

Standards and Trade Development Facility

**Promoting the effective participation of
SADC Member States in the WTO SPS Committee**

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Acronyms

CODEX	Codex Alimentarius
EU-REIS	European Union - Regional Economic Integration Support program
FANR	Food, Agriculture and Natural Resources
IICA	Inter-American Institute for Cooperation on Agriculture
IPPC	International Plant Protection Convention
OIE	World Organization for Animal Health
SACAU	Southern African Confederation of Agricultural Unions
SADC	Southern African Development Community
SATH	Southern Africa Trade Hub
SPS	Agreement on the Application of Sanitary and Phytosanitary Measures (WTO)
STDF	Standards and Trade Development Facility
TIFI	Trade, Industry, Finance and Investment
WTO	World Trade Organization
US	United States
USAID	United States Agency for International Development
UKDFID	United Kingdom Department For International Development

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1. Executive Summary

1. The Geneva SPS committee meetings serve several important functions that assist countries take full advantage of rights and obligations underlying the SPS agreement. Notwithstanding, historic participation from 'capital' of the 15 Member States comprising the Southern African Development Community (SADC) has been sporadic and minimal at best.

2. SPS capacity is both technical and institutional and both are essential. Technical capacity refers to consistent execution of actions that follows from science based understanding as detailed in the agreement. Institutional capacity targets the country's leadership and commitment of resources, processes and actions to establish and execute SPS prioritized lines of action. Technical and institutional capacity are both needed but the absence of institutional capacity is increasingly the greatest limiting obstacle to overall SPS capacity.

3. SPS institutional capacity in SADC countries is at a very low level or simply does not exist. Improving institutional capacity is a critical step for beneficial participation in Geneva meetings. Funding participation at Geneva meetings without building more sustainable institutional capacity would provide minimal if any sustained benefits.

4. In a workshop of 43 representatives from 13 SADC countries, 4 options going forward were considered that include: 1) Petition donor community for grant funding; 2) Countries [first] establish the priority of SPS within the national agenda; 3) Countries continue current practices, and; 4) An investment proposal. Of the 4 options, representatives rejected options 1 and 3 in support of options 2 and 4. An initial framework combining options 2 and 4 was outlined that would provide support contingent on performance. This would place much more responsibility on SADC or similar organization to hold countries accountable. After 18 years since the SPS agreement came into force, any effort going forward merits reflection over what might be done differently that would result in more sustained outcomes.

2. Introduction and Background

5. Since the World Trade Organization's Sanitary and Phytosanitary (WTO SPS) agreement came into force in 1995, 'capital' participation of the 15 Member States¹ comprising the Southern African Development Community (SADC) in the tri-annual SPS committee meetings in Geneva has been minimal at best. The Geneva committee meetings serve to raise specific trade related concerns, inform other countries of SPS-related issues and provide a forum for countries to engage each other through discussions and proposed procedures that enhance implementation of the agreement.

6. Actual implementation of the SPS agreement takes place within Member States, not in Geneva. Consequently, capital based experts play an important role in the Geneva SPS Committee meetings by helping all countries better understand challenges of implementation and practical requirements related to specific trade concerns. To encourage dialogue between countries, 'informal' SPS committee meetings open to all countries are also held to support and advance regular committee meetings. Of total time devoted to both types of meetings, the vast majority is devoted to SPS implementation and effectiveness-related-topics, not specific trade concerns. A historic absence of capital based representation in Geneva meetings limits the sharing of experiences and feedback that might otherwise improve procedures adopted and enhance effectiveness.

7. Ideally, participation in the Geneva committee meetings is one component of a national SPS strategy such that each country is best positioned to take full advantage—and not place themselves at a disadvantage—to the rights and obligations as spelled out in the agreement. To be present at Geneva committee meetings without carrying out due diligence prior to arriving, nor implementing follow-up actions afterwards, short-circuits tangible outcomes. So also is arriving at the meetings expecting equity of outcome while ignoring the steps and procedures necessary to fully realize those outcomes.

8. Underpinning the signatory obligations of Member States to the SPS agreement is each country's right "to protect human, animal or plant life and health"² but that trade-

¹ Member States of SADC are: Angola, Botswana, Democratic Republic of Congo, Lesotho, Madagascar (currently suspended), Malawi, Mauritius, Mozambique, Namibia, Seychelles (in accession to the WTO), South Africa, Swaziland, United Republic of Tanzania, Zambia, Zimbabwe

² Article 2 of the WTO Agreement on the Application of Sanitary and Phytosanitary Measures: Members have the right to take sanitary and phytosanitary measures necessary for the protection of human, animal or plant life or health, provided that such measures are not inconsistent with the provisions of this Agreement. See also the Preamble of the WTO Agreement on the Application of Sanitary and Phytosanitary Measures: Reaffirming that no Member should be prevented from adopting or enforcing measures necessary to protect human, animal or plant life or health, subject to the requirement that these measures are not applied in a manner which would constitute a

related actions should follow from scientific principles and evidence. The SPS agreement is structured around this science based framework. SPS capacity is both technical and institutional. Technical capacity refers to consistent execution of actions that follows from science based understanding as detailed in the agreement. Risk assessment, equivalence, harmonization, transparency etc. all serve as examples.

9. Understanding technical capacity requirements alone does not guarantee that such capacity exists within the country. Even before the SPS agreement came into force, standard setting organizations drew upon technical understanding of individuals within countries to formulate standards and procedures. Since coming into force, meetings, conferences and trainings have continued and expanded in scope, building critical connections of international standards with the SPS agreement. The many outreach efforts carried out by international standard setting organizations and the WTO have raised awareness. Member States and countries in the accessions process have at least some individuals with practical knowledge of international standards and the SPS agreement. However, despite this understanding, the level of technical capacity remains highly variable. For example, some countries have built diagnostic laboratories or surveillance systems to support animal health technical capacity while neglecting plant health or food safety. Still other countries lag far behind in both sanitary and phytosanitary technical capacity.

10. Institutional capacity is the second component of overall SPS capacity and refers to the country's leadership and commitment of resources, processes and actions to establish and execute SPS prioritized lines of action. It connects across animal, plant and human health and must create a collaborative environment that crosses science disciplines, different ministries and private stakeholders. Institutional capacity incentivizes the sharing of information and rewards concerted action towards achieving prioritized outcomes.

11. Institutional capacity is a tall order and should not be assumed to functionally exist for several reasons. Technical capacity is discipline based but institutional capacity cuts across and requires interaction across disciplines. Technical capacity is built around specialized knowledge while institutional capacity requires collective understanding. Technical capacity most often resides and is funded within different ministries and specific agencies or departments. Institutional capacity follows from a prioritized agenda with funding that supersedes typical competition for limited resources between ministries. Absent strong leadership and direction, institutional capacity faces an uphill challenge to maintain coherency and sustainability.

means of arbitrary or unjustifiable discrimination between Members where the same conditions prevail or a disguised restriction on international trade.

12. Technical and institutional capacity are both needed but the absence of institutional capacity is increasingly the greatest limiting obstacle to overall SPS capacity. Institutional capacity sits squarely along the critical path of countries seeking growth and opportunity. Trade starts with products brought to market through actions of the private sector. Agricultural inputs and food related products carry with them potential risks to animal, plant and human health. Governments are charged the responsibility to establish and oversee a legal sanitary and phytosanitary framework, set the operating parameters for the private sector and provide assurance to citizens that safeguards are in place. This requires institutional capacity that draws from the knowledge, skills and resources found across multiple ministries such as agriculture, health, fisheries, environment, trade, commerce, exterior relations etc. and agencies within each ministry such as veterinary or plant services.

3. Scope

13. As originally formulated, the project preparation grant intended to explore options for increased participation of SADC Member States in the Geneva committee meetings. The underlying assumption was that the absence of participation in the Geneva meetings was a critical limiting constraint in countries' progression. Grant program funding administered through SADC could address this need. However, presentations by SADC countries at the most recent SADC regional SPS coordinating meeting, workshop and conversations with country representatives, limited actions of SADC Member States in SPS matters such as notifications, the absence of sustained resources and processes within countries to articulate and support SPS related priorities over time, a review of available Standards and Trade Development Facility (STDF) and other related reports, and past experiences working with other emerging market economies leads to one overarching conclusion: SPS institutional capacity in SADC Member States is at a very low level or simply does not exist.³

14. In consultation with STDF staff, this preparation grant assessment was re-calibrated to address institutional capacity that might support and sustain effective participation in Geneva SPS committee meetings. If institutional capacity can be improved, a following step would be a more detailed framework for funding Geneva SPS Committee meeting participation.

15. When SADC Member States commit to improve institutional capacity, possibilities on other related fronts become more feasible including advancing regional issues, capturing emerging opportunities and articulating more unified positions within the Geneva SPS committee meetings. Without establishing a basic level of institutional capacity, any

³ The major conclusion is summarized here with further explanation and details provided in subsequent sessions.

program grant for participation in Geneva might increase awareness of capital representatives present, but is unlikely to be maintained over time. As a result, this assessment starts from the assumption that building institutional capacity is a necessary preparatory step to more effective participation in the Geneva SPS committee meetings.

4. Applicable experience from the Americas initiative

16. Cited in the preparation grant as a benchmark for SADC Member States is the 'SPS of the Americas' initiative coordinated through the Inter-American Institute for Cooperation in Agriculture (IICA). IICA and SADC are both regional organizations that serve different Member States but have common areas of interest that include SPS. Lessons learned from the Americas experience are applicable here.

17. In 2002, prior to the existence of the STDF, a similar proposal to fund participation of capital representatives from select countries in the Americas was put forward to IICA by the United States (US) and Canada. The proposal would provide logistical support for selected countries for 2-3 Geneva SPS committee meetings. The proposal and subsequent dialogue prompted IICA to examine more closely SPS actions being carried out by countries in the Americas as well as its own program initiatives conducted on their behalf. IICA concluded that participation in SPS committee meetings without building critical institutional capacity would provide little sustained benefit. In consultation with Member States, IICA revised the overall purpose and proposal and dedicated additional financial and human resources to the initiative. The scope was reoriented towards building institutional SPS capacity so that countries would continue to participate in Geneva after the program ended. All countries would be eligible for initial support but subject to certain conditions. The initiative was launched for 32 countries in Latin America and the Caribbean at the end of 2002 and included financial support that was contingent on a series of supported actions and expectations to be met by countries choosing to participate.

18. The groundwork for the initiative actually started two years earlier with an IICA study assessing sanitary and phytosanitary conditions in 33 of its Member States.⁴ At its core was the capacity of Member States to fully implement the SPS agreement. Three critical dimensions were assessed: technical or the ability to implement articles of the agreement such as risk analysis, transparency or harmonization; regulatory or the establishment and compliance of laws, standards and regulations, and; institutional or a coordinated and prioritized framework across ministries and departments around sanitary and phytosanitary

⁴ IICA is comprised of 34 member countries. One country was excluded for lack of data. A description and summary of the results were later reported in WTO documents G/SPS/GEN/213 and G/SPS/GEN/214.

measures. In assessing all countries across the three dimensions, seven met on average 76 percent of the favorable conditions while 26 met on average just 36 percent of the favorable conditions. In both cases, institutional capacity ranked lowest, averaging just 16 percent of favorable conditions across 26 countries.

19. In 2002, of the 34 IICA Member States, only 5-6 countries had consistent capital representation in the Geneva committee meetings. Then as now, more than half of Member States' time in Geneva meetings was not on specific trade concerns but rather on improving implementation of the agreement. Many of the Member States not present in the SPS meetings had small missions in Geneva, limited time and human resources to cover all WTO agreements plus related meetings. While discussion of the agreement and procedures happened in Geneva, implementation took place in country. Unless propelled by a topic of particular interest or economic importance, being present, engaging in discussion or sharing examples for most Geneva based missions was understandably difficult. Additional engagement from capital in Geneva meetings from those directly involved in the implementation of the SPS agreement, it was thought, would increase discussion and help craft better procedures for implementation. Participating Member States would recognize and act on the need for their continued participation, especially from capital.

5. Metrics to gauge institutional capacity

20. The original 2002 proposal, envisioned by the US and Canada to last for 2-3 meetings, carried forward into 2008.⁵ Continuation of the initiative was always subject to approval by IICA's ministerial board meeting of 34 countries following presentation and discussion of outcomes and challenges. Over the course of the SPS of the Americas initiative, 5 metrics were adopted that gauged country performance. The metrics served to understand why some countries were progressing towards more sustained institutional capacity, while others were faltering. All 5 metrics were important, but equally important was that poor performance in any one metric lessened the performance of the remaining four. The metrics were interdependent and just like aramid fibers whose strength comes from how the strands are weaved and connected together, the overall outcome reflected the strength of connection of individual metrics with each other. The combined metrics set the stage for countries to take every advantage afforded under the SPS agreement and not be disadvantaged. The 5 metrics are as follows:

⁵ It is important to point out that a follow-up STDF project supplemented the work carried out under the SPS of the Americas Initiative to help strengthen activities, provide solutions through technical cooperation and encourage a common vision to specific commitments, at both national and regional level. A summary report is found in STDF Project 108, Final Report. Prepared by Agricultural Health and Food Safety, IICA, July 2010.

1) Established national SPS agenda and priorities. The country establishes a finite number of prioritized lines of action to be achieved through implementation of SPS measures. Prioritization calls for ranking and ranking means aligning issues and opportunities with resources and efforts. It requires country leadership to weigh through trade-offs and political implications. In theory, the metric seems straightforward but in practice it is anything but as it assumes a basic level of understanding of the SPS agreement and opportunities and constraints relative to limited resources. In practice, SPS issues are often reframed as a technical problem and decision makers fail to capture that a well defined agenda enables more effective use of resources that can produce a larger platform to act upon.

2) Individuals with SPS primary responsibility and requisite authorities. In most instances, countries do assign SPS responsibility to individuals across relevant ministries. But it is often one more responsibility on top of already existing duties that places additional strain on limited time and resources. Moreover, the authority to act or assure that decisions are taken, especially when it may be interpreted as one ministry seeking advantage over another bogs down, even with minor decisions. Administrative and operational decisions must be passed up the hierarchal chain of command in the hopes that response will soon be forthcoming so that next steps can happen. In the end, the lack of clearly established and dedicated roles, responsibilities and authorities for SPS produces discontinuity and opportunities foregone. The learning curve to understand, recognize and act on opportunities never diminishes as different individuals shuffle into and out of SPS roles. The outcome for the country is suboptimal performance compared with other countries that have more successful aligned responsibilities with requisite authorities.

3) Active liaison mechanisms across ministries and the private sector. In many countries this takes the form of a national SPS committee that meets periodically and includes representatives from various ministries and often the private sector. Some countries advocate that formal or legal recognition is necessary while other countries operate in a more ad hoc fashion. Often, emphasis is placed on the mechanics of creating a committee with attention to frequency of meeting or strategies to attain formal recognition. The evaluation of purpose and outcome is pushed back to some future point of time. While committees may bring individuals to the table they do not ensure individuals will remain at the table or that all members will congeal around a prioritized finite number of issues without direction from higher authorities. In practice, the most effective committees do not rely solely

on committee meetings but also include informal channels of dialogue and discussion to build trust and promote understanding.

*4) Fluid communication between capital and Geneva missions.*⁶ For many countries, the number of WTO agreements, related meetings and actions overwhelm already limited resources (especially time) of their Geneva missions. On top of this is the specialized nature of the SPS agreement that recognizes the role of science, the biological nature of products and potential risks, and the difficult task of keeping current as issues unfold. Moreover, because the action of implementation is at the country level, the absence of fluid communication between mission and capital further contributes to gaps in understanding. In practice, many countries have found it more effective and efficient when capital based representatives take the lead, in coordination with permanent mission delegates, on SPS related discussions and issues in Geneva. This approach leverages limited resources, increases mutual understanding and sets the stage for more continued collaboration centered around prioritized initiatives.

5) Resources are earmarked for continuous engagement, including international efforts. Country economies are increasingly tied to international markets for both imports and exports. The trade of products can not ignore the interactions and outcomes of a changing environment, evolving species biology and shifting sanitary and phytosanitary conditions. The formation of procedures, discussion of issues and application of science in representation of country interests requires continuous investment of dedicated resources to carry out active engagement at a variety of levels from local to global in order to protect health and minimize unnecessary barriers. In practice a lack of engagement and continuity reduce critical opportunities to help shape implementation and identify opportunities contained within the agreement.⁷

21. Overall, the experience of the SPS of the Americas initiative directly applicable to the initiative for SADC countries can be summarized with two central points. First, physical presence and attendance at the SPS Committee meetings is not a sufficient condition for effective implementation of the agreement. For example, comparing actual data from the

⁶ Not all countries have Geneva missions in which case WTO coordination is usually led through their missions in Brussels.

⁷ See for example the implementation of Under Article 2:2 of the WTO Agreement on the Application of Sanitary and Phytosanitary Measures: Members shall ensure that any sanitary or phytosanitary measure is applied only to the extent necessary to protect human, animal or plant life or health, is based on scientific principles and is not maintained without sufficient scientific evidence, except as provided for in paragraph 7 of Article 5.

time periods June 2000 - June 2002 with October 2002 - June 2004, overall attendance increased from 15 percent to 96 percent but individual participation did not automatically translate to increased national SPS institutional capacity. That required additional effort and time to put in place.⁸ Second, attendance and participation in the SPS committee meeting is more likely to be sustained when it is part of a more comprehensive and ongoing institutional strategy.

6. Recent regional SPS related actions, reports and initiatives

22. SPS related reports, funding and initiatives for some or all of SADC Member States are not new. A STDF funded survey and report entitled 'National SPS Coordination Mechanisms: An African Perspective' was completed in 2012.⁹ Twenty-three of 38 African countries responded. Seventeen countries, of which seven were SADC Member States, reported some sort of coordination mechanism in place. Of the 17 countries that completed the questionnaire, only one reported their SPS coordination mechanism as satisfactory. In almost all countries, the primary function reported of a national SPS committee was the sharing and exchange of SPS-related information.

23. A 2010 STDF funded study titled the 'Regional Sanitary and Phytosanitary Frameworks'¹⁰ looked at SPS related strategies in place at regional economic communities (SADC as one example), current actions and recommendations. At that time, SADC indicated that no SPS action plan had been elaborated but the development of a comprehensive strategy and action plan to assist Member States in implementation of the SPS Annex was envisioned.

24. The recently funded European Union - Regional Economic Integration Support program (EU-REIS) is a 4 year, 2.4 million Euros initiative to implement the SPS Annex to the SADC Protocol on Trade.¹¹ The program is managed through SADC and is part of an overall EU effort to assist countries in developing a regional technical regulatory framework to support trade, industry, investment and for consumer and environmental protection. As currently stands, the SADC SPS Annex revision is yet to be finalized. Nonetheless, SADC with

⁸ A more complete description and analysis can be found in WTO document G/SPS/GEN/497.

⁹ National SPS Coordination Mechanisms: An African Perspective. Report prepared by U. Kleih for the STDF, January 2012.

¹⁰ Regional SPS Frameworks and Strategies in Africa. Report prepared by J. Magalhães for the STDF, July 2010.

¹¹ Southern Africa Development Community - European Union Regional Economic Integration Support Programme (REIS). REIS Logframe Based Implementation Plan - Global Work Plan, 27 November, 2012.

EU funding, organizes bi-annual SPS coordinating committee meetings that hopes to resolve remaining differences and produce a unified text for approval by SADC Member States.

25. Additional SPS support has included the US through its Agency for International Development (USAID) Southern Africa Trade Hub¹² and the U.K. through the Department for International Development (DFID). It was USAID funding that helped to initiate the drafting process of the SPS Annex to the SADC Protocol on Trade which was adopted in 2008 by the Council of Ministers of Trade.

26. The U.K. DFID initiative was administered through ComMark Trust and the Southern African Confederation of Agricultural Unions (SACAU). The initiative provided funding for participation of 6 SADC countries at 7 Geneva committee meetings from the period 2007-2010 as well as participation in international standard setting meetings and committees.¹³ Attendance of selected countries did increase but fell back to historic levels when the program terminated. Experiences, lessons learned and conclusions contained in the Appendix are worth reviewing and are consistent with low performance levels of the 5 metrics outlined above and elaborated below.

27. Over time, other applicable SPS-related information has been produced that is relevant to SADC Member States. This includes a guide published by the STDF entitled 'SPS-Related Capacity Evaluation Tools: An Overview of Tools Developed by International Organizations'.¹⁴ In draft form but specific to Africa and prepared upon request of the African Union Inter-African Bureau for Animal Resources (AU-IBAR) is a 'Handbook Providing Guidelines for Enhanced Participation of African Countries in the Activities of the WTO SPS Committee'.¹⁵ The STDF has issued several useful bulletins including 'Facilitating partnerships to enhance SPS capacity'¹⁶ and 'Enhancing SPS coordination at the country

¹² From Southern Africa Trade Hub (SATH), 2nd quarter report, April 2012: "SATH worked with the SADC Sanitary and Phytosanitary (SPS) Coordinator to put in place a program to refine the rules of procedure for the SADC SPS Coordinating Committee, design/formulate the Terms of Reference (TOR) for the recently formed SPS Advisory forum, develop a work plan for the SADC Secretariat to entrench SPS transparency rules in Member States and to develop a draft action plan for the SPS Coordinating Committee.

¹³ SACAU SPS Programme: Experiences and Lessons Learned: Fhumulani Mashau, Regional Workshop: WTO Agreement on Sanitary and Phytosanitary Measures, 08-12 June, 2009, Victoria Hotel, Maseru, Lesotho. Also, conversation and e-mail exchange with Fhumulani Mashau, Southern African Confederation of Agricultural Unions (SACAU).

¹⁴ SPS-Related Capacity Evaluation Tools: An Overview of Tools Developed by International Organizations, STDF Report, 2nd Edition, May 2011.

¹⁵ Handbook Providing Guidelines for Enhanced Participation of African Countries in the Activities of the WTO SPS Committee. Draft report prepared by S. Ayrar for AU-IBAR, 26 July 2013.

¹⁶ Facilitating partnerships to enhance SPS capacity, STDF Briefing No. 6, March 2010.

level'.¹⁷ To help establish SPS investment priorities the STDF is developing a Multi-Criteria Decision Analysis (MCDA)¹⁸ decision-support tool that has seen use in some African countries.

7. Gauging SADC countries using the 5 metrics

28. At the 4th meeting of the SADC SPS Coordinating Committee held July 23-26, 2013 in Centurion, South Africa, each country presented and discussed SPS activities underway that included national SPS committee coordination efforts. Owing to the support made possible through the EU-REIS program and coordinated through SADC, Member States were well represented with 43 representatives from 13 separate countries.¹⁹ Using the 5 metrics described to gauge institutional capacity from the reports and presentations made by countries along with related discussions, descriptive results are as follows:

29. *Established national SPS agenda and priorities.* Three countries reported that a strategy was in process, being developed or awaiting actions of decision makers. One country reported a specific strategy to convene different ministries and relevant private sector parties prior to the Geneva mission to discuss issues that may arise and define strategies to follow. Overall, there was little conversation around regional commodities, opportunities for particular products or other Member State specific trade concerns. Member States were most comfortable discussing issues of process such as frequency of meeting, if and who represented private sector stakeholders, which ministry takes the lead and whether the underlying structure needs to be formally recognized with supporting legislation.

30. *Individuals with SPS primary responsibility and requisite authorities.* All Member States had individuals charged with SPS responsibilities but it typically included other responsibilities as well. Expertise, understanding and responsibility pertaining to the agreement did not necessarily track with the ability to make decisions and then take action due to lines of reporting authority and lack of human and financial resources. When asked how many were in attendance at the last SADC SPS coordinating committee meeting, only 5 of the 43 individuals raised their hands. In some instances, individuals with SPS responsibility could not attend, as authority to travel had not been approved despite available financing.

¹⁷ Enhancing SPS coordination at the country level, STDF Briefing No. 8, March 2012.

¹⁸ Prioritizing SPS Capacity Needs using Multi-Criteria Decision Analysis, STDF Briefing No. 7, February 2012.

31. *Active liaison mechanisms across ministries and the private sector.* For SADC Member States this became their national SPS coordination committees that usually included private sector representation. All of the countries reported a meeting frequency ranging from 2 to 4 times per year. However, from further conversation, this is more a desired target rather than an actual outcome. Besides meeting to share information and raise awareness, little evidence was offered of an overall strategy converging towards a national agenda. Preparation before and follow up after Geneva committee meetings are crucial indicators of national committee viability and importance yet only one country discussed how their national committee functioned to carry this out.

32. To boost perceived credibility, it is not atypical for countries to establish some sort of formal recognition of their national SPS coordinating committee. Some countries reported their national committees had no formal recognition while others said standing authority of the national committee derived from international standards committees or the ministry's executive management. One country reported that their SPS national committee was formalized without any underlying national legislation but based on the approved SPS Annex to the SADC Protocol on Trade as it is a legal instrument. There is no set formula of whether and how recognition should be established. In practice, national committees require significant informal communication before and after to ensure smooth functioning.

33. *Fluid communication between capital and Geneva missions.*²⁰ Only 2 of the 13 countries discussed communication with Geneva missions. In one country, communication was channeled through the agriculture attaché. For the other country, communication flowed through the national coordination committee. The lack of information sharing was a common thread that surfaced in most all of the discussions. A common concern was individuals participating in events but upon return, information from the event is not shared or shared selectively. The result is discontinuity from one event to the next based on who participated and previous outcomes. The absence of information sharing can reflect multiple dysfunctions including lack of time or incentives, job security (information is power), no prioritization as to importance and little belief that actions recommended would be considered and implemented.

34. *Resources are earmarked for continuous engagement, including international efforts.* Only one country cited a specific budget dedicated exclusively for SPS coordination. All

¹⁹ From the 15 officially declared SADC Member States, Mauritius and Madagascar (currently suspended) were absent.

²⁰ It needs to be recognized that some countries do not have Geneva missions and WTO responsibility commonly resides with in Brussels.

countries stated that expenses for participation at SPS Committee meetings are to be paid from the individual budgets of directorates or departments.

35. It is worth noting that the same protocol for budgeting participation holds for the SADC SPS regional coordination meeting. Yet poor attendance at the last two regional meetings meant a quorum was not met and decisions could not be taken. Were it not for SADC action through the EU-REIS program, participation at this meeting would likely have been similar. The lack of funding often reflects a lack of political will, a reoccurring theme brought out throughout the meeting and in related conversations.

36. To summarize, of the 13 countries at the event, only South Africa stands out with efforts that cover all 5 metrics necessary for threshold institutional capacity. Overall, based on the delegates representing their countries, technical understanding does exist. Many of the reports cited participation at international standard organizations events and trainings as examples of technical capacity. Yet attendance does not guarantee technical capacity and technical capacity within any one area such as plant health is not the same as institutional capacity.

37. A point raised often was in what ministry national SPS coordination should occur? If coordination comes from agriculture but food safety is part of the ministry of public health, animal and plant health may take precedence. Placing coordination in the trade or exterior relations ministry may help with negotiation of a specific trade related dispute but gaps in understanding and implementation carried out by other ministries can surface. In practice, countries adopt a variety of approaches and there is no preordained ministry that should always lead. Rather the concern as to which ministry should assume the lead reinforces the importance of an established and prioritized national agenda that connects across all ministries to hopefully enable convergence.

8. Workshop of SADC Member States per options going forward

38. Initiated and coordinated through SADC, 13 of 15 SADC Member States had sent letters to the STDF in support of a program grant that would fund delegate travel to participate in the Geneva SPS committee meetings. Other than a request for financial support, no additional criteria per funding or Member State obligations were specified. At the SADC SPS coordination committee meeting, a half-day workshop was held to discuss the level of progress after 18 years since the SPS agreement came into force, awareness of SPS among decision makers and the private sector within their countries, share details of the challenges and outcomes associated with the SPS of the Americas initiative and map out options for SADC countries going forward. Four next step options were presented and

discussed. Individuals were asked to write down their preferred option along with potential outcomes and expectations. Five independent groups comprising different countries were formed and charged to reach consensus, present and defend to the other groups their preferred option along with potential outcomes and expectations. The 4 options were:

1) Petition donor community for grant funding. This option is straightforward—ask the donor community to provide resource funding for representatives of SADC Member States to participate in the Geneva SPS committee meetings. It is a grant with no conditions attached and it affords countries the most flexibility in determining the conditions under which participation in Geneva committee meetings would occur. In the deliberation for this option, groups would need to take into account if the donor community would provide funding under such terms.

2) Countries establish the priority of SPS within the national agenda. This option requires countries first assume the leadership to establish the priority and importance of SPS relative to the overall national agenda. All countries face the dilemma of limited human and financial resources for many potential priorities. SPS is but one priority of many and not all issues can be ranked with the same high priority. The de facto outcome of funding some but not other priorities bears this out. This option would start with the country stepping forward and better articulating SPS priorities relative to other priorities consistent with the allocation of existing resources.

3) Countries continue current practices. This is the ‘no change’ strategy. Countries that see SPS growing in importance ratchet up support and increase investment to build overall capacity. Those that do not continue along a path of minimum engagement with little sustained investment. Countries may say that SPS is important but there may be other issues and opportunities meriting higher attention and priority.

4) Investment proposal. This option would be a variation of the SPS of the Americas initiative. Resources are made available but come with performance expectations by countries. Resources provided are seen as ‘bridge financing’, affording opportunity subject to obligations being met that result in improved institutional capacity. Supplemental financial commitment by countries is expected at the outset that increases over time. In addition there are other expectations consistent with the 5 metrics discussed earlier that drive towards sustainability after external funding has ceased. Viability of this option is a function of the willingness of countries to be accountable along with a commitment of resources and leadership on the part of the

regional coordinating body to support and encourage but remain firm in holding countries to obligations made.

39. Of the 4 options available, none of the 5 groups selected option 1 or option 3. Four groups selected option 4 and two groups selected option 2 (one group combined option 2 and option 4 stating they needed to work in concert). In the overall discussion participants recognized that option 1 of donor funding is increasingly tied to expectations of performance, and that following option 3 would further disadvantage them and the region. It was brought out that more effort was needed to identify specific trade opportunities or concerns in some or all of the countries in the region, but this required a political will that was largely absent based on apparent lack of action and perceived support.

40. The workshop reiterated that efforts made over time to provide training and technical understanding within governments surrounding the SPS agreement have helped. All of the countries cited instances of invitation and participation in training and events with the standard-setting organizations who made travel funds available for many such events.

41. There was also discussion on distinguishing between process and outcomes. Markers of progress are often cited such as the number of events held or trainings sessions attended. Participating in training or attending a meeting is part of a process that should lead to an outcome such as new lines of actions taken or procedures modified. It is the emphasis on outcomes that propels overall improvement in SPS capacity.

9. SADC regional capacity regarding Geneva SPS committee meeting initiative

42. Within SADC, the SPS agreement and related activities are part of a more comprehensive regional integration framework with a deputy executive secretariat and 5 directorates. The portion of the EU-REIS program that corresponds to implementation of the SPS Annex resides in the Trade, Industry, Finance and Investment (TIFI) directorate's portfolio of activities. An institutional STDF granted SPS capacity initiative would be under the domain of this group. However, support for the international standard-setting organizations (IPPC, CODEX, OIE) resides with the Food, Agriculture and Natural Resources (FANR) directorate.

43. The recent SADC SPS regional coordination committee meeting was organized under the direction of Dr. Elsie Meintjies, senior program officer for the TBT agreement. Mr. Chiluba Mwape was recently hired as the new program officer for SPS. Program officers from both TIFI and FANR directorates were present at the regional coordination committee

meeting and provided helpful background information as to how the organization is organized and operates.

44. As part of the due diligence effort to assess the capacity of SADC to implement a program under various options, meetings with SADC decision makers at the directorate level and above at SADC headquarters were requested in advance of making travel arrangements to South Africa and Botswana. But in the end none of the managers were available or canceled meeting with Mr. Pablo Jenkins of the STDF and myself. We did meet again with three program officers in attendance at the regional coordination committee, another program officer from TIFI and an advisor to the EU-REIS program for both TBT and SPS.

45. It is the opinion of this consultant, from what could be gleaned of current workloads, staffing and organization that option 1, i.e. petition donor community for grant funding, would be the best fit for SADC. Option 1 is largely a question of providing administrative logistics and is likely feasible subject to sufficient administrative support and oversight to be managed across the three program officers. It is worth noting that the implementation of the SPS Annex is shared between Food, Agriculture and Natural Resources (FANR) and the TIFI Directorates. The EU-REIS program is already established and underway with set indicators and measures to be implemented leaving little overlap with any potential program built around the 5 metrics outlined earlier and preferred option from the workshop.

46. The preferred option 4, investment proposal, modeled after the SPS of the Americas initiative, requires a commitment of resources and support from SADC that was not evident. Tasks would include an in-depth understanding of each country, encouraging and recognizing progress such that all countries can benefit and tackling tough issues such as withholding financial support when countries slacken or fail to meet their obligations. Establishing expectations to be taken seriously will be tested when countries see travel to Geneva in summertime as a political bargaining chip or attendance at SPS meetings as optional. If poor performance of one country is viewed as acceptable, based on experience in working with many countries in the world, a few others typically follow.

47. Supporting efforts consistent with option 2, i.e. countries establish the priority of SPS within the national agenda, may be possible depending on flexibility within the EU-REIS program and resolve of the countries. For example, one major area of work of the program is increased awareness of SPS measures relevant to products traded. Increased awareness of SPS, from a practical standpoint of advantages foregone or disadvantages now faced, tie back to specific products or issues that are sorely lacking in many countries. The STDF videos deploying real country examples such as Belize and Benin communicate practical

outcomes that resonate beyond legal requirements. Building into the meetings practical examples and awareness messaging would assist countries in establishing the priority of SPS.

10. Conclusions

48. Without external resources, representation from ‘capital’ at the Geneva SPS committee meetings by SADC Member States has been minimal at best. While participation in Geneva committee meetings would help capital representatives better understand how the international dimensions of the SPS agreement proceed and are acted on, there is no indication that participation would continue once external funding has ceased. It is worth noting that without external support, participation in the SADC SPS regional coordination committee meetings has also been limited despite countries self-accepted commitment to be present.

49. Participation in Geneva SPS committee meetings is most effective when it becomes part of an overall strategy to build and maintain SPS institutional capacity as defined through the 5 following metrics: 1) Established national SPS agenda and priorities; 2) Individuals with SPS primary responsibility and requisite authorities; 3) Active liaison mechanisms across ministries and the private sector; 4) Fluid communication between capital and Geneva missions, and; 5) Resources earmarked for continuous engagement, including international efforts. While existing efforts of SADC Member States have led to the creation of national SPS coordination committees (part of metric 3) much remains to be done in this area as well as the remaining 4 metrics.

50. Since the SPS agreement came into force 18 years ago, a base (albeit variable) level of understanding now exists within staff of relevant ministries of SADC countries. Conferences, training opportunities, on-line resources and funded initiatives have all contributed to an understanding of ‘*what*’ the agreement says but not necessarily ‘*why*’ the agreement is important for its citizens or businesses. This remains a significant factor that contributes to a lack of political will when it comes to SPS institutional capacity.

51. Technical capacity and institutional capacity are not one in the same and require different approaches. Technical capacity derives from specialized knowledge combined with additional resources to establish functions such as surveillance, diagnostic capability, harmonization of regulations etc. Technical capacity activities are more aligned with experts that share similar science backgrounds. This facilitates common understanding, assessing risk or developing international standards etc. Institutional capacity extends beyond any one-science discipline. It reaches across multiple ministries and requires collaboration and a

supporting environment. It requires persistence and commitment in an often shifting political reality. SADC Member States do have individuals with knowledge and understanding surrounding technical capacity needs. Knowledge and understanding are necessary but not sufficient conditions and institutional capacity continues to lag despite sitting squarely on the critical path towards improved SPS operation.

52. Regarding this project preparation grant, 4 options for going forward were discussed with SADC Member States: 1) Petition donor community for grant funding; 2) Countries [first] establish the priority of SPS within the national agenda; 3) Countries continue current practices, and; 4) An investment proposal. Of the 4 options, Member States rejected options 1 and 3, supporting the conclusion that soliciting financial resources to attend meetings is not sufficient for sustained improvement. However, it should not be interpreted that participation in the Geneva SPS meetings is not important but rather a recognition that participation in combination with other actions is necessary in order to make a sustained difference.

53. The two options selected by SADC countries were options 4 and 2. Option 4, preparing an investment proposal, is a two-way street by accepting specific obligations in return for financing. The approach is similar to the SPS of the Americas initiative that carried a limited time duration and required expectations be met for continuation. Option 2 underscores that in practice SPS does not hold a high priority in the national agenda of many of the SADC Member States, undervaluing the importance of SPS for overall growth.

54. Under current conditions and obligations, SADC SPS capacity to help Member States enhance institutional capacity is limited, especially if option 4 were to be adopted. Option 4 is performance based and requires significant commitments of SADC time and effort to work with individual Member States, establish expectations and communicate clearly areas needing improvement for continued financial support. Based on current understanding of obligations and commitments under the EU-REIS program, SADC capacity to pursue option 4 does not appear to be feasible. However, there may be opportunities within the EU-REIS program and its already established work plan for SADC hosted awareness workshops with the private sector that help support the overall goal of advancing SPS implementation at the Member State level.

55. Representatives from SADC Member States as well as SADC staff want to advance SPS capacity within their respective countries and region. National SPS committees have been formed within each country. However, much of the effort has been on issues of process such as frequency of meetings versus outcomes such as decisions taken and implemented. To shift energy towards specific trade concerns or opportunities requires

identifying the value added dimension of SPS and building institutional capacity. At the workshop the last question raised was “what do we do next?”. The ‘next’ will need to be more than training and conferences if SADC countries are to make significant improvement.

11. Recommendations

56. *‘Capital’ participation is part of overall institutional capacity.* But external funding for ‘capital’ participation of SADC Member States in the SPS committee meetings in Geneva should be part of a more overarching institutional capacity framework. This will enable representatives to come better prepared and have the capacity to follow through with actions afterwards. Participation increases understanding of capital representatives as well as enriches the conversation and perspectives of all countries in attendance. Presently, much remains to be done at the country level to boost effectiveness, if sustainability is to be a desired outcome.

57. *As it relates to SPS, institutional capacity is not technical capacity.* Initiatives going forward should emphasize institutional capacity, which reaches across multiple ministries and emphasizes collaboration around a country determined prioritized agenda. Leadership can not be over emphasized in order to create an environment that incentivizes sharing of information, articulates top priorities and removes obstacles surrounding a lack of political will.

58. *Provide more descriptive guidance on institutional capacity.* To better assist SADC countries, institutional capacity should be more descriptive and provide more details and examples as to what it is and what it is not. Also, more emphasis should be placed on outcomes and less on process. For example, SADC Member States are trying to establish and maintain national SPS committees. Yet from reports presented the discussion flowed more towards organizational logistics, frequency of meeting and legal standing. Some countries brought out that sharing of information was one outcome but overall, specificity of desired and actual outcomes was lacking. Having more defined outcomes will help converge attention and energy of different stakeholders.

59. *Mark progress with incremental steps.* For the initiative going forward, articulating incremental steps of progress in terms that are understood by both public and private stakeholders will help maintain longer term momentum. Institutional capacity sits squarely on the critical path to progress but it takes time to put in place a culture and environment that transcend the short term outlook held by many and the turnover of decision makers that happens across many ministries. Being able to gauge progress achieved and visualize next steps will help keep focus.

60. *Draw from already existing tools.* The starting point and strategy for SADC countries to build institutional capacity can benefit immensely from already existing tools and approaches without starting from scratch. These include the SPS of the Americas initiative and 5 metrics of institutional capacity; the questionnaire sent to participants of the WTO SPS Advanced Course that contains examples of incremental steps in overall country capacity; the many STDF bulletins and documents including the STDF multi-criteria decision analysis (MCDA) tool that when used in proper context can help countries identify priorities; the draft 'Handbook Providing Guidelines for Enhanced Participation of African Countries in the Activities of the WTO SPS Committee', the IICA documents that provide background and understanding in the logistics and purpose of coordination, and; the online WTO SPS course that can help extend basic understanding of the SPS agreement.

61. *Transition from 'what' to 'why'.* External outreach by the SADC, STDF, SPS secretariats and countries through their aid related agencies should transition more towards the 'why' of the SPS agreement and less the 'what' of the agreement. Conferences, workshops and training to better understand the agreement, legal framework and obligations have served an important role. The groundwork carried out now provides an opportunity to shift more attention towards practical dimensions, case studies and examples of sustained institutional capacity that made a difference. For example, the STDF videos documenting actual country experiences followed by sharing of different perspectives help draw out how the SPS agreement can open doors or limit opportunities.

62. *Elevate SPS as a national priority.* Within the EU-REIS SPS related program, encourage and support SADC efforts to elevate SPS on the national radar of member countries meriting increased attention. The SADC work plan already anticipates SPS regional coordinating committee meetings and it also calls for efforts to raise awareness within the private sector. This provides creative space for options such as the SADC suggestion²¹ to invite other countries such as Kenya to share and discuss their experiences. Alternatively, SADC countries, such as South Africa that are further along in building institutional capacity, should be encouraged to share how they engage the private sector or how they prepare for issues or formulate positions for upcoming Geneva committee meetings.

63. *Recognize differences in progress.* The SADC regional strategy should take into account that countries will evolve at different rates in building institutional capacity. A one-size-fits-all program to finance participation at Geneva meetings will lead to less than desired outcomes. However, while some countries have more ground to cover than others

²¹ Conversation with Mr. Chiluba Mwape SPS program officer in SADC

this should not preclude a group of countries from moving forward. Moreover, these countries should be encouraged to share their experiences with all SADC countries perhaps at the SADC SPS regional coordination committee meetings.

64. *Investment proposal the preferred option.* Of the 4 options considered by SADC Member States, option 4, investment proposal, should be pursued subject to self-selected countries meeting prerequisites before formal submission of an external financing proposal. The investment proposal options follows a two part approach: 1) countries achieve a certain threshold of institutional capacity then 2) countries apply for 'investment financing' to participate in the Geneva committee meetings. Like any investment proposal, this external financing proposal would come with the obligation of continued progress to solidify and sustain institutional capacity. Oversight by another organization should be carefully assessed in terms of that organizations capacity to encourage, support and hold countries accountable for non-performance. Given SADC's current structure, obligations and staffing, it should not be assumed that SADC would be the de facto choice to coordinate such an initiative.

65. *Leverage other activities.* A group of countries moving forward should be encouraged as it creates a learning community and provides opportunities to leverage supporting initiatives already underway. For example, a self-declared group of 5-7 SADC countries working to establish threshold institutional capacity requirements will need to task individuals with specific responsibilities. These responsibilities could become the basis for action plans. Action plans are a core component of the WTO Advanced SPS Specialized Course. Participation of select individuals from these countries in the Advanced SPS course can help them but they can also help other participants by spurring other ideas leading to better action plans among class participants.

Annex I. One example of alternative SPS framework

66. Effective participation in the WTO SPS committee meetings in Geneva is one part of an overall SPS framework that includes institutional capacity and technical capacity. Limited institutional capacity is a major constraint to overall implementation and effectiveness of the SPS agreement. Given the current state of SPS implementation within SADC Member States, this proposed framework is one alternative that addresses needed institutional capacity.

67. The objective of the proposed framework is to encourage countries to take incremental steps within their context of continuing and limited financial resources. This framework advocates that initial steps to improve overall institutional capacity need not be dependent on receipt of external financial resources before decisions are made and actions are implemented.

68. Since coming into force in 1995, much effort has been devoted by the WTO, STDF and many other organizations to help countries understand *what* the SPS agreement contains, its obligations and rights. The proposed framework builds on efforts made to date and proposes transitioning more attention towards the question of *'why'* institutional capacity is important for consumers and businesses. In essence, when trade can alter animal, plant and human health, an effective SPS framework helps ensure that a country is not disadvantaged and can take every advantage afforded. Awareness efforts that emphasize outcome, including drawing on examples and experiences in similar countries, can help ministers and politicians broaden their perspective of SPS that it is more than resolving trade disputes between two countries and requires more than one ministry to be engaged. The same awareness efforts apply to the private sector; their sustained commitment towards institutional capacity is an investment in trade infrastructure and their future.

69. To help address the question of *'why'*, a more descriptive guide or tool that details incremental steps and outcomes to building institutional capacity is critical. It should not be a lengthy tool and it should not be written for only a technical audience but rather it should advance understanding by all stakeholders of necessary steps towards sustained institutional capacity. For each metric in support of enhancing institutional capacity, the guide should include a series of specific steps and outcomes that mark incremental progress.

70. Establishing a basic threshold of institutional capacity is the first objective and serves several critical functions. First, it helps differentiate and illustrate how institutional capacity

is different than technical capacity. Both are necessary but each poses unique challenges requiring different approaches. Next, it provides a common language for discussion between public as well as private stakeholders. It moves the conversation beyond overused generalized terms such as 'lack of capacity' to more specific actions and incremental steps so that differences in opinion can be more precisely considered. Third, it provides a common roadmap so that both sectors understand the current state and what the next incremental level of advancement looks like. Fourth, it breaks into more manageable tasks what can be perceived as an overwhelming challenge of institutional capacity that is only possible through large infusions of external financial resources. Finally, it promotes transparency and keeps the agenda moving forward as both sides begin to realize the complimentary roles each has in supporting, encouraging and holding accountable the actions of each other.

71. For SADC Member States, increasing outreach and awareness around the question of 'why' along with a descriptive institutional capacity guide or tool become essential building blocks of option 4, investment proposal, that was preferred by 4 of the 5 working groups. Moreover, this approach also addresses option 2, countries establish the priority of SPS within the national agenda, that was supported by 2 working groups.²²

72. Operationalizing institutional capacity in SADC Member States would be through two phases: 1) basic threshold and 2) ongoing capacity. Measuring progress in both phases from incremental actions and outcomes follows from the institutional capacity guide or tool. The basic threshold requirements are not reliant on external financial resources. Actions can build from efforts already underway such as national SPS coordination committees or identifying the three most important SPS related issues or opportunities for the country. The proposed timeline for the basic threshold phase would be no more than 2 to 3 years.

73. As countries make progress towards basic threshold requirements, application to interested donors for financial support to participate in the Geneva committee meetings is initiated. This solicitation is in the form of an *investment proposal* that makes explicit an expectation of continued progress in attaining the remaining incremental steps as outlined in the guide. The proposal could be similar to the SPS of the Americas shared funding initiative where most expenses for participation of two individuals are initially covered through external funds but over time, the amount of external financing is decreased and the amount covered by the country is increased. Based on previous experience, establishing an environment and supportive culture takes time for countries to work through challenges and realize the value added dimension from overall institutional capacity. It is suggested

²² To reiterate, of the 5 working groups, 3 proposed option 4, 1 proposed option 2 and 1 group argued that option 4 and number 2 must work together.

that this phase of the initiative last from 4 to 5 years with the final year providing very little external funding.

74. Because it is an investment, continuation is always subject to performance. This needs to be well understood at the outset but it will be tested in practice. Feedback on progress is critical to avoid expectations being lowered and accountability being lost. How this function is to be carried out merits further discussion and exploration but options include a regional organization such as SADC or SACAU, the WTO SPS secretariat, the STDF or a small independent team that works with countries, before or after the SPS committee meetings. Critical to success will be the ability of this unit to encourage and support but not lower expectations even if political headwinds increase. Follow through is essential but in practice this is often ignored or poorly executed.

75. SADC countries are at different stages of progress relative to institutional capacity. While the option is available to all countries, in actuality not all will act in the same manner. A group of countries will likely emerge as forerunners and even then, some will be more motivated than others. This need not be looked at as a setback or grounds for not implementing a pilot initiative. Depending on the flexibility afforded, the SADC SPS regional coordination meeting could provide an important venue for this group of countries to share experiences, challenges and outcomes encountered along the way. These countries may also want to meet before or after regional events to compare notes and explore common interests or regional opportunities. Likewise, the opportunity may be present for the SPS secretariat to hold a one day informal workshop after the Geneva meetings where more experience and insight can be shared on efforts taken and progress made. Other representatives from countries may also be asked to stay over and interact. Feedback and encouragement between the countries themselves and others with different experience base can make a significant difference.

76. If the outreach missions carried out by the SPS secretariat or STDF staff aligns with one of the SADC engaged countries that have committed to building threshold capacity and are seeking external financing, an opening is created to meet informally with the individuals tasked. A portion of the mission might explore further specific actions underway, offer suggestions of how other countries have acted and meet with higher level decision makers to communicate support and importance of actions underway that lead to greater sustained institutional capacity. The interaction is an opportune teaching and learning moment; their knowing that the WTO SPS secretariat is aware and monitoring efforts helps affirm the importance of continued actions by the country. Another option while in country is observing national coordination meetings and providing feedback. The purpose is not to render judgment but rather to provide perspective on what other countries do, encourage

continuation of efforts, become more informed as to challenges faced and overcome, and communicate to key officials the importance of establishing and maintaining institutional capacity.

77. One additional leverage point may be the WTO Advanced SPS Specialized Course. Worth considering is having select individuals from each of the engaged countries be part of the SPS Advanced Specialized Course. If selected, these individuals offer an advantage of being more prepared to carry out an action plan which is part of the course expectations. The action plans they develop and discuss over the three weeks the course is held, can spur additional creativity and push other course participants to do more. It also affords them the opportunity to explore more regional issues, build networks and interact with instructors and others around proposed plans of action.

78. In summary, over the years a lot of effort has been made to assist all countries with SPS implementation at the national level. The proposed grant to fund SADC Member States in order to attend the Geneva committee meetings is one alternative. However, after 18 years since the SPS agreement came into force, all efforts merit reflection over what might be done differently that would result in more sustained institutional capacity outcomes. This proposed alternative for SADC Member States would bring a different approach and because it is nontraditional, may well require more effort to put in practice. But developing and using a more descriptive guide or tool that is targeted towards sustainable institutional capacity it also presents clearer choices and paths of action for those countries committed to moving forward.

Annex II: Budget estimate (in USD) for participation at Geneva SPS committee meetings

(14 countries, 2 representatives per country, 3 meetings per year, 6 days per meeting, 5 years total program)

Item No.	Category	Item explanation	One meeting cost per year 1	Year 1 program cost (Oct-Mar-Jul)	Year 2** program cost	Year 3 program cost	Year 4 program cost	Year 5 program cost
1	Airfare	Round trip airfare averaged across 4 southern African airports to Geneva (\$1,770 per participant)***	49,728	149,184	152,914	156,736	160,655	164,671
2	Room, per diem	WTO DSA including hotel in Geneva \$398 per participant for 6 nights)	66,864	200,592	205,607	210,747	216,016	221,416
3	Terminal expense	Terminal expenses (origin city & Geneva, \$200 per meeting)	5,600	16,800	17,220	17,651	18,092	18,544
4	Regional coordination meeting	Meeting room charge (1 @ \$1,000 per meeting)	1,000	3,000	3,075	3,152	3,231	3,311
5	Interpretation for meeting	Interpreter (4 @ \$800 per interpreter per day)	3,200	9,600	9,840	10,086	10,338	10,597
6	Minimal administrative support	Support in Africa (estimated at \$10,000 per year)	NA	10,000	10,250	10,506	10,769	11,038
7	Miscellaneous expenses	Miscellaneous logistic expenses (\$350 per meeting)	350	1,050	1,076	1,103	1,131	1,159
Total cost -		In year 1, program pays all cost except item No. 3 which is paid by each country for their 2 participants. In year 2, each country covers 15% of program cost. In year 3, each country covers 30% program costs. In year 4, each country covers 50% of program costs. In year 5, each country covers 75% of program costs.		390,226	399,982	409,981	420,231	430,736
Total amount paid by program grant				373,426	339,984	286,987	210,115	107,684
Total amount paid by 14 countries				16,800	59,997	122,994	210,115	323,052
Program grant for each country				26,673	24,285	20,499	15,008	7,692
Program cost paid by each country				1,200	4,286	8,785	15,008	23,075

Budget summary -

5 year total cost of program	2,051,156
5 year total program grant cost for 14 countries	1,318,197
5 year total cost paid by 14 countries	732,959
5 year total program grant for each participating country	94,157
5 year total program cost paid by each participating country	52,354

* CHF to USD is 1=1.07, based on Bloomberg online exchange rate August 14, 2013.

** Adjusted cost is based on inflation rate of 2.5% (adjustment is for years 2 to 5)

***Airfare information provided by Carlson Wagonlit, WTO