

January 2005

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INTERIM COMMISSION ON PHYTOSANITARY MEASURES

Seventh Session

Rome, 4 – 8 April 2005

**Problems Associated with the Implementation of the ISPMs in Africa
Paper Provided by the Inter-African Phytosanitary Council**

Agenda item 5.2 of the Provisional Agenda

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Problems associated with the implementation of the ISPMs in Africa

AU/IAPSC 21st General Assembly held in Dakar, Senegal

24-28 May 2004.

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Summary:

The fastest growing world agricultural markets for developing countries are for fruits and vegetables, livestock products and other high-value commodities. Fruits and vegetables alone now account for nearly 20 percent of developing country agricultural exports.

For these high-value products, regulations and standards related to safety and quality play a large role in determining trade opportunities. The WTO embodies agreements to discipline agricultural food safety and quality regulatory decisions.. These WTO disciplines call broadly for countries to achieve legitimate regulatory goals in the least trade-distorting manner. Effectiveness of these disciplines is an important aspect of a rules-based agricultural trading system.

Non- compliance with international standards and rules deprives African countries access to key international markets, and may lead to a further reduction in global market share- especially in agricultural products like horticulture, fisheries and textiles. Dispute settlement cases show that the WTO imposed disciplines on African products, arise mainly from microbial contamination with pests and/or chemical residues. Without addressing food quality both for domestic and international markets ,and compliance issues, African firms and farmers will be unable to take full advantage of market opening initiatives such as the US Growth and Opportunity Act (AGOA), and the EU's Everything But Arms initiative. World Bank research confirms that with enhanced participation in the development of international standards, and better implementation and compliance with those rules, sub-Saharan Africa could gain over \$1 billion a year from higher exports of nuts, dried fruits, and other agricultural commodities.

Constraints to the implementation of International Phytosanitary standards in Africa was the *theme* of the 21st General Assembly of the Inter-African Phytosanitary Council that was held in Dakar, Senegal, 24-28 May 2004. The Assembly was attended by 83 participants including 22 African NPPOs, international observers (FAO, WTO-SPS,GTZ,USAID-APHIS, IITA Crop Life), the RECs (COMESA, SADC, CEMAC, CEEAC/ ECCAS, CILSS), SAFGRAD, Agricultural Universities and Research Centers in Africa, West African Trade Hub, NGOs and other interest groups.

The purpose of this Assembly was to identify constraints/obstacles to the implementation of ISPMs in Africa.

Opening Ceremony

Placed under the Patronage of His Excellency Abdoulaye Wade, President of the Republic of Senegal and under the aegis of His Excellency Alpha Oumar Konaré,

President of the African Union, the 21st General Assembly of the Inter African Phytosanitary Council of the African Union (IAPSC-AU) was officially opened by H.E. Habib Sy, Minister of Agriculture, Livestock and Water, of the Republic of Senegal. He was assisted by the Scientific Secretary of the IAPSC-AU, Dr Nazaire NKOUKA and the GTZ/HAPPA representative, Dr Mathias ZWEIGERT.

Key note papers were delivered from the African Union Rural Economy and Agriculture Department- AU/REA, AU/IAPSC, AU/SAFGRAD, FAO-IPPC, and WTO-SPS. Regional Economic Co operations also made presentations as well as Observers and NGOs. In addition to the plenary sessions, discussions continued in two commissions.

Porous borders and free movement of goods and people due to Regionalisation; Pest free and areas of low pest prevalence not yet identified in Africa, inadequate and/or obsolete phytosanitary legislation, absence or inadequate information on pests, insufficient human resources and inadequate capacity building for Pest Risk Analysis (PRA), inadequate pest surveillance, inadequate inspection and certification, and inadequate information sharing, were identified as constraints to the implementation of phytosanitary standards in Africa.

Many recommendations were adopted from the commissions as well as from the plenary sessions of this Assembly. Among them;

1. That absolute priority be given to training in the work- programme of the IAPSC, and that the IAPSC Regional Training Centres at IBADAN (Nigeria), CAIRO (Egypt), MUGUGA (Kenya) and AGRHYMET (Niger) be revised while waiting for other centres to be assessed in the Central and Southern African sub-regions.
2. The creation of two working groups; an Expert Working Group for training and capacity building in PRA, and an Expert working Group on standards.
3. The inclusion of the representatives of the African Regional Economic Groupings (RECs) in the steering Committee of the IAPSC. Representatives of RECs shall have the status of permanent members. The RECs shall be represented as follows;
 - COMESA/IGAD Region: **ASARECA**
 - ECOWAS/CENSAD/CEEAC Region: **CORAF**
 - NORTH AFRICA Region: **Sahara Sahel Observatory**
 - SOUTHERN AFRICA Region: **SADC**

Other members of the steering Committee shall come from the following institutions :

- IITA
- IAPPS (International Association for Plant Protection Sciences)
- African Association of Plant Protection Science
- An independent Plant Protection Expert
- A Representative of Donors
- A Representative of the AU (Rural Economy and Agriculture)
- The IAPSC shall serve as Secretariat of the Committee.

From the commissions, the following recommendations were adopted;

Legislation and regulations

Legislation and regulations as well as pest Risk analysis are important to justify measures

Apart from African countries being encouraged to update their legislation to conform to the IPPC and WTO-SPS, those that have not yet ratified the IPPC were encouraged to do so.

Pest Risk Analysis:

- All countries should base their phytosanitary decisions on PRA. Therefore in order to facilitate adoption of PRA, the secretariat of the IAPSC should facilitate and coordinate training on PRA with relevant international bodies, trading partners .

Surveillance systems and database on pests

The Assembly agreed on the necessity to provide inspection equipment and train plant health inspectors at borders and entry points.. Other public regulators including customs officials should be invited as observers in such training.

- The commission recognizes the monitoring of pests as the basis of efficient and effective Pest risk analysis, and recommended that use be made of the existing expertise in Africa;
- that farmers field schools be encouraged as a contribution to pest monitoring and surveillance activities;
- Pest Distribution – Data-base The commission recognizes the importance of reliable national data on the outbreak and distribution of pests, and calls on National Plant Protection Services to work towards the acquisition of these data in collaboration with the IAPSC. The sources of information on pests must be identified and validated;
- that use be made of local expertise in the domain of pest identification

Treatment Of Consignments

It is necessary that certification of consignments moving in international trade guarantee that the consignment has been treated accordingly. Africa therefore needs capacity and the skills for certification. Sampling and inspection procedures must show compliance with international requirements.

- The commission recommended that every country in Africa subjects itself to the Phytosanitary Evaluation tool which will indicate their capacity to comply.

There are already 8 consultants in Africa trained to administer the Phytosanitary Evaluation Tool, and the IPPC can offer training to the IAPSC to increase the number of people in Africa that can administer the tool. African members states are also encouraged to apply directly to FAO for a TCP in this connection

Import Control

The background for discussing this topic was based on ISPM no.20 *Import control* and the responsibility of an importing country to ensure the security and integrity of consignments. If interceptions are made there should be arrangements in place to notify *non-compliance* as well as to inform the exporter who should take corrective action.

- It was noted that a sound phytosanitary legislation, would not only
 - empower the officer to admit or refuse entry of a commodity/consignment.
 - But also give the power to regulate at ports of arrival (checking the certificates, and accompanying documents
 - As well as the power to inspect the consignment

- However, to be able to apply the standard on import control a country requires
 - diagnostic capabilities (well equipped laboratory, trained personnel
 - post entry quarantine
 - conditions of importation should be technically justified.

Facilities to comply with import controls are inadequate in Africa.

The commission therefore recommended and underscored the need for collaboration among countries in import control.

IAPSC was requested to redress credibility of phytosanitary certificates in Africa. Issues of fraudulence need to be addressed in the national legislation. The legislation should specify how the penalties should be implemented.

Transparency

The commission noted the need to increase transparency for National contact point as required by WTO-SPS as well as the IPPC. National notification authority is a requirement of WTO-SPS

The difficult in interpreting the requirements of the standards was recognised as a problem for producers The commission therefore recommended that ;

- NPPOs should prepare an awareness program for all producers regarding market requirements

- NPPOs should summarise standards in the form that can be understood and to make these accessible to all interested persons,

African countries were encouraged to establish SPS committee/ Network including all stake holders (ministry of health, consumers, ministry of agriculture, producers and researchers) These committee should meet regularly to review notifications and to share market information.

Information exchange

- that the African Council of Ministers of Agriculture be provided with the most recent information on the phytosanitary situation on the continent;
- that plant protection structures be provided with the facilities that can enable them to better generate and distribute pertinent information on pests.

Notification

The commission recommends that Member states should update their focal points in order to facilitate notification on standards.

Following these recommendations an Expert Working group on Pest Risk Analysis has been created with the participants trained under aegis of the IPPC and the ATRIP funded Project (USDA-APHIS and Tuskegee University) on Capacity Building for Pest Risk Analysis in Sub-Saharan Africa. This project has trained 69 *Train the trainers* from 15 African countries of Eastern (Ethiopia, Kenya, Uganda and Tanzania), West Africa (Nigeria, Ghana, Senegal, Cote d'Ivoire, Mali) Southern Africa (South Africa, Botswana, Namibia, Swaziland, Malawi and Zambia). Central African countries were not included in this project. It was proposed that the African nominees to the Expert Working Group on standards will form the core group of the Expert Working Group on standards for Africa.

View the full report at <http://www.au-appo.org>

OBSERVATIONS AND DEDUCTIONS

1. Information exchange and sharing .

As in most countries, public understanding of the international requirements for agricultural markets is limited in Africa. Information exchange is a necessity for countries to meet IPPC obligations. In Africa, large communication gaps of information exist between interested persons. The African countries will benefit from:

- The strengthening of the IAPSC for phytosanitary information exchange and management and to *develop technical expertise and capabilities* to facilitate the exchange of official phytosanitary information in Africa. This can be done by *undertaking an assessment of the official phytosanitary information exchange needs* of the IAPSC to foster linkage with national and sub-regional organizations. This will provide the framework for the establishment of national and sub-regional phytosanitary information systems.

2. Training and reinforcement of capacities and infrastructure for the implementation of Phytosanitary standards:

❖ Risk Analysis and Pest Surveillance systems in Africa;

- African countries need help to build capacity in Risk Analysis to ensure that fresh agro produce meet International requirements.
- Train and provide diagnostics, sampling equipment and phytosanitary treatments to increase border and other entry point patrols and controls.
- Put in place regional laboratories to test fresh agricultural produce for MRLs and other chemical contamination.

- Strengthening infrastructure for (surveillance work, diagnostic capacities, disease outbreaks and emergency response programs) for the implementation of Phytosanitary controls in Africa.
- African countries require Regional laboratories for Maximum Residue Levels (MRL) and product contamination testing. This will facilitate trade.
- African countries need assistance in the elaboration of National Pest Lists, Diagnostics and Manuals for Pest identification.

❖ **Import Control and treatment of Consignments**

Africa needs assistance to address issues of fraudulence and credibility of phytosanitary certificates. They require training in certification systems to curb fraudulence.

- ❖ **Biotechnology**-if properly used can help increase crop yields in Africa and consequently address the issue of food security and poverty. There is a need to provide more information on safety aspects and outputs of this technology

Some ways of resolving the fears of Biotechnology in Africa include the following:

- Strengthen the capacity of African research institutions to access proprietary technologies from the international research community
- Fund new research where there are key opportunities for biotechnology to add value to marketed crops.
- Help adapt existing technology to the crops, animals and constraints specific to African countries. Consideration should be given to local ecological scenarios
- Help develop a policy environment that allows the safe application of biotechnology already developed by the private sector and the international research community.

The Assembly acknowledged with appreciation support from various donors to improve participation of developing countries in standards setting activities. These include the IPPC TCPs, The ATRIP Train the trainer Project for PRA Capacity Building for Africa (funded by USAID-APHIS and implemented through Tuskegee University), the FAO Special Trust Fund with contributions from New Zealand, Canada and COSAVE and the GTZ .

The African Union looks forward to find more friends who can continue to assist African countries to resolve problems related to the implementation of phytosanitary standards in Africa.

Closing Ceremony

The closing ceremony was presided over by the Director of Cabinet of the Minister Delegate in charge of Livestock at the Ministry of Agriculture, Livestock and Water,

assisted by the Director of the Senegalese Department of Plant Protection and the Scientific Secretary of the IAPSC.