary to better characterize a particular category for a specific country.
- **Strengths and Weaknesses:** The identification of five (5) priorities that result from the analysis of the answers to the questionnaire.
- **Required activities:** The identification of activities needed to address the five (5) main weaknesses identified in the previous section.

7. The information generated in the last two sections of the PCE are intended to be used in a strategic planning exercise and in the development of a national strategy that would form the basis for future capacity building initiatives. The information in the last two sections could easily be linked to other planning tools and a logical framework for the development of appropriate project proposals.

8. The outcomes of the PCE can be classified according to the nature of the problems identified and according to the kind of assistance required to address the problems, as follows:

a) Nature of the problem

- L** Legislation (including regulations) and Institutional issues
- P** Documented Operational Procedures and Training
- E** Infrastructure and Equipment

b) Type of assistance required

1. National coordination
2. Technical cooperation
3. Infrastructure and equipment investments

9. Although the PCE is constructed in a way that allows it to be used directly by national phytosanitary officials, the best results have been obtained when an experienced facilitator has been used to help in the analysis of the information produced by a national team of experts. Afterward, the conclusions should be presented to a broad national group (inter-agency and inter-sectoral) for validation at the national level.

10. As a technical assistance tool, the PCE is changing traditional technical assistance approaches in the sense that:

- PCE involves the self-diagnosis of national weaknesses and the identification of priorities by a national group of experts with validation at the national level, thereby promoting national awareness and consensus.
- PCE reverses the role of the international consultant to be a facilitator with expertise rather than an expert in diagnostics.
- Since a set of relevant questions is used for each category, PCE focuses the attention of the national experts on the important issues and facilitates the analysis.
- By providing a common set of questions and a standardized procedure, PCE contributes to minimizing variation among the judgments of the experts facing the same situation.

11. When the categories utilized in the PCE are basic ones (those directly related with the principles and disciplines of the SPS/WTO), PCE could also be applied to the joint analysis of sanitary and phytosanitary concerns both at national and regional level. In this regard, PCE has the potential to be further developed as a cross-disciplinary strategic tool for the analysis of national implementation problems associated with SPS obligations.

III. OUTCOMES OF THE PCE APPLICATION IN DEVELOPING COUNTRIES

12. During 2000-2001, PCE was conducted in more than 20 developing countries in South America (Andean and Caribbean sub-regions), Africa, and Asia. The priority needs for each PCE category were identified in each country and classified according to the nature of the weakness/required assistance, in the following groups:

- L** Legislation (including regulations) and Institutional issues
- P** Documented Operational Procedures and Training
- E** Infrastructure and Equipment

13. A common pattern of priorities for each PCE category was identified among all the countries considered in the study (Table 1).

Table 1: First 5 priorities for each PCE category in all countries

<u>PCE Category</u>	<u>Priority</u>	1st	2nd	3rd	4th	5th
Institutional capacity		L	L	L	L	L
Legislation		L	L	P	L	L
Export certification		L,P	L	E	L,P	E
Diagnostic capacity		L,P	L	E	L,P	E
Exotic pest response		L	P	P	P	P
Pest risk analysis		L	P	P	P	E
Inspection		L,P	P	P	P	E
Pest surveillance		P	P	P	P,E	P
Pest free areas		P	P	P	P	P

14. The analysis of each level of priority across all the PCE categories (vertical) shows that the limiting factors follows a common pattern according to the following order of priorities:

Priority	Nature of the limiting factor
1	Legislation and Institutional Issues
2	Documented Procedures and Training
3	Facilities and equipment

15. The pattern emerging from Table 1 indicates that the needs for technical assistance to improve the phytosanitary services of developing countries must address the identified issues according to the following order of priorities:

Priority	Type of technical assistance needed
1	Review and update of national plant protection legislation
2	Improvement of institutional aspects (sustainability)
3	Development of a regulatory framework
4	Implementation of operational and management procedures
5	Training and improvement of technical skills
6	Addition or improvement of infrastructure and equipment
7	Increased participation in international/regional organizations

16. Consequently, the return on investment in infrastructure or equipment, without the previous or joint elimination or mitigation of the main limiting factors, would be expected to be rather low.

17. This situation represents the opposite of the scenario for traditional technical assistance programs conducted before the adoption of the WTO/SPS Agreement when the emphasis was primarily on hard infrastructure and equipment improvement rather than upgrading of the legislation or the development of appropriate management systems.

18. The specific issues identified in each group include, among others:

A. LEGISLATION (AND REGULATIONS)

- lack of recognition of the national system of plant protection and its relationship with international trade, allowing the participation of all the stakeholders
- general obsolescence of the plant protection legislation in relation to WTO/SPS and IPPC (in terminology, definitions as well as concepts)
- country obligations and NPPOs functions not addressed in the legislation
- lack of legal powers for search and seizure
- no obligation for Customs to report to plant protection officials
- lack of a specific mandate to perform risk analysis
- fragmentation of authority (functions scattered among several organizations)
- provisions for penalties and fees are weak or absent
- lack of provisions and funding for emergency exotic pest responses
- no provisions for accreditation
- overlapping national and sub-national authorities
- outdated terminology and definitions
- lack of specifications regarding the authority and procedures for the development and adoption of phytosanitary requirements
- lack of procedures for national consultation and international notification

B. INSTITUTIONAL ISSUES

- fragmentation of authority (between ministries, inside the ministry of agriculture, between the national and sub-national governments)
- lack of cost recovery policies
- salaries not competitive
- plant protection organizations organized by commodity and not by functions and programs
- lack of regular training programs, both in management and in technical activities.
- no distinction between technical and management staffing patterns, making it difficult to retain the scientific staff in the technical positions
- lack of trained managers for national programs
- general understaffing – multitasking (the same officers conduct PRA, perform pest diagnoses, and do inspections at the points of entry)

C. DOCUMENTED PROCEDURES

- lack of documented procedures and management systems for:
 - surveillance
 - pest listing
 - PRA
 - export certification
 - inspection
 - pest diagnostic
 - exotic pest response
 - pest free areas, places, and sites
- lack of operational manuals
- lack of internal audit systems
- lack of computerized systems

D. INTERNATIONAL AND REGIONAL PARTICIPATION

- no unit with the charge to manage international affairs (lack of institutional memory)

E. TRAINING

- lack of regular training programs on technical and management procedures
- lack of training in the concepts and application of ISPMs

F. FACILITIES AND EQUIPMENT

- poor inspection facilities at points of entry
- poor laboratory facilities and equipment
- lack of incinerators and scanning equipment
- poor libraries and references
- lack of computerized systems (network) to run documented procedures
- lack of glasshouses and screen houses for quarantine

IV. CONCLUSIONS

19. PCE results show that the developing countries - at least those included in the sample - suffer intrinsic difficulties in the implementation of the IPPC and associated standards, and that traditional technical assistance programs are not the most adequate tools to resolve those difficulties. Additionally, and due to the lack of specific ISPMs under the IPPC (differential situation with the Commission of the Codex Alimentarius and the OIE), IPPC Members nearly always need to justify their phytosanitary measures by PRA. The combined effect of the special difficulties to implement ISPMs and the lack of specific ISPMs under the IPPC seems to be provoking a “domino effect” on certain developing countries.

20. **Domino effect of the ISPMs**



21. The general pattern emerging from the implementation of the PCE is relevant to a better understanding of the difficulties related to the full implementation of the IPPC and constitutes an important element of consideration in the strategic planning processes of the ICPM. In the last meeting of the Informal Working Group on Strategic Planning and Technical Assistance (December 2001, Bangkok), several recommendations based on the PCE results were made which are relevant to the full implementation of the IPPC. These include:

- the establishment of a General and a Special trust fund to address the need for greater participation of developing countries in IPPC activities
- the review of strategic directions 1 and 4 of the Strategic Plan approved by ICPM 3 (April 2001), to give maximum priority to the development of an ISPM on “Efficacy of the Phytosanitary measures” and “Equivalency of Phytosanitary Measures”, as a prerequisite to the development of more specific standards on phytosanitary measures and to promote their consistency
- to give priority to the identification, development, and adoption of specific standards (e.g. treatments for specific commodities and pests, or PFA procedures to be used in specific combinations of pest/commodities) and to identify the mechanisms for their development, is required as a tool for trade facilitation but also to eliminate the asymmetry existing between OIE, CODEX and IPPC standards
- to further refine the PCE and the development of new technical assistance tools (guidance for countries to use in the improvement of institutional and regulatory aspects of the national systems, operational manuals, etc) is a key element for the coordinating role of the ICPM in technical assistance and for the implementation of the IPPC.

22. The ICPM is invited to give careful consideration to these proposals in light of the information gathered through the PCE.