

Review of the Implementation of the SPS Agreement and International Standards in ASEAN Member States

Final Report

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ASEAN-AUSTRALIA-NEW ZEALAND FREE TRADE AREA
ECONOMIC COOPERATION SUPPORT PROGRAMME
(AECSP)

The ASEAN-Australia-New Zealand Free Trade Area (AANZFTA) Economic Cooperation Support Program (AECSP) was established in 2010 aiming to realize the full benefits of the AANZFTA through supporting the Parties and ASEAN Secretariat in the operationalization and implementation of AANZFTA.

Under the AECSP, the Review of the implementation of the Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement) and international standards in ASEAN Member States was prepared by the Ausvet Pty Ltd and approved for public dissemination by the AANZFTA Sub-Committee on SPS, August 2018 .

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Executive summary

Background

The Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement) is a World Trade Organisation (WTO) Agreement that formalises how Sanitary and Phytosanitary (SPS) measures should be used in trade. International standards set by the World Organisation for Animal Health (OIE), the International Plant Protection Convention (IPPC) and the Codex Alimentarius (Codex) Commission provide guidance on the technical aspects of implementing the SPS Agreement. Despite formally adopting the principles of the SPS Agreement, many ASEAN Member States (AMSs) face difficulties implementing (that is, putting into effect) these principles and relevant international standards.

The ASEAN-Australia-New Zealand Free Trade Area (AANZFTA) Economic Cooperation Support Programme (AECSP) aims to assist ASEAN countries to maximise the benefits of AANZFTA. Cooperation activities under the AANZFTA Chapter on Sanitary and Phytosanitary (SPS) Measures aim to foster implementation of international standards in human, plant and animal health while facilitating trade. One approach to this is to develop regional implementation guidelines to assist ASEAN Member States (AMSs) in implementing the SPS Agreement and international standards in food safety, plant and animal health. The purpose of this project was to define the objectives, feasibility, scope and format of such guidelines. While some form of guideline may be valuable, there is a risk that guidelines may simply replicate existing international standards and guidelines or become obsolete as standards change.

Objectives

This review addresses the following objectives:

1. Identify the main challenges AMSs have in implementing the SPS Agreement and international standards
2. Provide recommendations on improving implementation, with a focus on whether ASEAN regional implementation guidelines would be a useful resource
3. Examine the degree of implementation in AMSs
4. Collate existing resources that may assist AMSs in implementation or development of guidelines.

Information to inform this report was sourced through phone interviews with AMS focal points, consultation with experts in SPS systems within the AANZFTA region, project reports, publicly available information and consultation with AANZFTA representatives at a workshop in Jakarta held 21–22 February 2018. No in-country visits or extensive consultation has been possible, thereby limiting the degree to which individual AMSs implementation of SPS can be accurately assessed.

Challenges

The key challenges to successful implementation of the SPS Agreement and international standards by AMSs are in the following areas:

1. **Incentives:** some AMSs lack sufficient incentives to engage in trade in a manner consistent with the SPS Agreement and associated standards and guidelines. Insufficient opportunities for exports, stringent trading partner requirements, political factors, supply chain issues and poor engagement

in international standard setting forums are all factors that influence political will and economic drivers to engage in formal international trade.

2. **Capacity:** to a variable degree, some AMSs have limited capacity to carry out the tasks required to trade in accordance with the SPS Agreement and associated standards and guidelines. Resource limitations, insufficient technical support and the inherent complexity of international standards all contribute to capacity constraints.
3. **Legislation, regulations, policies and procedures:** some AMSs find it difficult to develop and maintain national legislation, regulations, policies and procedures that are consistent with the SPS Agreement and associated international standards. Overcoming legal, policy, technical and procedural challenges is more difficult when particular issues touch on multiple agencies responsibilities.
4. **Transparency of SPS requirements:** some AMSs have trouble implementing the transparency principle of the SPS Agreement because they do not have systems and resources to provide SPS notifications, publish relevant material and respond promptly to trading partner enquiries. Political factors may interfere with transparency processes that are established.
5. **Negotiation with trading partners:** some AMSs may struggle to negotiate effectively with trading partners because of a lack of technical capacity, language barriers and poor engagement in international standard setting forums.
6. **Evidence to support claims about pest and disease status:** many AMSs find it difficult to provide evidence to support claims about their SPS status or analyse the evidence of their trading partners as it relates to important diseases, pests or residues. They may lack effective systems to gather, analyse and disseminate this information. This information is fundamental to applying SPS measures under the SPS Agreement.
7. **Engagement with the private sector:** knowledge and capacity within the private sector to implement SPS measures or participate in SPS decision-making is sometimes limited.

Competencies identified to address the challenges

To address each of the identified challenges, the following competencies could be strengthened through the development of guidelines:

1. Incentives
 - Politicians and senior government officials understand and see value in the SPS framework
2. Capacity
 - Basic principles of the SPS Agreement are applied to trade policies
 - Risk analysis is understood and applied, where necessary
 - The concept of Appropriate Level of Protection is understood and applied
 - AMSs engage with established capacity building pathways
3. Development of effective legislation, regulations, policies and procedures
 - Competent authorities develop and review national legislation, regulations and policies in line with international standards

- Import conditions are drafted effectively to reflect the country's needs and are in line with international standards
 - Standard Operating Procedures (SOPs) are effective in guiding operational activities related to implementation of the SPS Agreement
4. Transparency of SPS requirements
 - AMSs provide timely notifications to the WTO SPS committee
 - AMSs make information on SPS requirements easily available to private traders and trading partners and respond to requests for information in a timely manner
 5. Negotiation with trading partners
 - AMSs representatives have the skills to negotiate effectively with trading partners
 - AMSs delegates engage with international standard setting forums, understand the processes in place and present their country's needs effectively
 6. Evidence to support claims about pest, disease or residue status
 - AMSs can collate and analyse available surveillance data to support claims about their pest, disease and residue status
 - AMSs can effectively assess a trading partner's claims on pest, disease and residue status
 7. Opportunities for the private sector
 - Governments are effective in providing information about international trade to private-sector stakeholders
 - Private-sector stakeholders understand the rationale and benefits of SPS measures aligned with international standards.

These guidelines should be fit for purpose and build on existing resources.

Activities to ensure sustainable outcomes

To ensure that the project has longer term and sustainable outcomes the development of a guideline should be supported by additional activities. These will ensure the information and knowledge in the 'guidelines' will continue to be available to others over the longer term and that other sustainable changes can be made. Suggested activities include:

1. Engage with STDF to assess the feasibility/appropriateness of building on the Virtual Library that is already established. Alternatively develop a knowledge management platform that directs AMSs stakeholders working in SPS-related fields to useful existing resources.
2. Encourage AMS involvement in established capacity building tools (e.g. OIE PVS Pathway, FAO/OIE Diagnostic Tool for Assessing Status of National Codex programmes and IPPC PCE) or undertake a coordinated capacity building project to improve institutional capacity
3. Increase involvement and engagement in standard setting forums—ASEAN should consider playing a coordinating role, attending forums as an observer and providing funding for more attendees for AMSs as needed
4. Develop a monitoring and evaluation framework.

Conclusions

Regional guidelines of various types may play an important role in supporting the practical implementation of the SPS Agreement and international standards in AMSs. These guidelines should aim to strengthen core competencies and should be based on a sound understanding of needs, learning preferences and other factors that influence the effectiveness and sustainability of training and other capacity-building interventions.

It is important that any future development of guidelines build on existing resources (where they exist), address issues of fragmentation and lack of access to guidelines (for example, through improved systems for knowledge management and translation), and incorporate robust monitoring and evaluation.

It should also be acknowledged that many challenges to implementation cannot be addressed by regional implementation guidelines alone and require long term capacity development and/or changes to the broader macroeconomic environment. There is, however, scope to support AMSs through capacity building projects or in engaging with established capacity-building pathways. In addition to guidelines, opportunities exist to develop a knowledge sharing platform, promote AMS engagement in international standard setting forums and build on the WTO TF Agreement.

Recommendations for the development of a workplan to implement Phase II

1. Prioritised competencies

Resources to implement future guidelines are limited. Therefore, a prioritised list of competencies addressing key challenges is presented (see Table E1). The priority competencies to address with guidelines align to the following challenges:

- i. Developing SPS legislation, regulations, policies and procedures
- ii. Capacity
- iii. Using evidence to support claims about pest, disease or residue status

Guidelines to address these competencies are most suitable as sustainable training guidelines or 'how to' guides. In general, the targets of these guidelines are government staff involved in SPS implementation and management. See Table E1.

2. Development of Guidelines

This review has outlined the possible forms of guidelines but has not definitively pre-determined their form. For example, the guideline might outline an e-learning programme identifying existing material that would deliver the required outcome or it might recommend a training programme such as a workshop. See Table E1.

Key resources identified to assist successful implementation of the SPS Agreement can be found in Appendix 1 of this report. Some of these align with the competency objectives outlined above. For the most part, an awareness of and accessibility to existing resources to AMS stakeholders appears limited.

It is recommended that before developing the guidelines the usefulness and applicability of existing resources be considered.

Translation of training materials should be prioritised on completion of Phase II.

3. Sustainability

Phase II must consider and prescribe options to ensure the developed guidelines are accessible to all AMSs and that all guidelines are kept up to date. This could be achieved through collaboration with STDF to use the STDF Virtual Library or development of a knowledge management platform.

The outcomes of Phase II must be monitored and evaluated to assess their effectiveness and usefulness to AMSs. It is recommended that this be conducted by ASEAN.

Table E1: Prioritised competencies targeting key challenges that can be addressed through guidelines, with guideline form and target audience.

Challenge: Capacity	
Priority competency objective	Existing resources, recommended form of guidelines and target audience
Basic principles of the SPS Agreement are applied to trade policies	<p><i>Existing resources:</i> There are several resources on principles including by the WTO (see Appendix 1). These are useful references. Despite this, the key principles are not applied in some AMSs. This is because descriptions of principles are not sufficient to deepen understanding: the rationale behind the SPS agreement (the ‘why’) and practical methods to implement (the ‘how’) are required (Walker 2013).</p> <p><i>Recommended form of guideline:</i> A sustainable, scalable online training guideline is the most likely form of guidelines to be effective for this objective.</p> <p><i>Target audience:</i> These guidelines would target government staff responsible for developing trade policies and overseeing their implementation.</p>
The concept of Appropriate Level of Protection is understood and applied	<p><i>Existing resources:</i> The ALOP is defined in various locations, including the WTO and each of the international standards setting bodies. However, the concept is nebulous and difficult to implement practically. For example, most AMSs do not state what their implemented ALOP is. Many implicitly pursue an ALOP that is different to the normative international standards, despite a SPS status that would generally be suitably managed with normative standards.</p> <p><i>Recommended form of guideline:</i> This ‘guideline’ would logically be incorporated in to the principles training course (above).</p> <p><i>Target audience:</i> These guidelines would target government staff responsible for developing trade policies and overseeing their implementation. In addition, higher management staff should benefit from training as they implicitly set the ALOP through leading and approving policy development.</p>
Risk analysis and risk management is understood and applied, where necessary	<p><i>Existing resources:</i> There are ample resources on how to conduct risk analyses and management, including principles (by standards bodies) and practical training courses for example delivered to AMSs by the Australian Department of Agriculture and Water Resources, New Zealand Ministry for Primary Industries and Ausvet in the past. These existing resources should be refined and form the basis of new resources.</p> <p><i>Recommended form of guideline:</i> A sustainable, scalable online training guideline. Effectiveness may be improved by presenting scenarios and requiring participants to consider how to conduct risk analyses. The course will need to have specific parts developed for plant, animal and food risk analyses as relevant for participants from these</p>

Challenge: Capacity	
	<p>three areas. The focus should be on simple qualitative methods, rather than more complex quantitative methods.</p> <p><i>Target audience:</i> These guidelines would target government staff responsible for conducting risk analyses. The course should be coordinated with the ALOP portion of the training course to ensure staff can decide if a risk analysis is required, as well as develop analysis skills.</p>
AMSs engage with established capacity building pathways	<p><i>Existing resources:</i> Each of the standard setting bodies have documentation on how to engage with the capacity building pathways. In addition, the STDF provides a useful summary of all the pathways in one document. (see Appendix 1)</p> <p><i>Recommended form of guideline:</i> ‘How to’ guidelines on how to incorporate existing capacity building pathways at various stages of assessment, prioritisation, advocacy, planning and review of national capacity.</p> <p><i>Target audience:</i> Senior government officials responsible for strategic planning and resource allocations.</p>

Challenge: Legislation, regulations, policies and procedures	
Priority competency objective	Existing resources, recommended form of guidelines and target audience
Competent authorities can develop and review national legislation, regulations and policies in line with international standards	<p><i>Existing resources:</i> There are some existing resources including the ASEAN good regulatory practice guide (Anon. 2009) and standards (e.g. the OIE Terrestrial Code on veterinary legislation) (see Appendix 1).</p> <p><i>Recommended form of guideline:</i> A checklist of good regulatory and legislative practices (with case studies applying the checklist) that is consistent with the ASEAN GRP guideline and standards.</p> <p><i>Target audience:</i> Government staff and senior management responsible for legislation, regulation and policies.</p>
Import conditions are drafted effectively to reflect the country’s needs and are in line with international standards	<p><i>Existing resources:</i> The IPPC provides a manual on import verification including writing import guidelines.</p> <p><i>Recommended form of guideline:</i> ‘How to’ guideline with case studies that describe the steps in writing import conditions.</p>

Challenge: Legislation, regulations, policies and procedures	
	<i>Target audience:</i> Government staff responsible for writing import conditions, including senior staff who have responsibility for approving conditions.
Standard Operating Procedures (SOPs) are effective in guiding operational activities related to implementation of the SPS Agreement	<p><i>Existing resources:</i> There are many examples of how to write good SOP, but none focused on SPS measures.</p> <p><i>Recommended form of guideline:</i> ‘How to’ document for SOP writing including case studies.</p> <p><i>Target audience:</i> Government staff responsible for implementing import conditions. Private sector staff that manage quality controls and export access.</p>

Challenge: Evidence to support claims about pest, disease or residue status	
Priority competency objective	Existing resources, recommended form of guidelines and target audience
AMSs can obtain, collate and analyse available surveillance data to support and assess claims about pest, disease and residue status	<p><i>Existing resources:</i> This is a technical area of competency supported by numerous scientific resources that require expert synthesis to enable development of training resources.</p> <p><i>Recommended form of guideline:</i> A sustainable, scalable online training guideline. Effectiveness will be improved by presenting scenarios and requiring participants to consider how they would provide evidence for disease/pest freedom or assess a trading partner’s claim. Rather than focussing on advanced epidemiology or statistical techniques, training should initially focus on how to gather and analyse evidence from existing sources, respond to trade partner requests for information and recognize when evidence is not sufficient to substantiate disease, pest or residue claims. Later, if resources enable, more advanced statistical training can be provided.</p> <p><i>Target audience:</i> Policy and technical staff of relevant government agencies that contribute to national surveillance and international trade negotiation.</p>

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1 Abbreviations and acronyms

ADB	Asian Development Bank
AECSP	AANZFTA Economic Cooperation Support Programme
ALOP	Appropriate level of protection
AMS	ASEAN Member State
AANZFTA	The ASEAN-Australia-New Zealand Free Trade Agreement
ASEAN	The Association of Southeast Asian Nations
Codex	Codex Alimentarius
DAWR	Australian Department of Agriculture and Water Resources
EU	European Union
FAO	Food and Agriculture Organisation of the United Nations
GMS	Greater Mekong Subregion
GAP	Good Agricultural Practice
FMD	Foot-and-mouth disease
FTA	Free trade agreement
IPPC	International Plant Protection Convention
KAP	Knowledge, attitudes and/or practices
LDC	Least Developed Country
Members	World Trade Organisation members
MRL	Maximum Residue Limits
OIE	World Organisation for Animal Health
QA	Quality assurance
SME	Micro, small and medium-sized enterprises
SPS Agreement	The Agreement on the Application of Sanitary and Phytosanitary Measures
SPS	Sanitary and Phytosanitary
STDF	Standards and Trade Development Facility
TAD	Transboundary animal disease
TBT	Technical barriers to trade
WTO	World Trade Organisation

2 Background: implementation of the SPS Agreement

To benefit fully from international trade in agri-foods, a reasonable degree of implementation of the international framework set out by the World Trade Organisation (WTO) is required (ADB 2012). The WTO recognises each nation's sovereign right to use sanitary and phytosanitary (SPS) measures to protect animal, plant and human health. The Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement) formalises the principles of how SPS measures should be used so they do not unduly affect trade.

The SPS Agreement is necessarily broad and strategic: it outlines the principles to be followed but provides little detail on how to implement these principles. Technical detail and recommendations for implementation are provided in international standards for food safety, animal and plant health, written by three major international standard setting bodies officially recognised by the WTO:

1. The World Organisation for Animal Health (OIE)
2. Commission on Phytosanitary Measures overseeing the International Plant Protection Convention (IPPC) (under the Food and Agriculture Organisation (FAO))
3. Codex Alimentarius Commission (under the FAO and World Health Organisation).

In recent years, the volume of trade in agri-foods has grown rapidly in Southeast Asia. Despite formally adopting SPS Agreement principles, many AMSs face difficulties implementing (that is, putting into effect) these principles and the relevant international standards, guidelines and recommendations. Among AMSs, a high degree of variability exists in the maturity of SPS systems and capacity to implement.

Members can use two broad approaches in setting SPS measures, consistent with the SPS Agreement:

1. implement the normative standards established by the relevant international standards
2. implement SPS measures to suit an individual country's risk tolerance based on a defined appropriate level of protection (ALOP), underpinned by a risk analysis and credible scientific justification.

While Members accept that each country can determine its own ALOP, the SPS Agreement seeks to ensure that SPS measures are the minimum required to provide that protection, are consistently applied, are not misused for protectionist purposes and do not result in unnecessary barriers to international trade.

The major features of the SPS Agreement include:

- countries may set their own standards and methods of inspecting products
- regulations must be justifiable and based on science
- regulations should be applied only to the extent necessary to protect human, animal and plant life or health—in other words, measures should restrict trade to the least extent possible
- regulations should not arbitrarily or unjustifiably discriminate between countries where identical or similar conditions prevail
- countries are encouraged to use international standards, guidelines and recommendations where they exist, but may implement higher standards provided these are scientifically justified based on appropriate risk analysis that is consistently applied.

Key principles of the SPS Agreement are *harmonisation* (sometimes termed *alignment*), *equivalence*, *appropriate level of protection*, *risk assessment*, *regional conditions* and *transparency*.

3 Purpose of this review

The ASEAN-Australia-New Zealand Free Trade Area (AANZFTA) Economic Cooperation Support Programme (AECSP) aims to assist ASEAN countries to maximise the benefits of AANZFTA with the aim of enhancing trade within the region and between Australia, New Zealand and AMSs. One mean of improving trade is to enhance implementation of the SPS agreement and international standards by developing regional guidelines for use by AMSs. The objectives, feasibility, scope and format of such guidelines have not been determined prior to this project. While some form of guideline may be valuable, there is a risk that guidelines may simply replicate existing international standards and guidelines or become obsolete as international standards change.

This review seeks to explore issues of implementation and addresses the following objectives:

- identify the main challenges and difficulties AMSs have in implementing the SPS Agreement and international standards—see Section 5: Challenges to implementation of the SPS Agreement and standards
- provide recommendations on improving implementation, with a focus on whether ASEAN region implementation guidelines would be a useful resource—see Sections 6 and 7
- examine the degree of implementation in AMSs—summaries of findings for each AMS are found in the supplementary document *Country summaries on implementation of the SPS Agreement in ASEAN Member States*
- collate existing resources that may assist AMSs in implementation or development of guidelines—see Appendix 1: Resources to assist implementation of the SPS Agreement.

It is important to note that no in-country visits or extensive consultation with individual AMSs has been possible within the project scope, thereby limiting the degree to which individual AMSs implementation of the SPS agreement, for example by the World Bank, usually devote several months of labour to each countries assessment including multiple in country visits.

4 Methodology

The following steps were taken in production of this report:

1. scientific literature review of academic journal articles on implementation of the SPS Agreement and international standards
2. consultation with in-house and external experts with experience in international trade and standards implementation in Southeast Asia (see Appendix 2: Consultation)
3. review of AMS competent authority websites, such as Department of Agriculture, Department of Health or equivalent and official trade related websites for evidence of implementation, particularly as it relates to the development of national legislation/standards and the SPS Agreement principle of transparency
4. collation of important resources on implementation via web search, including major donor body websites, such as the Asian Development Bank (ADB) and the Standards and Trade Development Facility (STDF)

5. teleconferences with AMS focal points to gain understanding of how they are implementing international standards, and identify national and regional challenges
6. a workshop in Jakarta (21–22 February 2018) exploring challenges and possible solutions for implementation of international standards related to SPS measures.

Two supplementary documents accompany this report—*Overview of the WTO, SPS Agreement and International Standards* and *Country-by-country summaries of SPS Agreement implementation in ASEAN Member States*. The first provides an overview of the WTO SPS Agreement, OIE, IPPC, Codex and the Standards and Trade Development Facility (STDF). The second consists of summaries on the degree of implementation of the SPS Agreement in each AMS.

5 Challenges to implementation of the SPS Agreement and standards

Implementation of the SPS Agreement and relevant international standards covers a very broad range of competencies, procedures and actions, from drafting of national legislation consistent with the Agreement to the conduct of operational activities. This section summaries key challenges to implementation faced by ASEAN Member States, grouped into seven major thematic areas.

5.1 Incentives

Some AMSs lack sufficient incentives to engage in trade in a manner fully consistent with the SPS Agreement and associated international standards. In this context, incentives refer to factors that influence (in positive and negative ways) political will and economic drivers to engage in formal international trade.

Insufficient opportunities to engage in formal international trade

Some AMSs currently have modest export markets and perceive little opportunity to engage in international trade. This can affect the desire to implement standards, including those that relate to import trade. In general, there are two groups of AMSs that have limited export:

- least developed countries (LDCs) such as Laos and Cambodia tend to have a large proportion of micro, small and medium-sized enterprises (SMEs, including subsistence farmers) that are unlikely to service formal export markets in the short term—furthermore, if SPS measures increase the cost of doing business, then informal (unregulated) trade routes may be more attractive
- small highly-developed AMSs such as Singapore and Brunei have little domestic production of agri-foods and do not rely heavily on the export of these commodities for wealth generation.

Despite these contextual difference, all AMSs have indicated their desire to grow trade and utilise international standards.

Trading partner requirements surpass international standards

SPS measures required by some trading partners (sometimes including the European Union (EU), Australia and New Zealand) may exceed those stipulated in the international standards if more rigorous measures are deemed necessary to meet a country's Appropriate Level of Protection (ALOP). For example, some trade partners (e.g. the EU) have a lower maximum residue levels (MRLs) than those stipulated in Codex (Achterbosch, Engler et al. 2009), or the importing country may require a specific laboratory test that the AMS exporting country does not have the capacity to conduct. In this second example, outsourcing work to a diagnostic laboratory in another country adds to the cost of trading in the commodity (ITC 2017).

In these cases, AMSs may not gain or maintain access to certain international markets, even if they are able to comply with the relevant international standards. This is a source of frustration and may reduce a

country's desire to continue operating in line with the SPS Agreement and international obligations. Misunderstanding of the concept of ALOP and how it is applied may contribute to this.

Political factors

Political agendas and interventions sometimes provide a disincentive to engage in international trade in accordance with the principle of the SPS Agreement. For example, protectionist trade policies may seek to use SPS measures as a non-tariff trade barrier and lead to the introduction of overly complex or expensive SPS measures which are not scientifically justified (and therefore not compliant with international standards) (Bruckner 2011). In other situations, SPS measures may be used as a 'bargaining chip' for market access or in retaliation to conditions imposed by trading partners.

Compensation of private stakeholders

Private-sector stakeholders may be unwilling to engage in aspects of the SPS system—such as reporting outbreaks of pests and diseases—if there are no mechanisms in place to compensate them for subsequent losses (for example, through destruction of infected crops/livestock or loss of markets). Resource constraints limit some governments' ability to provide such compensation.

5.2 Capacity

To a variable degree, some AMSs have limited capacity to carry out the tasks required to trade in accordance with the SPS Agreement and associated international standards. There is no single definition of capacity, but it can broadly be defined as 'the ability of individuals, organisations and societies to perform functions, solve problems, and set and achieve objectives in a sustainable manner' (UNDP 2010). In the context of SPS capacity this involves many functions and competencies. Figure 1 provides a high-level outline of SPS management functions with lower levels of capacity at the bottom of the pyramid.

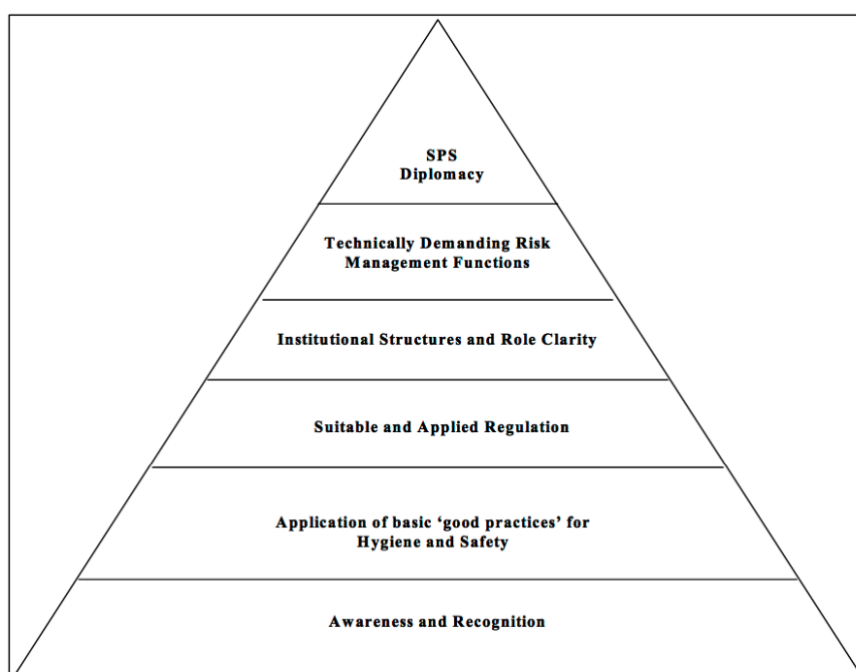


Figure 1: Hierarchy of trade-related SPS management functions (World Bank 2005)

Required competencies and capacities

A very extensive range of competencies and capacities are required to perform the management functions illustrated in Figure 1. For example, technically-demanding risk management functions include, but are not limited to, proficiency in surveillance, risk analysis, laboratory diagnostics, information management, traceability, quarantine inspection and certification (Jaffee, Henson et al. 2010, Neeliah and Goburdhun 2010, Anon 2014). Implementing these activities to the level required by international standards is difficult, particularly in resource-poor environments. For example, in several AMSs there is a scarcity of tertiary-educated SPS professionals (such as veterinarians, plant pathologists or laboratory diagnosticians).

SPS capacity must be considered in the broader context of domestic economic and social policy objectives (Henson 2016). The building of capacities relevant to the SPS agreement is often synergistic with other development goals but may also be in competition with other sectors and development goals for limited resources. It is often necessary to prioritise the development of SPS management functions and implementation capacity with consideration to a country's level of development and requirements for specific markets (ADB 2012). Some frameworks have been developed to support this prioritisation process; for example, Vietnam used a multi-criteria decision framework to identify and prioritize export-related, SPS capacity building options (Viet Cuong, Thi Hong Mai et al. 2013)

Over many years, substantial efforts have been made to support SPS capacity development in Southeast Asia. However, little monitoring and evaluation evidence is available to determine the effectiveness of investments and there are obvious challenges to sustainability and accessibility of resources (e.g. training materials, guidance documents and tools): many people interviewed during this project referred to difficulty in knowing what resources exist and where to find them.

Resource limitations

Most countries have some resource constraints that affect implementation of international standards, however these are more restrictive in some AMSs than others. Cambodia, Laos and Myanmar are classified as LDCs by the United Nations and are amongst the poorest nations of the world (UN 2017): these countries have few resources for successful implementation of the SPS Agreement. Other AMSs have resource pressures to a variable extent and these are not necessarily uniform across all SPS areas or agri-food sectors; for example, food and animal health laboratories are often better resourced than plant health laboratories. In resource-poor environments, there is often little investment in research and development in SPS-related activities, such as the effectiveness of alternate SPS measures. There is a lack of skills in application and auditing of treatments or treatment facilities. Unfortunately, further pressure is placed on limited resources when SPS practices are conducted inefficiently; for example, through routine inspection of all goods at an entry-point, rather than focusing on high-risk commodities and high-risk pathways.

Training methods ineffective or unsustainable

Training in key SPS competencies for implementation is often delivered on an *ad hoc* basis with limited sustainability and spread of knowledge. Although *ad hoc* initiatives such as workshops can improve capacity, it is difficult to ensure knowledge spreads beyond individual attendees. This limits the impact of such exercises and SPS knowledge can be siloed in an individual or a small group within an AMS. Institutions require the processes, systems and work place culture to ensure that knowledge spreads beyond well-trained staff. Sustained and coordinated training activities between governments, standard setting bodies and other international organisations can also be problematic and, if lacking, can result in replication, poor

geographical coverage and limited sustainability. As mentioned above, there is little evidence of robust monitoring and evaluation being integrated in SPS capacity-building projects in Southeast Asia.

International standards and guidelines are complex

International standards and guidelines are technically complex and are only available in a limited number of languages. The format of some standards provides challenges to implementation; for example, the OIE Code is organised by diseases, rather than commodity types (for example, live goats or hides and skins). There are good reasons to organise the OIE Code by disease and the use of technical language is, to some extent, unavoidable; however, it must be acknowledged that a sound level of subject matter expertise and command of specific official languages is a pre-requisite to the practical implementation of these standards.

5.3 Legislation, regulations, policies and procedures

Maintaining national legislation, regulations, policies and procedures that are consistent with the SPS Agreement and associated international standards is an essential component of successfully implementing appropriate SPS measures (Chen 2004, WTO 2014). Some AMSs have difficulty in this area and SPS-related agencies have trouble discharging their responsibilities once new regulations are developed.

Legal instruments require regular revision, refinement and updating

Legal instruments need to be relevant and fit for purpose to achieve their intended objectives. The need to regularly revise SPS legislation arises because of updates to international standards and changes in technology, health protection demands and commercial environments (van der Meer and Marges 2014). Accordingly, it can be difficult to keep abreast of changes and revise national laws and regulations; for example, the use of electronic phytosanitary certificates can increase the efficiency of trade and drive successful implementation, but requires revision of some AMS legislation to permit acceptance of these certificates (Rojanasupamit 2017). In some cases, legislation or regulations may simply reference international standards: this is simple but does not provide sufficient information to guide practical implementation, particularly when some standards are not easy to understand.

Fragmented agencies with capacity pressures

Adapting international standards to the local situation is a complex and ongoing process. Some AMSs struggle to maintain capacity to maintain good regulatory practices, particularly when there is staff rotation and institutional knowledge is lost. A further complexity is that responsibility for developing and enacting legal instruments for the three areas of SPS systems (animal health, plant health and food safety) often falls across several ministries. Fragmentation of these agencies combined with a lack of clarity on chain of command and responsibilities is commonly cited as an impediment to successful and efficient implementation (ADB 2012, Rutter and Weaver 2016, Weaver 2016, WTO 2017).

5.4 Transparency of SPS requirements

Some AMSs have trouble implementing the transparency principle of the SPS Agreement. Transparency under the SPS Agreement refers to advance notification of changes or introduction of SPS related legislation, regulations or requirements and answering reasonable questions from trading partners in a timely manner (WTO 2002). Transparency is also required for implementing international standards, for example disease reporting obligations.

Transparency is primarily implemented through advanced SPS notifications to the WTO SPS committee. Some AMSs seldom or never make SPS notifications (van der Meer 2014, van der Meer and Marges 2014,

WTO 2017), whereas others have a good record. Timeliness of notifications and responses to trading partners is also reportedly an issue for some countries. Another means of improving transparency is publishing SPS requirements online—this can be achieved through the ASEAN Trade Repository (ASEAN 2018) and national competent authority websites. Many AMSs have poorly populated websites or a limited volume of content accessible through the ASEAN Trade Repository.

The main reasons for poor transparency are perceived to be:

- absence of systems and institutional capacity in national agencies responsible for making SPS notifications and responding to trade partner queries—as a result, some AMSs traders rely heavily on *ad hoc* personal communications with SPS officers (van der Meer and Marges 2014)
- documents relating to SPS notifications are usually in the local language of the notifying Member—language barriers and lack of translation resources reduce the ability of AMSs to provide comments and answer trading partner queries
- an attempt to obscure political decisions, such as restricting market access for a commodity or using SPS requirements in a transactional manner when negotiating trade
- limitations of pest and disease surveillance and information systems; for example, self-declaration of pest/disease freedom is often based simply on an absence of detections, rather than robust analysis of surveillance data to provide evidence of pest/disease freedom (see also Section 6.4.6).

5.5 Negotiation with trading partners

Some AMSs may struggle to negotiate effectively with trading partners and influence the outcomes of international standard setting forums. Negotiation is essential to broadly implement the principles of the SPS Agreement; for example, if a country can show that the SPS measures it applies provide a level of protection equivalent to the importing country's ALOP, then these measures should be accepted. Similarly, equivalent SPS measures can be included in international standards if member countries vote to include them (Yusuf, Himmi et al. 2013).

Negotiation can be difficult due to:

- technical capacity constraints, such as limited knowledge and understanding of the SPS framework and what constitutes equivalence—this extends to the private sector, where stakeholders may be under the impression that all SPS requirements are non-negotiable (WTO 2016).
- differences in risk tolerance and ALOP
- poor engagement in international standards setting forums, resulting in standards that do not necessarily reflect AMS needs (see below)
- language and communication barriers (see below).

Poor engagement in international forums

Some AMSs have limited engagement with international standards setting bodies for reasons including rapid turnover in national delegates (e.g. Chief Veterinary Officers or equivalent), language barriers, technical capacity limitations and resource constraints. Some AMSs can only afford to send a single delegate, rather than a strong team covering multiple areas of expertise. They may have relatively little influence on the development of international standards and, consequently, international standards largely reflect the SPS status of contributing countries and are less relevant and practical for developing AMSs. For example, alternative SPS measures which are more practicable for AMSs may not be included in a standard, even though they are equivalent to the published recommendations. Additionally, several AMSs have poor

engagement with ASEAN sectoral working groups. Re-invigoration would assist development of regional policies suitable for more AMSs.

Language barriers

Multiple languages are spoken across AMSs and the level of proficiency in languages used for international dialogue (predominantly English) varies. The degree to which this is a difficulty for some AMSs should not be underestimated. Negotiations on SPS measures can suffer because of misunderstandings and AMSs delegates may lack confidence in putting their views forward in international forum. Language barriers also prevent staff in various AMS agencies from accessing and comprehending international standards and resources currently available to improve implementation. Transparency also suffers when supporting documentation for SPS notifications are not available in languages familiar to those responsible for SPS implementation.

5.6 Evidence to support claims about pest, disease and residue status

Under the SPS Agreement, Members can impose SPS measures for diseases/pests that are exotic or for which a meaningful control or eradication programmes exists domestically. Therefore, a good understanding of an AMS SPS status is required for implementation of the SPS Agreement. Some AMSs find it difficult to provide evidence to support pest/disease status claims.

Limited surveillance and diagnostic capacity

Surveillance is the gathering, documenting, analysing and dissemination of information on disease, pest and residue occurrence (Thrusfield 2005). The quality of surveillance systems depends on the availability of expertise and resources to design and deliver surveillance and monitoring programmes, laboratory expertise and facilities, information management systems and coordination between different levels of government. Some AMSs do not have the capacity to meet these requirements and therefore cannot provide accurate information to trading partners and standard setting bodies. Inadequate laboratory capacity is a commonly reported limitation (van der Meer 2014, van der Meer and Marges 2014, ITC 2017), particularly for plant pests. Sophisticated molecular diagnostic protocols are often too costly to be considered for pest identification, let alone surveillance programmes (for example molecular testing for papaya ring spot virus). Accurate identification of some pests requires specialist knowledge, for example, differentiating species in the oriental fruit fly complex.

Abundant drivers of pest and disease emergence

Southeast Asia is particularly at risk of emerging, infectious diseases due to a complex set of processes, such as population growth, urbanisation, and changes in food production and sanitation (Coker, Hunter et al. 2011). The emergence of new diseases at regular intervals can result in rapid changes to SPS status, which undermines existing SPS measures implemented and can reduce trade access. Highly pathogenic avian influenza and cassava phytoplasma disease (witches' broom) are two examples of major transboundary diseases which have emerged in the region to the detriment of health, economies and livelihoods. The ability to detect and respond to new threats (including fulfilling reporting obligations to the international community) is reduced in the absence of strong surveillance systems.

Limited ability to control the spread of transboundary pests and diseases

Long and relatively porous borders are a feature of many AMSs, particularly those in the Greater Mekong Sub-region (GMS) through which large volumes of animals, plants, food and associated pests can pass (ADB 2012). This can limit the assurance that trading partners have in claims about SPS status. Informal

and illegal trade routes, particularly for large ruminants, are well established and provide a steady source of infectious or susceptible animals for transboundary animal diseases (Rutter and Weaver 2016). Although informal or illegal trade may be harmful to the overall goals of a country, these routes are often more immediately attractive to regular traders and citizens who already receive an income through these pathways and do not want to engage in slower and costlier formal pathways.

In some AMSs, important trade-limiting animal diseases and plant pests—for example, foot-and-mouth disease and the cassava mealybug (*Phenacoccus manihoti*)—are endemic, with limited national control programmes or capacity to control such pests and diseases.

5.7 Engagement with the private sector

The private sector is an important driver of trade in agricultural and food commodities and can play an important role in practical implementation of SPS standards; however, in some AMSs there is poor engagement, collaboration and dialogue between the private sector and government. This makes it difficult for private stakeholders to understand their SPS obligations or rights and results in poor implementation of the SPS Agreement. Moreover, some traders may not want to engage with government as established informal or illegal trade routes may be more immediately attractive than formal pathways. Opportunities for private stakeholders to comment on proposed regulatory measures is often limited and training on SPS related matters is usually not provided to the private sector.

Many AMSs have a large proportion of small to medium-sized enterprises who are collectively responsible for a significant volume of trade, but individually do not have the resources, staff or support to fully understand SPS standards. In the food safety area, large companies can often establish their own food safety quality assurance (QA) systems that meet or surpass Good Agricultural Practice (GAP) and international standards, whereas SMEs need more assistance to establish these systems (ADB 2017). Although adoption of globally recognised QA and risk management systems can enhance SPS systems (Anon 2014), they are not necessarily recognized by standard setting organisations or trading partners. This may be because they are developed by decision making bodies outside the standard setting bodies, for example private enterprises.

6 Competencies identified to address the challenges

6.1 Preamble

Addressing the identified challenges by identifying and enhancing relevant competencies provides a way forward to improve implementation of the SPS Agreement and international standards in AMSs and, by doing so, promote international trade. Section 5 of this report identified and discussed the major challenges to implementation. This section identifies key competencies that should be addressed to respond to these challenges. The development of regional guidelines in a second phase of this project is a key performance indicator set by senior ASEAN officials as a means of supporting implementation. As such, competencies identified focus on the role that guidelines may play in enhancing implementation. Section 7 prioritises these competencies to identify the key guidelines and can form the basis of a project plan for Phase II of the project.

Guidelines are not the only means of improving implementation and other strategic steps are presented for consideration in Section 6.5. Some challenges to implementation are not easily addressed and require long term incremental change, such as opportunities to engage in trade driven by macro-economic reform. Practical solutions to these large-scale issues cannot be provided within the scope of this project but have been presented in Section 5 so that they are acknowledged and understood.

There is commonality between AMSs in the challenges they face, albeit to a variable degree. The workshop conducted as part of this project highlighted many challenges that are similar across the animal health (OIE), plant health (IPPC) and food safety (Codex) domains. Therefore, competencies provided here are those that are broadly applicable for all AMSs and SPS-affected commodities.

Due to the inter-related nature of challenges, there are few one-to-one relationships between a competency and a specific challenge: in most cases, addressing one competency may contribute to overcoming multiple challenges.

6.2 Steps to implementing the SPS Agreement

Implementation refers to ‘putting into effect’ the principles of the SPS Agreement and associated international standards. Understanding how the SPS Agreement and international standards are broadly implemented is critical to understanding where regional implementation guidelines and other recommendations fit within the SPS framework. To implement the SPS Agreement, a country is expected to:

1. accept the broad principles of the SPS Agreement including harmonisation, equivalence, appropriate level of protection, risk assessment, regional conditions and transparency
2. establish national legislation that is consistent with the SPS Agreement
3. develop policies, standards and regulations that comply with international standards (from OIE, IPPC and Codex) or are based on a science-based risk analysis
4. develop guidance documents, such as standard operating procedures (SOPs), for key facilities and activities (e.g. border inspection)
5. carry out activities outlined in guidance documents competently.

This project focuses on Steps 2 to 4, as all countries have accepted the principles of the SPS Agreement (Step 1) and the breadth and depth of capacities required to implement Step 5 is too great to address within the scope of this project (i.e. address through guidelines). The following case—the development of import policies based on an understanding of differential pest/disease status between the importing and exporting country—is provided to illustrate the difference between these levels: Step 3 requires an understanding of the principles of risk analysis and the ability to collate and interpret surveillance information; whereas Step 5 requires the design and (operational) implementation of field surveillance with which to determine pest/disease status.

6.3 General considerations for regional implementation guidelines

6.3.1 Aim, objectives and scope

The aim of regional implementation guidelines is to improve knowledge, attitudes and/or practices (KAP) in implementation of the SPS Agreement and international standards. Regional implementation guidelines should be based around a discrete set of objectives aligned to competencies required to address major challenges to implementation. For example, a guideline could assist AMSs address the competency objective ‘risk analysis is understood and applied, where necessary’. Guidelines should not be a re-interpretation or simplification of international standards.

In our opinion, there is more merit in developing guidelines to address core competencies than providing prescriptive guidelines for specific commodities. Commodity-specific guidelines (e.g. import and export of mangoes or shrimp) are not recommended, because there is no agreement among AMSs on which commodities to develop guidelines for and no formal methods for prioritising specific commodities over others. There may be some value in commodity specific guidelines to enhance trade within regions where

countries have a similar SPS status (e.g. the GMS), but it is unlikely they will facilitate trade more broadly due to differences in disease/pest status and ALOP. Ensuring sustainability of commodity specific guidelines would also be difficult, whereas guidelines based on key competencies are less likely to become obsolete over time.

6.3.2 Form

In the context of this project, ‘guidelines’ are any of several types of resource including:

- training materials—curriculum and content for trainers and participants
- ‘how to’ guides—step-by-step guides that assume a certain baseline knowledge
- good practice guidelines or checklists—guidance, descriptions and examples of good practices that enhance SPS systems to meet international agreements and standards
- reference materials—documents, presentations, communication products and other materials that provide broad principles or information.

Guidelines may be written documents, web-based resources and videos, or a combination of these forms. The selection of a suitable guideline type should consider the specific competency objective, contextual factors (for example, learning styles and preferences of the target audience) and availability of resources.

6.3.3 Building on existing resources

Over the years many resources (including guidelines) to support SPS KAP have been developed by WTO Members, standard setting bodies, other international organisations and donor-funded development programs. For example, the IPPC recently expanded resources available online following a review of existing resources and accompanying gap analysis (FAO 2015). These resources can be found online via the IPPC Phytosanitary Resources website at: <http://www.phytosanitary.info/>.

Unfortunately, there is very little evidence available in the public domain on how existing resources are used, who uses them and the utility and impact of investments to support SPS implementation in AMSs. Consultation with AMS delegates revealed that many people working in SPS-related areas are not aware of existing resources or do not know how to access them. Of the resources known to delegates, most were perceived to be not fit for purpose for the Southeast Asian context. Moreover, they are typically available only in English (or a handful of other languages), which reduces accessibility.

There is a clear need to integrate monitoring and evaluation in all projects aiming to assist SPS implementation to ascertain and document their relevance, effectiveness, efficiency and sustainability. Monitoring and evaluation should seek to measure post-intervention impact (for example, uptake of knowledge and application in the workplace), rather than simply record immediate perceptions about the quality of the training or resources/guidelines provided.

A thorough evaluation of resources available across all SPS domains is beyond the scope of this project; however key resources that relate to each competency and others that are broadly useful for implementation are presented in Appendix 1. Further assessment of existing resources (with respect to their relevance and effectiveness in supporting SPS implementation) should be considered as a foundational activity in Phase II of this project.

A knowledge management platform or ‘good practice toolbox’ to direct AMSs to useful resources should also be considered (see Section 6.5.1).

6.3.4 Effectiveness and sustainability

To be effective, guidelines must be fit for purpose and readily accessible to the target audience. Effectiveness is influenced by many factors and is enhanced by:

- clear and simple presentation of concepts and technical content
- use of styles and methods that are consistent with good practices for adult learning
- perceived relevance to the target audience
- the type and duration of technical assistance provided.

For example, training is more likely to be effective if it is rich in case studies that are relevant and familiar to the target audience. Plain language is important and translation to local languages (although potentially expensive) maybe important to overcome language barriers. These approaches go some way towards addressing the challenge of ‘International standards and guidelines are complex and difficult to understand’ highlighted in Section 5.2

To be sustainable, guidelines must be easy to update as international standards and trading environments change. If the target audience is wide (for example, all private stakeholders who do business in SPS-related goods) then guidelines must be scalable so that the intended reach and coverage is achieved.

The format of guidelines and whether they should form part of a broader training programme is dependent on funding and will need to be considered in detail in Phase II if this project.

For guidelines or a training programme to be successful in AMS the following is required:

- high-level support—approval and commitment at a ministerial level and recognition that implementation of the SPS Agreement will support ASEAN economic development
- sufficient (and to some extent ongoing) funding provided by the AMS governments, ASEAN and other partners
- relevance and ‘ownership’ by AMSs and ASEAN
- monitoring, evaluation and follow-up to ascertain impact and ongoing needs.

Chances of success could be further increased by improving the desire to implement the SPS Agreement and international standards through:

- making the results and successes of interventions available to key decision makers
- demonstrating financial benefits, either through reduced cost of importation activities or opening of valuable export markets
- funding collaborative projects with the private sector to increase efficiency of imports and reduce costs, or develop or improve access to export markets.

6.4 Competency objectives for regional implementation guidelines

The overarching goal of regional implementation guidelines is to assist AMSs overcome the key challenges identified in Section 5. This section includes statements of desired high-level outcomes and discrete competency objectives which may be supported through the development or refinement of some form of guideline. Brief comments on the target audience, suitable form and considerations for content are also provided. See Table 1 for a summary.

6.4.1 Incentives

High-level outcome: leaders and senior decision-makers understand the SPS Agreement and desire to trade in a manner consistent with its principles and associated and international standards.

Political and economic incentives to trade in accordance with the SPS agreement are influenced by many complex factors and there are limitations to the extent to which any form of guideline can influence these factors. However, it may be feasible to provide leaders and senior decision-makers (e.g. Ministers, senior government officials) with information about the SPS Agreement and TF Agreement to avoid misunderstanding and promote positive attitudes.

Objective: politicians and senior government officials understand and see value in the international SPS framework.

Communication materials, talking points and other resources could be further developed and promoted with an intent to inform and influence key people with responsibility for trade policy and resource allocation. Some talking points already exist such as the STDF briefing notes and an Australian Department of Agriculture and Water Resources (DAWR) SPS Agreement booklet. Videos exist of case studies on implementation of the SPS Agreement. See Appendix 1. These could be adapted and made relevant to AMSs but should be very concise and emphasise the value and potential benefits of successful implementation; for example, by providing ‘success stories’ of trade facilitation. A checklist of good practices with multimedia (video) and links to existing resources of relevance to AMSs may also be well suited to this objective.

6.4.2 Capacity

High-level outcome: adequate technical capacity is available to understand international standards and implement them effectively.

Capacity building encompasses a diverse range of medium- to long-term activities to strengthen technical expertise, infrastructure and the ability of organisations to perform SPS functions effectively and sustainably. Many aspects of capacity building are beyond the scope of regional guidelines and are better addressed through pathways such as the OIE Performance of Veterinary Services (PVS) Pathway and the IPPC Phytosanitary Capacity Evaluation Tool. However, there are some specific and high-priority capacities (predominantly relating to technical expertise) that may be supported by some form of regional guideline.

Objective: basic principles of the SPS Agreement are understood and applied to trade policies

These guidelines would target government staff responsible for developing trade policies and overseeing their implementation. Private-sector traders may also benefit from a simplified guideline. Descriptions of principles are not sufficient to deepen understanding; the rationale behind the agreement (the ‘why’) and practical methods to implement (the ‘how’) are required (Walker 2013). Training material is the most likely form of guidelines to be effective for this objective. Effectiveness may be improved by presenting scenarios and requiring participants to consider how they would apply SPS measures in line with the relevant principles.

Objective: risk analysis is understood and applied, where necessary.

Policy makers are the intended audience this objective. There is already a substantial body of resources on the theory and practical application of risk analysis (including technical training on animal risk analysis of ASEAN officials funded by AANZFTA). Training material that provides users with examples to apply key

concepts is recommended. Guidance on when to use risk analysis (differentiating from when normative standards should be applied) should form part of the content. The focus should be on simple qualitative methods, rather than more complex quantitative methods.

In addition, risk management, especially treatments and systems require development.

Objective: the concept of Appropriate Level of Protection is understood and applied.

Senior policy makers are the target for these guidelines, which focus on the concept of ALOP and how to develop and apply ALOP in national trade policies. These guidelines could take several forms, including training material, reference materials and 'how to' documents. Training material on ALOP should also be included as part of risk analysis training. The rationale and context behind other countries' ALOP should be explored. It is unlikely that a single ASEAN ALOP can be applicable.

Objective: AMSs engage with established capacity building pathways.

Senior government officials responsible for strategic planning and resource allocations are the target of these guidelines. The aim is to ensure that relevant people are aware of relevant capacity-building pathways and able to take advantage of the opportunities that these pathways provide. Reference material may simply describe what capacity evaluation and building pathways are available. This should be supplemented with 'how to' guidelines on how to incorporate these pathways at various stages of assessment, prioritisation, advocacy, planning and review of national capacity.

6.4.3 Development of effective legislation, regulations, policies and procedures

High-level outcome: competent authorities can develop and review national legislation, regulations and policies in line with international standards.

Development of national legislation, policies (such as import conditions) and operational procedures is a key area where regional support may be provided. In broad terms, the intent is to help 'bridge the gap' between the SPS Agreement and international standards and the documents which provide the basis for implementation in each AMS. It should be noted, however, that challenges associated with organisational arrangements (for example, difficulties in coordination among ministries with a joint or duplicative legal mandate for trade policy) may not be readily addressed through guidelines.

Objective: regulatory frameworks can be developed and/or refined so they align with the international standards.

A guideline should target AMS government staff and senior management responsible for developing, evaluating and refining existing legislation, regulations and policies. A checklist of good regulatory practices supplemented by case studies that highlight the benefit of implementation are forms of guidelines most likely to provide benefit. In the past, good practice guidelines for SPS regulatory frameworks has been recommended for consideration by the WTO SPS Committee (van der Meer 2014) and the STDF will be undertaking future work in this area.

Objective: import conditions are drafted effectively to reflect the country's needs and are in line with international standards.

Policy staff would benefit from a 'how to' guideline that describes the steps in writing effective import conditions that reflect a country's needs (e.g. ALOP, disease/pest status) and are consistent with international standards. Guidance could be provided on what information is required, how to gather this information and what to do if it is not available.

Objective: Standard Operating Procedures (SOPs) are effective in guiding operational activities related to implementation of the SPS Agreement.

Policy staff and private-sector stakeholders responsible for writing SOPs for SPS activities (e.g. border inspection, oversight of export pathways, or sending samples for laboratory certification) should be targeted by a guideline. ‘How to’ documents are best suited to this objective. Guidance should include general layout of an SOP, language and style, and how to consult with end users so that their needs are met by the final document.

6.4.4 Transparency of SPS requirements

High-level outcome: AMSs make information available to private-sector traders and international trading partners in accordance with obligations regarding transparency.

Protocols and procedures related to transparency may be described in some form of guideline; however, guidelines are not well suited to addressing political factors, language barriers and resource constraints that affect transparency.

Objective: AMSs provide timely notifications to the WTO SPS Committee.

National SPS contact points (or equivalent) may benefit from a ‘how to’ guideline focussing on the principle and intent of transparency, and protocols/procedures for efficient and timely provision of formal notifications to the WTO SPS Committee. These may be based on the substantial amount of information and resources on international obligations that already exist.

Objective: AMSs make information on SPS requirements easily available to private traders and trading partners and respond to requests for information in a timely manner.

National SPS contact points and senior officials may benefit from practical guidelines about information sharing to facilitate safe and efficient international trade consistent with the SPS Agreement and international standards. These guidelines may include ‘how to’ and ‘good practice’ guidelines about proactive and reactive information sharing, and how to implement the ‘SPS-plus’ provisions of the TF Agreement.

6.4.5 Negotiation with trading partners

High-level outcome: AMSs can effectively negotiate on SPS measures with trading partners and exert influence in international standard setting forums.

The ability of AMS representatives to negotiate effectively with trading partners and in international forums is not based only on technical expertise. Negotiation and other ‘soft skills’ are required to improve communication and come to common positions on suitable SPS measures (for example, equivalent measures).

Objective: AMS representatives have the skills to negotiate effectively with trading partners.

The target of a guidelines should be AMS representatives who are responsible for negotiating on SPS requirements with international trading partners. Training material is best suited to this objective. Content should include how to communicate a position with clarity and respond to the positions of trading partners and private stakeholders.

Objective: AMS delegates engage with international SPS-related forums, understand the processes in place and present their country’s needs effectively.

AMS delegates or prospective delegates should be the intended target of a guideline. Separate guidelines may be required for different forums with different roles and processes, such as the SPS Committee, OIE World Assembly of Delegates, IPPC and Codex Committees. Guidelines should be ‘how to’ and ‘good practice’ guidelines.

6.4.6 Evidence to support claims about pest, disease or residue status

High-level outcome: AMSs understand how to obtain and use information on pest, disease and residue status when setting SPS measures.

Capacity constraints related to surveillance system—including a lack of field surveillance, lack of laboratory diagnostic capacity and poor information management systems—require long-term investment and cannot be addressed by guidelines alone. However, some technical capacities related to the collation, analysis and interpretation of surveillance information to inform SPS measures could be supported with regional guidelines.

Objective: AMSs can obtain, collate and analyse available surveillance data to support and assess claims about pest, disease and residue status.

The target audience of a guideline for this objective is the policy and technical staff of relevant government agencies. Training is likely to be required, given the depth of knowledge required to meet this objective. Rather than focussing on advanced statistical techniques, training should initially focus on how to gather and analyse evidence from existing sources, respond to trade partner requests for information and recognize when evidence is not sufficient to substantiate disease, pest or residue claims.

Objective: AMSs can effectively scrutinise a trading partner’s claims about pest, disease and residue status.

Policy and technical staff responsible for technical negotiations on market access requests may benefit from guidelines on what information should be requested, how to appraise the information provided, and how to make a reasonable assessment of a trading partner’s claims. Some form of training is likely to be required, given the complexity of technical concepts involved; however, ‘how to’ documents for staff with sufficient baseline knowledge may also be considered.

6.4.7 Opportunities for the private sector

High-level outcome: private-sector stakeholders are aware of their SPS obligations and engage in formal international trade in a manner consistent with international standards.

The private sector is an important stakeholder group for SPS implementation, but there are substantial challenges in reaching and influencing this group, especially in the case of small-holder producers or in the absence of organised industry groups. That said, there may be opportunities to support governments in their engagement with the private sector, and (in some situations) opportunities to engage directly.

Objective: governments are effective in providing information about international trade to private-sector stakeholders

Senior officials and staff with responsibility for engaging with private-sector stakeholders may benefit from guidelines on the role of the private sector in SPS implementation and how to engage with producers and traders of goods subject to SPS measures. Training and/or reference materials might initially focus on how to engage with SMEs, key messages (for example, on obligations, opportunities and potential benefits) and methods of distributing information to private-sector stakeholders. Opportunities to develop public-private partnerships should also be explored.

Objective: private-sector stakeholders understand the rationale and benefits of SPS measures aligned with international standards

It may be feasible to develop communication products and reference materials directly targeted at private-sector stakeholders. These resources could focus on the benefits of trading in accordance with international standards and should be produced in collaboration with representatives of the target audience (to ensure the messages are relevant to the needs and concerns of producers, including SMEs). Prior to development of these guidelines, it would be important to refine the objectives in terms of target audience and intended changes in knowledge, attitudes and/or practices. Consideration should also be made to the requirements for, and feasibility of, dissemination by governments or international organisation

Table 1: A summary of key competencies that should be addressed with an ASEAN regional guideline.

Competency	Competency objective	Target Audience	Form
Leaders and senior decision-makers understand the SPS Agreement and desire to trade in a manner consistent with its principles and associated and international standards	Understand and see value in the international SPS framework.	Leaders and senior decision-makers	Concise communication materials, talking points and other resources such as videos of success stories
Adequate technical capacity to understand and implement international standards	Basic principles of the SPS Agreement are understood and applied to trade policies ALOP Risk analysis Capacity building pathways	Technical and policy staff	Training material. Use scenarios. Reference material for capacity building engagement
Competent authorities can develop and review national legislation, regulations, policies and procedures in line with international standards	Regulatory frameworks align with the int. stands Import conditions reflect the country's needs and int. stands Standard Operating Procedures (SOPs) guide operational	AMS government staff and senior management responsible for legislation, regulations and policies. Private and public-sector policy staff responsible for SOPs.	A checklist of good regulatory practices (with case studies). 'How to' guideline that describes the steps in writing import conditions. 'How to' documents for SOPs
AMSs make information available to private-sector traders and international trading transparently	AMSs provide timely notifications to the WTO SPS Committee AMSs make information on SPS requirements easily available to private traders and trading partners and	National SPS contact points and senior officials	'How to' guidelines. Substantial resources exist for formal transparency processes

	respond to requests for information in a timely manner		
AMSs can negotiate on SPS measures with trading partners and standard setting bodies	AMS representatives have the skills to negotiate with trading partners AMS delegates engage with international SPS-related forums, understand the processes in place and present their country's needs effectively	AMS representatives and delegates who are responsible for negotiating	Training material is best suited to this objective. 'How to' and good practice for forums
AMSs understand how to obtain and use information on pest, disease and residue status when setting SPS measures	AMSs can assess surveillance data to support or investigate claims about pest, disease and residue status.	Policy and technical staff of relevant government agencies, possibly including negotiating staff	Some form of training is likely to be required, given the complexity of technical concepts involved; 'how to' documents for staff with sufficient baseline knowledge
Private-sector stakeholders are aware of their SPS obligations and engage in formal international trade in a manner consistent with international standards	Governments are effective in providing SPS information to private-sector Private-sector stakeholders understand the rationale and benefits of the SPS Agreement	Senior officials and staff with responsibility for engaging with private-sector stakeholders and the private sector	Consideration and refinement in Phase II depending on scope

6.5 Activities to ensure sustainable outcomes

Recommendations that individual AMSs and ASEAN should consider for future investment are presented in this section. These recommendations cut across multiple challenge areas, rather than a single category.

6.5.1 Knowledge management platform

A rich body of resources to assist effective implementation—including guidelines and expert contacts for specific SPS related areas—are scattered across the internet. Individuals in AMSs are often unaware of the existence of these resources or do not know how to access them. Although many of these resources are not fit for purpose and only available in a limited number of languages, they still represent a substantial resource for people working in SPS-related fields. An online knowledge management platform to direct individuals to specific resources was suggested as a possible recommendation by some AMS delegates at the Jakarta workshop. This platform could also house any regional implementation guidelines that are developed. AMSs could suggest resources they have found helpful for inclusion in the platform. Adequate capacity and funding would be required maintain the platform, collate resources and to assist AMSs with questions regarding the platform.

An alternative approach involves directing AMSs to the STDF Virtual Library, which acts as a repository of information on implementation of the SPS Agreement. The Library is a searchable online portal for guidelines, training materials, project reports, capacity assessments and research papers. AMSs should be encouraged to share resources with STDF and the international community through this platform. The Library does not contain expert contacts for different SPS areas, but some of these can be found on standard setting websites (e.g. expert contacts from OIE Reference Laboratories for notifiable diseases).

6.5.2 Continue work on capacity building projects

A lack of capacity is one of the biggest challenges to successful implementation. Technical capacity in some areas can be improved through regional guidelines; however institutional capacity also needs to be addressed. Institutional capacity includes leadership and commitment of resources, processes and actions to establish and implement SPS priority actions (Walker 2013). AMS capacity evaluations to identify gaps to concentrate capacity building efforts should be done regularly (how often is dependent on the rate of development and change in SPS systems). ASEAN should consider playing a coordinating role in ensuring countries carry these out. Many different capacity building tools are available to AMSs (see Appendix 1, Section 8: SPS capacity evaluation tools) and countries can prioritize which ones they use based on their needs. Unfortunately, the content (in addition to results) of some formal capacity building tools (e.g. IPPC PCE) is confidential. Navigating which of these resources to use can be difficult. The STDF has published the document *SPS-Related Capacity Evaluation Tools: An Overview of Tools Developed by International Organisations* to provide guidance on this: http://www.standardsfacility.org/sites/default/files/STDF_Capacity_Evaluation_Tools_Eng_1.pdf

Examples of capacity building projects with different approaches that future ASEAN regional work can be modelled on include the following:

- Australia-Africa Plant Biosecurity Partnership—forty-five plant biosecurity personnel from both the public and private sector in Africa undertook a programme of specialist technical and simulation training, and engagement, negotiation and communication skills over three years. Fifteen of the personnel completed placements in Australian biosecurity institutions and developed action plans targeted at specific national and regional biosecurity problems. Further monitoring and evaluation is required, however initial success has been observed with personnel gaining market

access and improving SPS measures for imported products.
<http://www.pbcrc.com.au/research/east-africa>

- STDF Project 108: Building SPS institutional capacity in the Americas—application of the tool Performance, Vision, Strategy for National Sanitary and Phytosanitary Systems, preparation of national SPS agendas and preparation and implementation of sub-projects based on these agendas.
<http://www.standardsfacility.org/PG-108>
- STDF Project 326: Boosting safe fruit and vegetable exports (Thailand and Vietnam)—aimed at building capacity to meet high value export markets through development of a competency-based education and training platform for the private and public sector.
<http://www.standardsfacility.org/PG-326>

6.5.3 Increase involvement and engagement in international forums

Some AMSs have limited engagement with international forums, such as the WTO SPS Committee, OIE World Assembly of Delegates, IPPC meetings and Codex Committee meetings. Rapid turnover of delegates to these forums should be minimised so that SPS knowledge and capacity can be improved and maintained. Delegates for international standards setting bodies should involve their national focal points and other stakeholders (including the private sector) in the standard setting process and in international SPS implementation initiatives, such as the recently formed OIE Observatory. Improved engagement in this area at the individual AMS and regional level may increase the likelihood that international standards reflect the needs of AMSs in the future.

ASEAN should consider a taking a regional approach to improving engagement by coordinating meetings prior to and after major forums, attending forums as an observer and procuring funding for attendees from AMSs who send individuals, rather than cohesive teams. An example is the ASEAN task force on Codex. This provides AMSs with a regional voice to more strongly influence Codex policy.

6.5.4 Develop a Monitoring and Evaluation Plan

Monitoring and evaluation are critical to measuring and assessing project performance, that is the progress towards and achievement of desired project outcomes. Monitoring refers to the continual and systematic measurement of project performance against agreed outcomes throughout project life. Evaluation is directed at the how and why outcomes are or are not achieved (UNDP 2002). A monitoring and evaluation plan should be developed prior to project commencement and include measurable agreed outcomes. The Organisation for Economic Development (OECD) has collated useful resources to assist in developing a monitoring and evaluation plan, which can be found at: <http://www.oecd.org/derec/guidelines.htm>

6.6 Summary of competencies

To address each of the identified challenges, the following competencies should be strengthened through the development of guidelines:

1. Incentives
 - Politicians and senior government officials understand and see value in the international SPS framework
2. Capacity
 - Basic principles of the SPS Agreement are applied to trade policies
 - Risk analysis is understood and applied, where necessary
 - The concept of ALOP is understood and applied

- AMSs engage with established capacity building pathways
3. Development of effective legislation, regulations, policies and procedures
 - Competent authorities can develop and review national legislation, regulations and policies in line with international standards
 - Import conditions are drafted effectively to reflect the country's needs and are in line with international standards
 - Effective SOPs are developed to guide operational activities related to implementation of the SPS Agreement
 4. Transparency of SPS requirements
 - AMSs provide timely notifications to the WTO SPS committee
 - AMSs make information on SPS requirements easily available to private traders and trading partners and respond to requests for information in a timely manner
 5. Negotiation with trading partners
 - AMS representatives have the skills to negotiate effectively with trading partners
 - AMS delegates engage with international standard setting forums, understand the processes in place and present their country's needs effectively
 6. Evidence to support claims about pest, disease or residue status
 - AMSs can collate and analyse available surveillance data to support claims about their pest, disease and residue status
 - AMSs can effectively scrutinise a trading partner's claims about pest, disease and residue status
 7. Opportunities for the private sector
 - Governments are effective in providing information about international trade to private-sector stakeholders
 - Private-sector stakeholders understand the rationale and benefits of SPS measures aligned with international standards.

These guidelines should be fit for purpose and build on existing resources.

7 Conclusion

Implementation ('putting into effect') of the SPS Agreement and international standards covers a broad range of actions. The maturity of SPS systems and capability to undertake these actions varies considerably between AMSs. To varying degrees, AMSs face difficulties in the following challenge areas: incentives; capacity; development of legislative and regulatory frameworks; transparency; negotiation; evidence to support disease, pest or residue status; and opportunities for the private sector. There is substantial commonality in these challenges across the domains of food safety (Codex), plant health (IPPC) and animal health (OIE), and across AMSs.

A key interest of the ASEAN Secretariat in overcoming these challenges is to develop regional implementation guidelines. The broad aim of these guidelines would be to improve knowledge, attitudes and/or practices (KAP) to enhance implementation. It is useful to view each challenge as an opportunity for improvement and to articulate a desired high-level that overcomes the challenge, then to develop specific competencies relating to enhancing the KAP of specific stakeholder groups. This report presents a series of these high-level outcomes and associated competencies which may be addressed through some

form of guideline (see Section 6.4) and prioritises these for Phase II in Section 8. The choice of guideline type should consider the specific competency, the target audience and other contextual and resource factors that influence effectiveness and sustainability.

Where possible, it is important to build on existing resources (for example, guidance documents developed by standard setting bodies), many of which are presented in Appendix 1 of this report. Information on the use and impact of existing resources in AMSs is largely absent and there is a pressing need to integrate monitoring and evaluation in all future initiatives.

Many challenges to implementation cannot be addressed by regional implementation guidelines alone and require long term capacity development and/or changes to the broader macroeconomic environment. Strategic recommendations to improve sustainability of desired high-level outcomes include: develop a knowledge sharing platform, continue work on capacity building projects, increase engagement in international standard setting forums, and develop a monitoring and evaluation plan for implementation of Phase II.

8 Recommendations for the development of a workplan to implement Phase II

8.1 *Prioritised competencies*

Resources to develop and implement guidelines are limited (Muhammad Rudy Khairudin bin Mohd Nor, pers. com. April 2018). Therefore, the AANZFTA SC SPS have requested a prioritised list of competencies and guidelines. This section includes those competencies that both address the most important challenges and that can be addressed with a guideline. In addition, the form and target of a guideline for these competencies is presented. This section should form the basis of an implementation plan when the AANZFTA SC SPS implements Phase II of the project. A detailed implementation plan is beyond the scope of this project as it is a substantial piece of work and not listed within the TOR.¹

The key competency priorities (see Table 2) fall in the following challenge areas:

1. Developing SPS legislation, regulations, policies and procedures
2. Capacity
3. Using evidence to support claims about pest, disease or residue status.

The priority challenges and resulting competencies are best addressed with two main forms of a guideline—a sustainable, scalable training guideline and ‘how to’ guidelines. In general, the targets of these guidelines are government staff involved in SPS implementation and management. See Table 2.

8.2 *Development of guidelines*

This review has outlined the possible forms of guidelines but has not definitively determined their appropriate form. For example, the guideline might outline an e-learning programme identifying existing

¹ An implementation plan requires project planning, governance structures, engagement of stakeholders, risk management, monitoring and review, resource management (including budgeting) and a management strategy.

material that would deliver the required outcome or it might recommend a training programme such as a workshop. See Table 2.

A sustainable, scalable training guideline should be a stand-alone training course translated into each AMS language. For example, an online training course which includes reading material (notes), videos/PowerPoints and worked case studies would be a suitable form. In general, a self-motivated employee should be able to complete the training without facilitated training to ensure it is scalable, sustainable and permanently accessible for new employees. Despite this, for some capacities or where skills are very low, facilitated training may be advantageous, in which case, train the trainer approaches should be taken using core ASEAN and AMS staff as trainers. A mediated chat room could be more cost effective and efficient if face to face training is too expensive. The training should focus heavily on scenarios and requiring participants to consider how they would apply the teaching focus to the problem at hand.

'How to' guidelines are a set of directions about how to complete a task, and can include discussion, reasoning and worked case studies.

Key resources identified to assist successful implementation of the SPS Agreement can be found in Appendix 1 of this report. Some of these align with the prioritised competencies identified. For the most part, an awareness of and accessibility to existing resources to AMS stakeholders appears limited. It is recommended that before developing the guidelines the usefulness and applicability of existing resources be considered.

Translation of training materials should be prioritised on completion of Phase II.

8.3 Sustainability

To improve sustainability Phase II must consider and prescribe options to ensure the developed guidelines are accessible to all AMSs and that all guidelines are kept up to date. This could be achieved through collaboration with STDF to use the STDF Virtual Library or development of a knowledge management platform. Additionally, the outcomes of Phase II must be monitored and evaluated to assess their effectiveness and usefulness to AMSs. It is recommended that this be conducted by ASEAN (see Section 6.5).

Table 2: Prioritised competencies targeting key challenges that can be addressed through guidelines, with guideline form and target audience.

Challenge: Capacity	
Priority competency objective	Existing resources, recommended form of guidelines and target audience
Basic principles of the SPS Agreement are applied to trade policies	<p><i>Existing resources:</i> There are several resources on principles including by the WTO (see Appendix 1). These are useful references. Despite this, the key principles are not applied in some AMSs. This is because descriptions of principles are not sufficient to deepen understanding: the rationale behind the SPS agreement (the ‘why’) and practical methods to implement (the ‘how’) are required (Walker 2013).</p> <p><i>Recommended form of guideline:</i> A sustainable, scalable online training guideline is the most likely form of guidelines to be effective for this objective.</p> <p><i>Target audience:</i> These guidelines would target government staff responsible for developing trade policies and overseeing their implementation.</p>
The concept of Appropriate Level of Protection is understood and applied	<p><i>Existing resources:</i> The ALOP is defined in various locations, including the WTO and each of the international standards setting bodies. However, the concept is nebulous and difficult to implement practically. For example, most AMSs do not state what their implemented ALOP is. Many implicitly pursue an ALOP that is different to the normative international standards, despite a SPS status that would generally be suitably managed with normative standards.</p> <p><i>Recommended form of guideline:</i> This ‘guideline’ would logically be incorporated in to the principles training course (above).</p> <p><i>Target audience:</i> These guidelines would target government staff responsible for developing trade policies and overseeing their implementation. In addition, higher management staff should benefit from training as they implicitly set the ALOP through leading and approving policy development.</p>
Risk analysis and risk management is understood and applied, where necessary	<p><i>Existing resources:</i> There are ample resources on how to conduct risk analyses and management, including principles (by standards bodies) and practical training courses for example delivered to AMSs by the Australian Department of Agriculture and Water Resources, New Zealand Ministry for Primary Industries and Ausvet in the past. These existing resources should be refined and form the basis of new resources.</p>

	<p><i>Recommended form of guideline:</i> A sustainable, scalable online training guideline. Effectiveness may be improved by presenting scenarios and requiring participants to consider how to conduct risk analyses. The course will need to have specific parts developed for plant, animal and food risk analyses as relevant for participants from these three areas. The focus should be on simple qualitative methods, rather than more complex quantitative methods.</p> <p><i>Target audience:</i> These guidelines would target government staff responsible for conducting risk analyses. The course should be coordinated with the ALOP portion of the training course to ensure staff can decide if a risk analysis is required, as well as develop analysis skills.</p>
AMSs engage with established capacity building pathways	<p><i>Existing resources:</i> Each of the standard setting bodies have documentation on how to engage with the capacity building pathways. In addition, the STDF provides a useful summary of all the pathways in one document. (see Appendix 1)</p> <p><i>Recommended form of guideline:</i> ‘How to’ guidelines on how to incorporate existing capacity building pathways at various stages of assessment, prioritisation, advocacy, planning and review of national capacity.</p> <p><i>Target audience:</i> Senior government officials responsible for strategic planning and resource allocations.</p>
Challenge: Legislation, regulations, policies and procedures	
Priority competency objective	Existing resources, recommended form of guidelines and target audience
Competent authorities can develop and review national legislation, regulations and policies in line with international standards	<p><i>Existing resources:</i> There are some existing resources including the ASEAN good regulatory practice guide (Anon. 2009) and standards (e.g. the OIE Terrestrial Code on veterinary legislation) (see Appendix 1).</p> <p><i>Recommended form of guideline:</i> A checklist of good regulatory and legislative practices (with case studies applying the checklist) that is consistent with the ASEAN GRP guideline and standards.</p> <p><i>Target audience:</i> Government staff and senior management responsible for legislation, regulation and policies.</p>
Import conditions are drafted effectively to reflect the country’s needs and are in line with international standards	<p><i>Existing resources:</i> The IPPC provides a manual on import verification including writing import guidelines.</p>

	<p><i>Recommended form of guideline:</i> ‘How to’ guideline with case studies that describe the steps in writing import conditions.</p> <p><i>Target audience:</i> Government staff responsible for writing import conditions, including senior staff who have responsibility for approving conditions.</p>
Standard Operating Procedures (SOPs) are effective in guiding operational activities related to implementation of the SPS Agreement	<p><i>Existing resources:</i> There are many examples of how to write good SOP, but none focused on SPS measures.</p> <p><i>Recommended form of guideline:</i> ‘How to’ document for SOP writing including case studies.</p> <p><i>Target audience:</i> Government staff responsible for implementing import conditions. Private sector staff that manage quality controls and export access.</p>
Challenge: Evidence to support claims about pest, disease or residue status	
Priority competency objective	Existing resources, recommended form of guidelines and target audience
AMSs can obtain, collate and analyse available surveillance data to support and assess claims about pest, disease and residue status	<p><i>Existing resources:</i> This is a technical area of competency supported by numerous scientific resources that require expert synthesis to enable development of training resources.</p> <p><i>Recommended form of guideline:</i> A sustainable, scalable online training guideline. Effectiveness will be improved by presenting scenarios and requiring participants to consider how they would provide evidence for disease/pest freedom or assess a trading partner’s claim. Rather than focussing on advanced epidemiology or statistical techniques, training should initially focus on how to gather and analyse evidence from existing sources, respond to trade partner requests for information and recognize when evidence is not sufficient to substantiate disease, pest or residue claims. Later, if resources enable, more advanced statistical training can be provided.</p> <p><i>Target audience:</i> Policy and technical staff of relevant government agencies that contribute to national surveillance and international trade negotiation.</p>

9 References

- Achterbosch, T. J., A. Engler, M.-L. Rau and T. Toledo (2009). Measure the measure: the impact of differences in pesticide MRLs on Chilean fruit exports to the EU. International Association of Agricultural Economists Conference. Beijing, China.
- ADB (2012). Detailed Sanitary and Phytosanitary (SPS) Issues Sector Assessment. Trade Facilitation: Improved SPS Handling in GMS Trade Project (RRP REG 43120), Asian Development Bank.
- ADB (2017). Strategy for promoting safe and environment-friendly agro-based value chains in the Greater Mekong Subregion and Siem Reap action plan, 2018-2022, Asian Development Bank.
- Anon (2014). Cambodia Trade Integration Strategy 2014-2018.
- Anon. (2009). ASEAN good regulatory practice (GRP) guide. Jakarta, Indonesia ASEAN: 9.
- ASEAN (2018). ASEAN Trade Repository. Jakarta, Indonesia The ASEAN Secretariat.
- Bruckner, G. K. (2011). "Managing the risks of disease transmission through trade: a commodities-based approach?" Revue Scientifique Et Technique-Office International Des Epizooties **30**(1): 289-296.
- Chen, J. (2004). "Challenges to developing countries after joining WTO: risk assessment of chemicals in food." Toxicology **198**(1-3): 3-7.
- Coker, R. J., B. M. Hunter, J. W. Rudge, M. Liverani and P. Hanvoravongchai (2011). "Emerging infectious diseases in southeast Asia: regional challenges to control." Lancet **377**(9765): 599-609.
- FAO (2015). Global phytosanitary manuals, standard operating procedures and training kits. Rome, Italy.
- Henson, S. (2016). Prioritizing SPS Investments for Market Access- P-IMA: A framework to inform and improve SPS decision-making processes. Geneva, Switzerland, STDF.
- ITC (2017). Philippines: Company perspectives. An ITC series on non-tariff measures.
- Jaffee, S., S. Henson, M. Sewadeh, P. Pentney and F. Musconda (2010). Indicators to Measure the Performance of a National SPS System STDF / OECD Working Paper (DRAFT). Geneva, Switzerland, STDF/OECD.
- Neeliah, S. A. and D. Goburdhun (2010). "Complying with the clauses of the SPS Agreement: Case of a developing country." Food Control **21**(6): 902-911.
- Rojanasupamit, N. (2017). ASEAN Single Window Pilot Project: Electronic Phytosanitary Certificate, ETDA.
- Rutter, K. and J. Weaver (2016). Feasibility study to improve veterinary services and reduce the spread of trans-boundary animal diseases in Cambodia, Lao PDR and Myanmar, OIE.
- STDF. (2017). "Standards and Trade Development Facility." Retrieved 28 December, 2017, from <http://www.standardsfacility.org/>.
- Thrusfield, M. (2005). Veterinary Epidemiology. Oxford, Blackwell Science Ltd.
- UN. (2017). "Least Developed Countries (LDCs)." Retrieved 29 November 2017, from <https://www.un.org/development/desa/dpad/least-developed-country-category.html>.

UNDP (2002). Handbook on Monitoring and Evaluation for Results. New York, USA, United Nations Development Program (UNDP).

UNDP (2010). Measuring Capacity. New York City, USA, United Nations Development Programme.

van der Meer, K. (2014). Implementing SPS Measures to Facilitate Safe Trade: Principles and Practice in Cambodia, LAO PDR, Philippines and Thailand. Geneva, Switzerland, STDF.

van der Meer, K. (2014). Implementing SPS Measures to Facilitate Safe Trade: Principles and Practice in Cambodia, LAO PDR, Philippines and Thailand. Geneva, Switzerland, Standards and Trade Development Facility: 61.

van der Meer, K. and M. Marges (2014). Implementing SPS measures to facilitate safe trade in the Philippines: Country study conducted for the Standards and Trade Development Facility Geneva, Switzerland, STDF.

Viet Cuong, T., N. Thi Hong Mai, N. Quang Hieu and S. Henson (2013). Using Multi Criteria Decision Analysis to Identify and Prioritise Export-Related Sanitary and Phytosanitary Capacity-Building Options in Viet Nam, STDF.

Walker, K. (2013). Promoting the effective participation of SADC Member States in the WTO SPS Committee Geneva, Switzerland, STDF.

Weaver, J. (2016). Review of the Performance of Veterinary Services Evaluations and Gap Analysis of ASEAN countries Paris, France, OIE.

World Bank (2005). Tanzania's Agro-Food Trade and Emerging Sanitary and Phytosanitary (SPS) Standards: Toward a Strategic Approach and Action Plan. Washington DC, USA, World Bank.

WTO (2014). Accession to the World Trade Organisation: Procedures for negotiating under Article XII. Templates for accession negotiating inputs in the areas of SPS, TBT, IPRs and Industrial Policy including subsidies. . Secretariat. Geneva, Switzerland, World Trade Organisation.

WTO (2016). Working Session: Standards and Regulations - Do SMEs have a stake. Geneva, Switzerland, World Trade Organisation.

WTO. (2017). "Sanitary and Phytosanitary Information Management System." Retrieved 30 November, 2017, from <http://spsims.wto.org/>.

WTO (2017). Trade Policy Review: Cambodia. Geneva, Switzerland, World Trade Organization.

Yusuf, S., S. K. Himmi, B. Santoso, D. Tarmadi and D. Zulfiana (2013). Semi-permanent immunization treatment (SPIT): an alternative treatment for wood packaging materials under ISPM no. 15 in Indonesia. 3rd International Conference on Sustainable Future for Human Security, SUSTAIN 2012. N. A. Utama, B. C. McLellan, H. Tarno et al., Elsevier Science Bv, Sara Burgerhartstraat 25, Po Box 211, 1000 Ae Amsterdam, Netherlands. **17**: 89-96.

Appendix 1: Resources to assist implementation of the SPS Agreement

1. Resources aligned to competency objectives for regional implementation guidelines

Politicians and senior government officials understand and see value in the international SPS framework.

- *Analysing the benefits of implementing the IPPC: A review of the benefits of contracting party implementation.*
<http://www.fao.org/3/a-i7267e.pdf>

This document summarizes the benefits of implementing the IPPC ISPMs and includes case studies from around the world.

- *The WTO...Why it Matters*
https://www.wto.org/english/thewto_e/minist_e/min01_e/wto_matters_e.pdf

- *STDF Resources (briefing notes)*
<http://www.standardsfacility.org/briefings>

This includes a wide variety of briefing notes on topics such as facilitating safe trade.

- *STDF YouTube channel*
<https://www.youtube.com/c/STDFvideos>

This provides a wide variety of information including case studies on successful implementation of relevant SPS trade.

- *DAWR SPS measures summary*
http://www.agriculture.gov.au/SiteCollectionDocuments/animal-plant/plant-health/publications/taxonomy/wto_sps_agreement_booklet.pdf

A basic summary of the WTO SPS Agreement

Basic principles of the SPS Agreement are understood and applied to trade policies.

- *The WTO sanitary and phytosanitary (SPS) Agreement: why you need to know...*
<http://www.agriculture.gov.au/market-access-trade/sps/sps>

These booklets briefly outline the basic principles of the SPS Agreement. It is available in English, Bahasa, Vietnamese and Khmer

- *Committee on Sanitary and Phytosanitary Measures: Major Decisions and Documents*
https://www.wto.org/english/tratop_e/sps_e/decisions06_e.htm

This compilation contains a vast amount of information and guidance on the basic principles for the SPS Agreement and practical implementation including:

- Procedure to Monitor the Process of International Harmonization
- Guidelines to Further the Practical Implementation of Article 5.5 (Consistency)
- Guidelines to Further the Practical Implementation of Article 6 of the Agreement on the Application of SPS Measures (Regionalization)

- Recommended Procedures for Implementing the Transparency Obligations of the SPS Agreement (Article 7)
- Procedure to Enhance Transparency of Special and Differential Treatment in Favour of Developing Country Members
- Review of the Operation and Implementation of the Agreement on the Application of SPS Measures.
- *Codex Guidelines for the Development of Equivalence Regarding Food Imports and Export Inspection and Certification Systems*
http://www.fao.org/fao-who-codexalimentarius/sh-proxy/en/?lnk=1&url=https%253A%252F%252Fworkspace.fao.org%252Fsites%252Fcodex%252FStandards%252FCAC%2BGL%2B34-1999%252FCXG_034e.pdf
- *Codex Guidelines on the Judgement of Equivalence of Sanitary Measures associated with Food Inspection and Certification Systems*
http://www.fao.org/fao-who-codexalimentarius/sh-proxy/en/?lnk=1&url=https%253A%252F%252Fworkspace.fao.org%252Fsites%252Fcodex%252FStandards%252FCAC%2BGL%2B53-2003%252FCXG_053e.pdf
- *WTO How to Apply the Transparency Provisions of the SPS Agreement*
https://www.wto.org/english/tratop_e/sps_e/spshand_e.pdf
- *Procedural Step-by-Step Manual for SPS National Notification Authorities and SPS National Enquiry Points*
https://www.wto.org/english/res_e/booksp_e/sps_procedure_manual_e.pdf

Risk analysis is understood and applied, where necessary.

- *Handbook on Import Risk Analysis for Animals and Animal Products*
 Volume 1: <http://www.oie.int/doc/ged/D6586.pdf>
 Volume 2: <https://www.oie.int/doc/ged/D11250.PDF>
 The above links are to the contents pages of this handbook only—the volumes contain detailed information on the important concepts and approaches to risk analyses, such as the use of a decision tree to determine whether a pathogen is a hazard (hazard ID)—hard copies of each volume can be purchased from the OIE
- *IPPC Training material on pest risk analysis*
<https://www.ippc.int/en/core-activities/capacity-development/training-material-pest-risk-analysis-based-ippc-standards/Users>
 The IPPC have published three manuals and all supporting material for a training course designed by experts aimed at increasing PRA capacity
- *FAO Risk Assessments for pathogen-commodity combinations*
<http://www.fao.org/food/food-safety-quality/scientific-advice/jemra/risk-assessments/en/>
 Examples of food safety risk assessments for different pathogens in a variety of food substances e.g. *Vibrio* spp. in seafood
- *Australian Government Department of Agriculture and Water Resources Biosecurity Risk Analyses*
<http://www.agriculture.gov.au/biosecurity/risk-analysis>

The Australian Government publishes online all completed import risk analyses for plant and animal commodities—risk analyses are specific to a country's ALOP so the findings and risk management measures cannot be simply translated to AMSs, however they are a useful example of the application of risk analysis.

The concept of Appropriate Level of Protection is understood and applied.

- *Determining an FSO/ALOP for Application in Developing Countries*
http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2853317&download=yes

This journal article provides useful background information and an approach for determining an ALOP for food commodities in developing countries where data availability is limited.

AMSs engage with established capacity building pathways.

- *SPS-Related Capacity Evaluation Tools: An Overview of Tools Developed by International Organisations*
http://www.stdf.org/sites/default/files/STDF_Capacity_Evaluation_Tools_Eng_1.pdf

This STDF publication provides overview of capacity building evaluation tools available to assist countries in deciding which tools to use and apply in their own context.

Regulatory frameworks can be developed and/or refined so they align with the international standards.

- *Terrestrial Code Chapter 3.4 on veterinary legislation*
http://www.oie.int/fileadmin/Home/eng/Support_to_OIE_Members/docs/pdf/A_Update_2012_Chapter_3.4_Vet_legislation.pdf

This Code chapter has replaced previous guidelines on Veterinary Legislation.

- *ASEAN Good Regulatory Practice Guidelines*
regulatoryreform.com/wp-content/uploads/2015/08/ASEAN-Good-Regulatory-Practice-GRP-Guide-2009.pdf

This sets out the ASEAN regulatory policy guideline to encourage simple, appropriate and harmonised management of regulations across ASEAN to increase efficiency and ensure transparent and useful regulations.

Import conditions are drafted effectively to reflect the country's needs and are in line with international standards.

- *Import verification: A guide to import verification for national plant protection organisations*
http://www.phytosanitary.info/sites/phytosanitary.info/files/Import_verification_manual_English_1.1.pdf

This manual provides guidance on import verification of plant commodities as an aspect of the broader subject of import regulation— contains good guidance on the processes and considerations for setting import conditions (SPS requirements).

Effective Standard Operating Procedures (SOPs) are developed to guide operational activities related to implementation of the SPS Agreement. Standard Operating Procedures (SOPs) are effective in guiding operational activities related to implementation of the SPS Agreement.

- *USA Environmental Protection Agency Guidance for Preparing Standard Operating Procedures*

<https://www.epa.gov/sites/production/files/2015-06/documents/g6-final.pdf>

Although these guidelines have been produced for non SPS related activities it outlines the basic ingredients of a good SOP.

AMSs provide timely notifications to the WTO SPS Committee.

AMSs make information on SPS requirements easily available to private traders and trading partners and respond to requests for information in a timely manner.

- *How to apply the transparency provisions of the SPS Agreement*

https://www.wto.org/english/tratop_e/sps_e/spshand_e.pdf

The WTO has produced this document that outlines the obligations of Members and provides case studies

AMS representatives have the skills to negotiate effectively with trading partners

- *Intensive course on trade negotiation skills*

https://www.wto.org/english/tratop_e/devel_e/train_e/negotiations_skills_e.htm

Upcoming courses aimed at improving participants understanding of trade negotiations. Training material is not currently available online.

AMS delegates engage with international standard setting forums, understand the processes in place and present their country's needs effectively

- *Enhancing Participation of African Countries in the WTO SPS Committee*

<http://www.au-ibar.org/component/jdownloads/finish/76-tmt/1912-enhancing-the-participation-of-african-countries-in-the-wto-sps-committee-a-handbook-for-guidance-of-participation-of-african-countries>

This handbook was produced for African Countries, but it provides a useful overview of SPS Committee processes and how to participate effectively SPS Committee meetings.

- *Standard Setting Process of the World Organisation for Animal Health (OIE): A Handbook for Guidance of Participation for African Countries*

<https://www.oie.int/doc/ged/D14212.PDF>

This handbook has an African focus, but is relevant to all Members looking for simple guidance on the standard setting process for the OIE—understanding this process can improve Member participation

- *Handbook of Good Practices for Participation in Meetings of the International Plant Protection Convention*

[http://www.standardsfacility.org/sites/default/files/Handbook%20of%20Good%20Practices%20for%20Participation%20in%20Meetings%20of%20the%20International%20Plant%20Protecti](http://www.standardsfacility.org/sites/default/files/Handbook%20of%20Good%20Practices%20for%20Participation%20in%20Meetings%20of%20the%20International%20Plant%20Protection%20Convention%20%28IPPC%29.pdf)

on%20Convention%20%28IPPC%29.pdf

Provides guidance for IPPC meetings aimed

- *Handbook of Good Practices for Participation in Codex Alimentarius*

<http://www.standardsfacility.org/sites/default/files/Handbook%20of%20Good%20Practices%20for%20Participation%20in%20Codex%20Alimentarius%20Meetings.pdf>

AMSs can collate and analyse available surveillance data to support claims about their pest, disease and residue status

AMSs can effectively scrutinise a trading partner's claims about pest, disease and residue status

- *Australian Centre for International Agriculture Research Guidelines for surveillance for plant pests in Asia and the Pacific*

<http://aciarc.gov.au/files/node/2311/MN119%20Part%201.pdf>

This guideline covers technical aspects of pest surveillance, as well as case studies from the Asia-Pacific region.

Governments are effective in providing information about international trade to private-sector stakeholders

Private-sector stakeholders understand the rationale and benefits of SPS measures aligned with international standards

- *ADB Public-Private Partnership (PPP) Handbook*

<https://www.adb.org/documents/public-private-partnership-ppp-handbook>

This handbook is designed for staff of international organisations and countries to develop PPPs

- *STDF public-private partnerships to enhance SPS capacity*

http://www.standardsfacility.org/sites/default/files/STDF_PublicPrivatePartnerships_EN_1.pdf

Another guide to establishing PPPs and the benefits of doing so.

2. Other key resources

The World Trade Organisation and SPS Agreement

- *WTO Agreements Series: Sanitary and Phytosanitary Measures*

http://www.wto.org/english/res_e/booksp_e/agrmntseries4_sps_e.pdf

International Standards

OIE: Animal Health Standards Documents

- *Terrestrial Animal Health Code*

<http://www.oie.int/international-standard-setting/terrestrial-code/access-online/>

- *International Aquatic Animal Health Code*

<http://www.oie.int/international-standard-setting/aquatic-code/access-online/>

- *Manual of Standards for Diagnostic Tests and Vaccines for Terrestrial Animals*

<http://www.oie.int/international-standard-setting/terrestrial-manual/access-online/>

- *Manual of Standards and Diagnostic Tests for Aquatic Animals*

<http://www.oie.int/international-standard-setting/aquatic-manual/access-online/>

- *Resolutions of the World Assembly of Delegates*

<http://www.oie.int/about-us/key-texts/resolutions-and-recommendations/resolutions-adopted-by-the-oie-international-committee/>

IPPC: Plant Health Standards Documents

- *International Standards for Phytosanitary Measures (ISPMs)*
<https://www.ippc.int/en/core-activities/standards-setting/ispms/>
- *Explanatory documents for ISPMs*
<https://www.ippc.int/en/core-activities/standards-setting/explanatory-documents-international-standards-phytosanitary-measures/>

CODEX Alimentarius: Food Safety Standards Documents

- *Codex Standards*
<http://www.fao.org/fao-who-codexalimentarius/codex-texts/list-standards/en/>
- *Codex Guidelines*
<http://www.fao.org/fao-who-codexalimentarius/codex-texts/guidelines/en/>
- *Codex Codes of Practice*
<http://www.fao.org/fao-who-codexalimentarius/codex-texts/codes-of-practice/en/>

OIE resources to support implementation of the standards

- *OIE Revue Scientifique et Technique*
This is a scientific journal produced by the OIE that covers many topics relevant to implementation, including the latest information on significant diseases—it can be accessed via the OIE website; however, navigation is difficult and journal databases such as PubMed are more user friendly
- *OIE Observatory: Strengthening the implementation of OIE standards by member countries*
<http://www.oie.int/standard-setting/overview/oie-observatory/>
The OIE Observatory is a new initiative and members are encouraged to become actively involved, including by providing complete and timely responses to the OIE questionnaire circulated for Technical Item 1 of the General session 2018 on ‘Implementation of OIE Standards by Members, State of Play, and Specific Capacity Building Needs’
- *Facilitating safe trade: How to use the Terrestrial Code to set health measures for trade in terrestrial animals and products*
http://www.oie.int/fileadmin/Home/eng/International_Standard_Setting/docs/pdf/A_IMPORT_HEALTH_MEASURES_1.pdf
The OIE Terrestrial is long and dense— this document provides much needed guidance on how to interpret and practically use the Code to set sanitary measures
- *Guide to Veterinary Statutory Body Twinning Projects*
http://www.oie.int/fileadmin/Home/statutory/en/VSB_Twinning_Guide.pdf
- *A Guide to Veterinary Education Twinning Projects*
http://www.oie.int/fileadmin/Home/eng/Support_to_OIE_Members/docs/pdf/VetEduTwinning_Guide_final2016.pdf

- *A Guide to OIE Certified Reference Centre Twinning Projects*
http://www.oie.int/fileadmin/Home/eng/Support_to_OIE_Members/docs/pdf/A_Twinning_Guide_2014.pdf

IPPC resources to support implementation of the ISPMs

- *Explanatory documents for ISPMs*
<https://www.ippc.int/en/core-activities/standards-setting/explanatory-documents-international-standards-phytosanitary-measures/>
Prepared by experts these documents are not official standards in themselves, but provide supportive information for interpreting the standards
- *IPPC Technical Resources*
<http://www.phytopsanitary.info/ippc-technical-resources>
The IPPC Technical Resources web pages contain many manuals and guidelines, a training kit and fact sheets
- *IPPC Contributed Resources*
<http://www.phytopsanitary.info/contributed-resources>
The IPPC Contributed Resources are shared by members and reviewed by the IPPC Capacity Development Committee for consistency and relevancy— they provide guidance on general matters, such as pest detection and surveillance as well as information on specific pests.

Codex resources to support implementation of the standards, guidelines and codes of practice

- *Understanding Codex book*
<http://www.fao.org/3/a-i5667e.pdf>
A general overview of Codex Alimentarius
- *Codex E-Learning Course*
<http://www.fao.org/fao-who-codexalimentarius/resources/elearning-course/en/>
This course provides more in-depth guidance on how to use Codex than the understanding Codex book with approximately 10 hours of content
- *Technical Guidelines for the Implementation of the International Code of Conduct on Pesticide management*
<http://www.fao.org/agriculture/crops/thematic-sitemap/theme/pests/code/list-guide-new/en/>
- *Guidelines from the Joint FAO-WHO Expert Committee on Food Additives*
<http://www.fao.org/food/food-safety-quality/scientific-advice/jecfa/guidelines0/en/>

Standards and Trade Development Facility (STDF) resources

The STDF “supports developing countries in building their capacity to implement international sanitary and phytosanitary (SPS) standards, guidelines and recommendations as a means to improve their human, animal, and plant health status and ability to gain or maintain access to markets” (STDF 2017). The STDF website has an abundance of valuable information and resources.

- *Facilitating safe trade*
<http://www.standardsfacility.org/facilitating-safe-trade>

Several projects have been completed under the facilitating safe trade umbrella—of relevance are the regional report and country specific reports on implementing SPS measures for Cambodia, Laos, the Philippines and Thailand

- *STDF Virtual Library*

<http://www.standardsfacility.org/library>

Online portal for SPS guidelines, training materials, project reports, capacity assessments and other documents—resources are from a wide range of sources, rather than solely STDF funded work.

- *Electronic SPS certification*

<http://www.standardsfacility.org/SPS-eCert>

- *SPS Investments for Market Access (P-IMA)* –

<http://www.standardsfacility.org/p-ima>

P-IMA is a framework to help countries improve SPS planning and decision-making processes. A case study of application of the P-IMA framework in Vietnam can be found at: http://www.standardsfacility.org/sites/default/files/Vietnam_MCDA_report_June2013.pdf

- *STDF Project grant database*

A search of project grants reveals the following projects relevant to AMSs

- STDF/PG/486: Improving compliance with SPS measures to increase export revenues in the oilseed value chain. Myanmar. <http://www.standardsfacility.org/PG-486>
- STDF/PG/432: Strengthening information systems for pest surveillance and reporting in Asia Pacific. Cambodia, Laos, Malaysia, Philippines, Thailand, Vietnam. <http://www.standardsfacility.org/PG-432>
- STDF/PG/381: CocoaSafe: SPS capacity building and knowledge sharing for the cocoa sector in Southeast Asia. Indonesia, Malaysia. <http://www.standardsfacility.org/PG-381>
- STDF/PG/328: Beyond Compliance: Integrated Systems Approach for Pest Risk Management. Indonesia, Malaysia, Philippines, Thailand, Vietnam. <http://www.standardsfacility.org/PG-328>
- STDF/PG/326: Market access through Competency Based Education and Training in Horticulture (MACBETH). Thailand, Vietnam. <http://www.standardsfacility.org/PG-326>
- STDF/PG/259: Strengthening Vietnamese SPS Capacities for Trade - Improving safety and quality of fresh vegetables through the value chain approach. Vietnam. <http://www.standardsfacility.org/PG-259>
- STDF/PG/246: SPS Action Plan for Cambodia. Cambodia. <http://www.standardsfacility.org/PG-246>
- STDF/PG/120: Building capacity to use the Phytosanitary Capacity Evaluation (PCE) Tool in the Pacific. Asia-Pacific countries. <http://www.standardsfacility.org/PG-133>
- STDF/PG/009: Model programme for developing food standards within a risk analysis framework. Asia-Pacific countries. <http://www.standardsfacility.org/PG-009>

Additional transparency resources and tools

- *Sanitary and Phytosanitary Information Management System*

<http://spsims.wto.org>

This online database houses all SPS notifications and Specific Trade Concerns as well as other SPS-related documents circulated by the WTO.

- *ePing*
<http://www.epingalert.org/en>
An online SPS notification alert system
- ITC Market Access Map
<http://www.macmap.org/>
Online map free for developing countries with information on trade requirements
- ASEAN Trade Repository
<http://atr.asean.org/>
Online repository for trade legislation, rules and requirements which links to individual national trade repositories/portals.

SPS capacity evaluation tools

- *IPPC Phytosanitary Capacity Evaluation Tool (PCE)*
<https://www.ippc.int/core-activities/capacity-development/phytosanitary-capacity-evaluation>
- *FAO Strengthening national food control systems: Guidelines to assess capacity building needs*
<http://www.fao.org/3/a-a0601e.pdf>
- *FAO Guide to assess biosecurity capacity (Part 2 of the FAO Biosecurity Toolkit)*
- <http://www.fao.org/docrep/010/a1140e/a1140e00.htm>
- *OIE Tool for the Evaluation of Performance of Veterinary Services*
http://www.oie.int/fileadmin/Home/eng/Support_to_OIE_Members/pdf/A_PVS_Tool_Final_Edition_2013.pdf
- *OIE Tool for the Evaluation of Performance of Veterinary Services and/or Aquatic Health Services (OIE PVS Tool: Aquatic)*
<https://www.oie.int/doc/ged/D13259.PDF>
- *IICA Performance, Vision and Strategy (PVS) for National Veterinary Services*
<http://repiica.iica.int/DOCS/B0750I/B0750I.PDF>
- *IICA Performance, Vision and Strategy (PVS) for National Food Safety Services*
<http://repiica.iica.int/docs/B0701i/B0701i.PDF>
- *IICA Performance, Vision and Strategy (PVS) for National Plant Protection Organisations*
<http://repiica.iica.int/DOCS/B2117I/B2117I.PDF>
- *IICA Performance, Vision and Strategy (PVS) for SPS: An Institutional Vision*
<http://repiica.iica.int/DOCS/B0744I/B0744I.PDF>
- *UNDP/GEF National Capacity Self Assessments*
<http://repiica.iica.int/DOCS/B0744I/B0744I.PDF>

International organisation projects and resources

- *Asian Development Bank (ADB) Project - Trade Facilitation: Improved Sanitary and Phytosanitary (SPS) Handling in the Greater Mekong Sub-Region (GMS)*

All outputs from this series of projects are useful and provide detailed information on challenges and recommendations for effective implementation, particularly in the LDCs. Some reports are not currently publicly available, and work is ongoing.

- *ADB Project - Modernizing Sanitary and Phytosanitary Measures to Facilitate Trade in Agricultural and Food Products*

<https://www.adb.org/sites/default/files/publication/30251/modernizing-sps-measures-facilitate-trade.pdf>

Although this project focuses on Central Asia the report on the development of an SPS Plan highlights many of the same difficulties and recommendations in this report

- *Asia-Pacific Economic Cooperation (APEC) Food Safety Cooperation Forum Partnership Training Institute Network*

<http://fscf-ptin.apec.org/>

This Network provides training and resources to strengthen implementation of food safety standards

- *The United Nations Industrial Development Organisation (UNIDO) Trade Capacity Building Resources Guide*
https://tii.unido.org/?_ga=2.107894146.1490308164.1520400790-1800094002.1520400790

UNIDO assists countries implement WTO Agreements on technical barriers to trade and SPS measures. The organisation reports on assistance provided by OECD countries to developing countries through the Trade Capacity Resources Guide, which is online and regularly updated. The Guide provides countries with information for the development of technical assistance programmes and helps coordination of trade capacity-building activities. The following projects involving ASEAN countries:

Donor	Recipient	Subject
Australia	ASEAN and PACER countries	Administrative and research support and assistance to develop competence in trade policy.
Australia	Cambodia	Trade facilitation.
US	ASEAN	Information technology and information management. Developing and applying product standards. Implementing Single Windows for traders.
Norway	Indonesia, Malaysia, Philippines, Myanmar, Thailand, Vietnam and the Mekong region	Development of quality standards and testing facilities.
Singapore	ASEAN	Capacity building in trade policy.
Switzerland	Various	Training on world trade, including from a regional training centres in Vietnam.
Canada	Vietnam	Developing testing to meet international standards.
Denmark	Vietnam	Develop testing for technical standards.

Regional and AMS Standards and Guidelines

- *Asia Pacific Plant Protection Commission Regional Standards for Phytosanitary measures (RSPMs)*
<http://www.apppc.org/node/1110814>
- *Thai Agricultural Standards*
http://www.acfs.go.th/eng/system_standard.php?pageid=8

Thailand has developed over 250 national standards and numerous other documents relevant to implementation. Some of these are publicly available, such as Good Agricultural Practices for Freshwater Animal Farms and Code of Practice: General Principles of Food Hygiene. These may provide useful guidance to other AMSs

- *ASEAN Food Safety Network Harmonised Standards and Requirements*
http://www.aseanfoodsafetynetwork.net/consultative/Food_std_harmonise_std.php
- *ASEAN guidelines and standards*
<http://asean.org/asean-economic-community/asean-ministerial-meeting-on-agriculture-and-forestry-amaf/other-documents/>

ASEAN has produced several useful standards and guidelines that are already in use by some AMSs. These are regarded as easier to understand and implement than international standards. They are not as comprehensive as international standards and generally aimed at enhancing intra-ASEAN trade. Some examples include:

- Standards on Horticultural Produce
- Guidelines for Pest Risk Analysis
- Phytosanitary guidelines for corn and mango

Appendix 2: Consultation

AMS focal points

AMS	Position/Organisation	Persons	Date
Vietnam	Head, Global Integration and Foreign Investment Division, Ministry of Agriculture and Rural Development	Mrs. Pham Thi Hong Hanh	23/11/17
Malaysia	Undersecretary International Division Ministry of Agriculture and Agro-based Industry	Mr. Faizal Harun	28/11/17
Malaysia	Director Biosecurity Management and SPS Division Department of Veterinary Services	Dr. Saipul Bahri Abd Ree	28/11/17
Malaysia	Head of Section Standard and Laboratory Service Section Biosecurity Division Department of Fisheries	Mr. Nazri Ishak	28/11/17
Malaysia	Assistant Director Plant Biosecurity Division Department of Agriculture	Mr. Hussain Tahir	28/11/17
Malaysia	Assistant Director Plant Biosecurity Division Department of Agriculture	Ms. Zailina Abdul Majid	28/11/17
Malaysia	Senior Principle Assistant Secretary International Division Ministry of Agriculture and Agro-based Industry	Mr. Nik Mohamed Husni Nik Ali	28/11/17
Malaysia	Senior Assistant Director Codex and International Section Standard and Codex Branch, Food Safety and Quality Division Ministry of Health Malaysia	Ms. Shazlina Mohd Zaini	28/11/17
Malaysia	Senior Assistant Secretary International Division Ministry of Agriculture and Agro-based Industry	Ms. Ediana Suzelin Abdul Rahim	28/11/17
Brunei	Department of Agriculture and Agrifood, Head of Biosecurity Division	Dr. HjH Kasumawati binti Haji Md. Ja'afar	4/12/17
Brunei	Ministry of Health	Siti Khadizah binti Abdul Latif	4/12/17

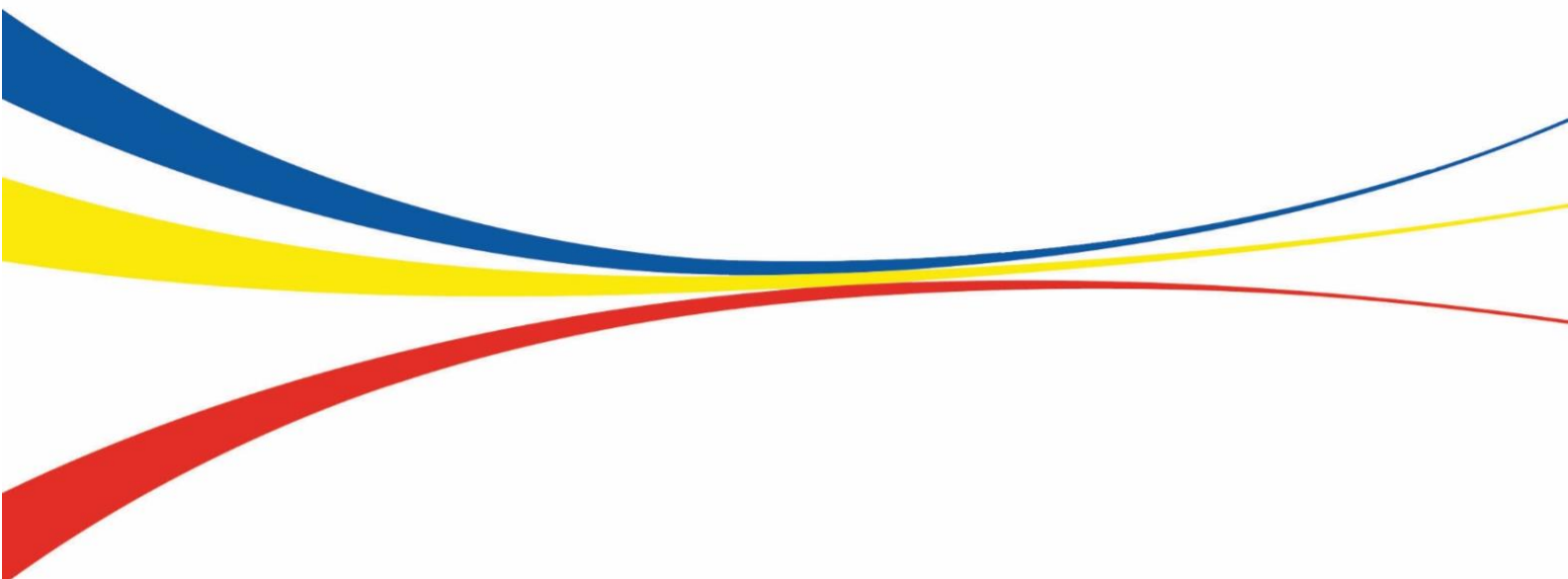
Brunei	Agriculture & Agrifood Department	Layla Syaznie binti Abdullah Lim	4/12/17
Brunei	Agriculture & Agrifood Department	Sahjarathudor Nurul Maha'ani binti Mohd Aiani	4/12/17
Thailand		Mr. Yuttasak Udomsak	4/12/17
Thailand		Ms. Kulwadee Wiwatsawatdinon	4/12/17
Thailand		Ms. Nantaprapa Nantiyakul	4/12/17
Thailand		Ms. Rassarin Noplerdphitak	4/12/17
Philippines	Assistant Chief, Food, Agriculture, and Fisheries Policy Division, Policy Research Service	Ms. Ann Lopez	5/12/17
Philippines		Dr. Vivencio Mamaril, Mandigma	5/12/17
Philippines		Mr. Gregory Aquino	5/12/17
Cambodia	Ministry of Agriculture, Forestry and Fisheries, Chief Plant Protection Officer	Dr Ker Muntivuth	19/12/17
Singapore	Senior risk analyst, AVA		11/01/17
Cambodia	Chief Plant Protection Officer	Dr Ker Muntivuth	19/12/2017
Indonesia	Email response, contacts not provided.		

Details of further consultation with AMSs delegates can be found in the *Report on the Workshop on ASEAN Regional Guidelines for the Implementation of International Standards Related to SPS measures*

Stakeholder consultations outside of AMS focal points

Position/Organisation	Person	Date
Deputy Regional Manager for the Emergency Center of Transboundary Animal Diseases, FAO	Dr. Peter Black	13/10/2017

International Veterinary Consultant	Dr. John Weaver	13/11/17
Project leader, STDF	Marlynne Hopper	16/11/17
Veterinary Officer, Australian Department of Agriculture and Water Resources (DAWR), formerly OIE in Thailand	Corissa Miller	17/11/17
Private sector development and value chain specialist, International Consultant	Tom Weaver	23/11/17
Trade and Market Access Division, DAWR	Mr. Stephen Poskett and Mr. Guy Summers	24/11/17
OIE, Deputy Head of the Regional Activities Department, Deputy Head of the Standards Department	John Stratton and Gillian Mylrea	25/11/17
Chief Veterinary Officer of Australia, DAWR	Dr. Mark Schipp	27/11/17
Market Access Directorate, Ministry for Primary Industries, New Zealand	Dr Bill Jolly, Ursula Egan	13/12/2017
Director, SPS Capacity Building, DAWR	Dr. Ian Naumann	27/12/17



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