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# COMMISSION ON PHYTOSANITARY MEASURES

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**Written reports from international organizations - WTO Secretariat  
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**Agenda item 16.2**

**Prepared by WTO Secretariat**

**English, French and Spanish only**

## ACTIVITIES OF THE SPS COMMITTEE AND OTHER RELEVANT WTO ACTIVITIES IN 2021

### REPORT BY THE WTO SECRETARIAT<sup>1</sup>

This report to the 16<sup>th</sup> Session of the Commission on Phytosanitary Measures (CPM) provides a summary of the activities of the WTO Committee on Sanitary and Phytosanitary Measures (the "SPS Committee") during 2021. It outlines SPS Committee discussions of relevance to the CPM related to the International Plant Protection Convention (IPPC) following the main agenda items of SPS Committee meetings, i.e. specific trade concerns (STCs); transparency; equivalence; regionalization; monitoring the use of international standards; technical assistance; and review of the operation and implementation of the SPS Agreement. The report also includes relevant information on dispute settlement in the WTO and on the Organization's most recent multilateral Agreement on Trade Facilitation (2017).

### 1 WORK OF THE SPS COMMITTEE

1.1. The SPS Committee held three regular meetings in 2021 (on 25-26 March, 14-16 July and 4-6 November)<sup>2</sup>. Mr Gregory MacDonald of Canada served as Chairperson at the March and July 2021 meetings. On 29 July 2021, Mr Juteau Déadjufo Toussé of Cameroon was appointed Chairperson for the 2021-2022 period.

1.2. The Committee agreed to the following tentative calendar of regular meetings for 2022: 23-25 March, 22-24 June and 9-11 November.<sup>3</sup>

1.3. In 2020, the Committee adopted the Report of the Fifth Review of the Operation and Implementation of the Agreement, launched in 2018.<sup>4</sup> In 2021, Members have been working on the implementation of the recommendations in the Report.

#### 1.1 Specific trade concerns

1.4. The SPS Committee devotes a large portion of each regular meeting to the consideration of specific trade concerns (STCs). Any WTO Member can raise concerns about the food safety, plant or animal health requirements imposed by another WTO Member. Issues raised in this context are often related to the notification of a new or changed measure or based on the experience of exporters. Often other WTO Members will share the same concerns. At SPS Committee meetings, WTO Members usually commit to exchange information and hold bilateral consultations to resolve the identified concern.

1.5. A summary of the STCs raised in meetings of the SPS Committee is compiled on an annual basis by the WTO Secretariat.<sup>5</sup> Altogether, Members have raised 532 STCs since the establishment of the WTO in 1995. Of these, 119 (22%) have been primarily related to plant health.

1.6. Three out of the 27 new STCs raised in 2021 (i.e. 11%) stemmed from plant health issues. These were:

- India's concern on Mexico's restrictions on chili imports ([STC No. 514](#)), raised in March 2021.

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<sup>1</sup> This report has been prepared under the WTO Secretariat's own responsibility and is without prejudice to the positions of WTO Members or to their rights and obligations under the WTO.

<sup>2</sup> The report of the March 2021 meeting is contained in [G/SPS/R/101](#) and [G/SPS/R/101/Corr.1](#), that of the July 2021 meeting in [G/SPS/R/102](#), and that of the November 2021 meeting in [G/SPS/R/104](#).

<sup>3</sup> The tentative dates of the SPS Committee meetings for 2022 are contained in document [G/SPS/GEN/1910/Rev.1](#).

<sup>4</sup> See WTO official documents [G/SPS/64](#) and [G/SPS/64/Add.1](#).

<sup>5</sup> The latest version of this summary was circulated in March 2021 [G/SPS/GEN/204/Rev.21](#) and [G/SPS/GEN/204/Rev.21/Corr.1](#). These are public documents available from <https://docs.wto.org/>. SPS documents and STCs can also be searched through the SPS Information Management System (SPS IMS): <http://spsims.wto.org>.

- Peru's concern on Bolivia's import restrictions on agricultural and livestock products ([STC No. 530](#)), raised in November 2021.
- Chinese Taipei's concern on China's import suspension of fresh fruits ([STC No. 532](#)), raised in November 2021.

1.7. The following previously raised concerns were again discussed in 2021:

- The EU's concern regarding US import restrictions on apples and pears. The concern has been discussed 10 times since it was raised in March 2018 ([STC No. 439](#)).
- Japan's concern regarding Thailand's phytosanitary restrictions on imports of fresh citrus fruits due to sweet orange scab, due to the non-recognition of Japan's equivalent treatments. The concern has been discussed three times since it was raised in June 2020, and was supported by Chile. In November 2021, the concern had been included in the annotated draft agenda<sup>6</sup>, but was withdrawn by Japan ahead of the meeting ([STC No. 470](#)).
- The EU's concern regarding alleged undue delays in US recognition of the pest-free status in the European Union for Asian longhorn beetle and citrus longhorn beetle. The concern has been discussed four times since it was raised in June 2020 ([STC No. 471](#)).
- Ukraine's concern on Chinese Taipei's phytosanitary risk assessment procedure on imports of fresh vegetables and fruits, namely onions and apples. The concern has been discussed twice since it was raised in November 2020 ([STC No. 496](#)). And
- Canada's concern on India's import requirements for pulses, including mandatory fumigation requirements. The concern has been discussed three times since it was raised in November 2020, and was supported by the Russian Federation ([STC No. 497](#)).

1.8. In addition to the above, Members discussed several pesticide MRL-related STCs in all Committee meetings in 2021, displaying growing attention to the topic. Some of the STCs related to other concerns may also refer to issues related to control, inspection and approval procedures relevant to plant health.<sup>7</sup>

## 1.2 Other information

1.9. In 2021, WTO Members also provided to the Committee the following general information, related either in part or entirely to plant protection:

- The United States and Canada, March, July and November 2021: SPS Declaration for the 12th WTO Ministerial Conference ([G/SPS/GEN/1758/Rev.8](#))<sup>8</sup>; and
- the European Union, July 2021: European Commission study on the status of new genomic techniques in the European Union ([G/SPS/GEN/1931](#)).<sup>9</sup>

1.10. In addition to the above, several Members provided information on initiatives and activities related to setting pesticide MRLs.<sup>10</sup> Additionally, 40 Members submitted a request for the suspension of the processes and entry into force of reductions of maximum residue limits (MRLs) for plant protection products in light of the COVID-19 pandemic.<sup>11</sup>

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<sup>6</sup> [JOB/SPS/17](#).

<sup>7</sup> Please consult the summary reports of the Committee's meetings in documents [G/SPS/R/101](#) and [G/SPS/R/101/Corr.1](#) (March 2021), [G/SPS/R/102](#) (July 2021) and [G/SPS/R/104](#) (November 2021) for more information.

<sup>8</sup> See summary reports of the Committee's meetings in section 5.2 of document [G/SPS/R/101](#) (March 2021), section 6.2 of document [G/SPS/R/102](#) (July 2021) and section 5.1 of document [G/SPS/R/104](#) (November 2021) for more information.

<sup>9</sup> See the summary report of the 2021 July Committee's meeting in documents [G/SPS/R/102](#), section 3.1.3 for more information.

<sup>10</sup> Please consult the summary reports of the Committee's meetings in documents [G/SPS/R/101](#) and [G/SPS/R/101/Corr.1](#) (March 2021), [G/SPS/R/102](#) (July 2021) and [G/SPS/R/104](#) (November 2021) for more information.

<sup>11</sup> See WTO official document [G/SPS/GEN/1778/Rev.5](#).

### 1.3 Transparency

1.11. The SPS Information Management System (SPS IMS) allows easy access and management of all WTO SPS-related documentation, including all notified SPS measures, contact lists of national notification authorities (NNAs) and enquiry points (NEPs), STCs (see [Section 1.1](#) above), as well as other SPS-related documents circulated at the WTO.<sup>12</sup> WTO is currently working on the integration of all SPS and TBT IT tools in a single platform (ePing SPS&TBT Platform). Several information sessions were held during the year and a dedicated workshop to present the platform will be organized in June 2022.

1.12. The legal obligation of WTO Members is to notify new or modified draft SPS measures when these deviate from the relevant international standards, including International Standards for Phytosanitary Measures (ISPMs). The recommendations adopted by the SPS Committee, however, encourage the notification of all new or modified measures even when these conform to international standards.<sup>13</sup> Although this recommendation does not change the legal obligations of WTO Members, it enhances transparency regarding the application of ISPMs.

1.13. In 2021, a total of 1,825 notifications were submitted to the WTO. Of these, 1,006 were regular and 268 were emergency notifications; the rest was constituted by addenda and corrigenda. A total of 260 (26%) of the 1,006 regular notifications and 24 (9%) of the 268 emergency ones identified plant protection as their main objective. A clear majority of these (175 of the 260 regular plant protection notifications and 15 of the 24 emergency ones) indicated conformity with a relevant ISPM.

1.14. In the three informal meetings held in 2021 prior to the regular SPS Committee meetings, WTO Members, the three international standard-setting bodies and observer organisations, presented periodic updates on actions taken during the COVID-19 pandemic.<sup>14</sup> The IPPC provided information on its Implementation Review and Support System, and other monitoring/evaluation work such as the development of a Theory of Change, a Monitoring and Evaluation Framework for the IPPC community, and gathering case studies on good practices for monitoring and evaluation of national phytosanitary systems, and its Phytosanitary Capacity Evaluation (PCE) tool. In the formal Committee meetings, the IPPC Secretariat informed the SPS Committee of the 15th meeting of the Commission on Phytosanitary Measures (CPM-15), held virtually, in which eleven standards, one CPM recommendations, and the IPPC Strategic Framework for 2020-2030 had been adopted, three CPM Focus Groups had been established, and discussions had been held on a number of topics, in particular on sea containers. Several Focus Groups were currently working on issues related to climate change, communication, implementation of the Strategic Framework 2020-2030, and pest outbreak alert and response systems. The forming of two additional Focus Groups on ePhyto and sea containers was under consideration. The IPPC secretariat had launched the call for topics, that would be open until 15 September 2021. The IPPC was also active in establishing an Implementation and Capacity Development Committee team on *Fusarium oxysporum* f. sp. *cubense* Tropical Race 4 (TR4). This, as well as *Spodoptera frugiperda*, was considered a big challenge for the future. Work was also being done on red palm weevil. The International Year of Plant Health had come to an end, and 20 May had been proclaimed as the International Day of Plant Health. Phytosanitary capacity evaluations at the national level were continuing. A virtual meeting of the CPM was planned for 5 and 7 April 2022. IPPC was revising its dispute settlement procedures, and a new formatted procedure would be presented to CPM for adoption in 2022. Four standards were going forward for adoption, and amendments to IPPC's glossary had been made. IPPC had also undertaken work on its website for the development of a phytosanitary systems page, and had also embarked in the revamping of the phytosanitary capacity evaluation tool. Regarding ePhyto, the IPPC Secretariat informed the Committee that 46 countries were now actively exchanging electronic phytosanitary certificates.

1.15. Since the beginning of the pandemic, several Members have imposed measures aimed at facilitating trade, namely through the acceptance of copies or scanned documents instead of requiring originals or implementing electronic signatures, following the on-going trend of the e-Phyto solution. A total of 17 (8 regular and 9 addenda to regular) notifications related to COVID-19

<sup>12</sup> See <http://spsims.wto.org>.

<sup>13</sup> [G/SPS/7/Rev.4](#), paragraph 2.3.

<sup>14</sup> The reports of these interventions are available in Annex A of the documents [G/SPS/R/101](#), [G/SPS/R/102](#) and [G/SPS/R/104](#).

indicated plant protection as an objective. Seven of the regular notifications were trade facilitating. Detailed information on measures adopted by WTO Members is available in the dedicated website COVID-19 and world trade.<sup>15</sup>

#### 1.4 Equivalence

1.16. The guidelines on the implementation of Article 4 of the SPS Agreement on equivalence note, *inter alia*, the work undertaken on the subject in the Codex, the OIE and the IPPC, and encourages the further elaboration of specific guidance by these organizations. No contributions were made by any of the standard-setting organizations in 2021 under this agenda item.

1.17. The issue of equivalence was also included in the Fifth Review of the SPS Agreement.

#### 1.5 Regionalization

1.18. Article 6 of the SPS Agreement requires that measures take into account pest- or disease-free areas or areas of low pest or disease prevalence. In the context of the SPS Committee, this concept is frequently referred to as "regionalization". Guidelines on regionalization<sup>16</sup> adopted by the SPS Committee identify the type of information normally needed for the recognition of pest- or disease-free areas or areas of low pest or disease prevalence, as well as typical administrative steps in the recognition process. The Committee agreed to monitor the implementation of Article 6, on the basis of information provided by WTO Members.

1.19. The WTO Secretariat prepared one report on the implementation of Article 6, covering the period from 1 April 2020 until 31 March 2021 based on information provided by WTO Members through notification and at SPS Committee meetings.<sup>17</sup> The report summarized (i) requests for recognition of pest- or disease-free areas or areas of low pest or disease prevalence; (ii) determinations on recognition of regionalization; and (iii) Members' experiences in the implementation of Article 6 and the provision of relevant background information on their decisions to other interested Members. Relevant issues outlined in the report included, among others, declarations of areas free from fruit flies of the quarantine-significant genus *Anastrepha* and species *Rhagoletis pomonella*, and declarations of areas free from large avocado seed weevils (*Heilipus lauri*), small avocado seed weevils (*Conotrachelus aguacatae* and *C. perseae*) and avocado seed moths (*Stenoma catenifer*).

1.20. The issue of regionalization was also included in the Fifth Review of the SPS Agreement.

#### 1.6 Monitoring the use of international standards

1.21. The procedure adopted by the SPS Committee to monitor the use of international standards invites WTO Members to identify specific trade problems they have experienced due to the use or non-use of relevant international standards, guidelines or recommendations.<sup>18</sup> These problems, once considered by the SPS Committee, are drawn to the attention of the relevant standard-setting organization. No new nor previously raised issues related to plant protection were raised since the issuance of the previous report.

1.22. The WTO Secretariat prepares annual reports on the monitoring procedure summarizing the standards-related issues that the Committee has considered and the responses received from the relevant standard-setting organizations. The Secretariat's annual report covering the period from 1 April 2020 until 31 March 2021 was circulated to Members in May 2021.<sup>19</sup>

1.23. Since November 2020, New Zealand has submitted three proposals regarding the procedure to monitor the process of international harmonization. The proposals are contained in documents [G/SPS/GEN/1851](#), [G/SPS/GEN/1877](#) and [G/SPS/GEN/1915](#), and Members have had an opportunity

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<sup>15</sup> The dedicated website is available at [https://www.wto.org/english/tratop\\_e/covid19\\_e/covid19\\_e.htm](https://www.wto.org/english/tratop_e/covid19_e/covid19_e.htm).

<sup>16</sup> See WTO official document [G/SPS/48](#).

<sup>17</sup> See WTO official document [G/SPS/GEN/1908](#).

<sup>18</sup> See WTO official document [G/SPS/11/Rev.1](#).

<sup>19</sup> See WTO official document [G/SPS/GEN/1909](#).

to discuss these submissions at the informal meetings celebrated throughout 2021<sup>20</sup>. In addition, based on New Zealand's proposals the Secretariat organized a half day thematic session on international harmonization and the use of international standards (see paragraph 1.30).

## 1.7 Technical assistance

1.24. At each of its meetings, the SPS Committee solicits information from WTO Members regarding their technical assistance needs and activities. In 2021, the SPS Committee was kept informed of the training activities and workshops provided by the IPPC Secretariat and relevant technical assistance activities of the FAO. The IPPC Secretariat would organize webinars to provide further information on the new guides and training materials under preparation.

1.25. Several Members, including Canada and the United States provided information about SPS technical assistance activities provided in 2021.<sup>21</sup> Similarly, Belize<sup>22</sup> informed of the technical assistance received. In addition, several observer organizations outlined their technical assistance activities to the Committee.<sup>23</sup>

1.26. Documents [G/SPS/GEN/997/Rev.11](#), issued in 2021, provide information on all WTO technical assistance activities in the SPS area planned for the calendar year. The WTO Secretariat scheduled regional SPS workshops in 2021, upon request from one Member in coordination with a regional organization. National seminars were provided upon request by WTO Members and acceding governments. The first edition of a new SPS In-depth Virtual Course was delivered in English. Further information on SPS activities is available through <http://www.wto.org/sps/ta>.

1.27. Before the July 2021 SPS Committee meeting, the WTO Secretariat circulated its report entitled "SPS Technical Assistance and Training Activities", containing detailed information on all SPS-specific technical assistance activities undertaken by the WTO Secretariat from 1994 to the end of 2020.<sup>24</sup>

## 1.8 Thematic sessions and workshops

1.28. The SPS Committee also continued to organize thematic sessions and workshops on topics included in the Fifth Review of the Operation and Implementation of the SPS Agreement to exchange experiences and hear from experts. In March 2021, the SPS Committee held a thematic session on African swine fever (ASF).<sup>25</sup> The margins of the SPS Committee meetings in July 2021 welcomed Members for a two-day workshop on risk assessment, risk management and risk communication.<sup>26</sup>

1.29. The last thematic session of the year, held in November 2021, was dedicated to the SPS Committee Procedure to Monitor the Process of International Harmonization.<sup>27</sup>

1.30. As way of background, in November 2020, New Zealand had submitted a proposal to discuss the SPS Committee could play in assisting the ISSBs in monitoring the use and implementation of international standards as laid out in Articles 3.5 and 12.4 of the SPS Agreement, and invited Members and the ISSBs to propose ideas and suggestions for the best approach to explore these

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<sup>20</sup> Please consult the summaries of the discussions held in the informal Committee meetings in Annex A of documents [G/SPS/R/101](#) (March 2021), [G/SPS/R/102](#) (July 2021) and [G/SPS/R/104](#) (November 2021) for more information.

<sup>21</sup> See summary report of the Committee's 2021 March meeting, [G/SPS/R/101](#), section 6.2.1; and November meeting, [G/SPS/R/104](#), sections 6.2.1 and 6.2.2.

<sup>22</sup> See summary report of the Committee's 2021 November meeting, [G/SPS/R/104](#), section 6.2.3.

<sup>23</sup> Please consult the summary reports of the Committee's meetings in documents [G/SPS/R/101](#) (March 2021), [G/SPS/R/102](#) (July 2021) and [G/SPS/R/104](#) (November 2021) for more information.

<sup>24</sup> See WTO official document [G/SPS/GEN/521/Rev.16](#).

<sup>25</sup> The programme and presentations are available at [https://www.wto.org/english/tratop\\_e/sps\\_e/sps\\_thematic\\_session\\_230321\\_e.htm](https://www.wto.org/english/tratop_e/sps_e/sps_thematic_session_230321_e.htm). The report is contained in Annex B of document [G/SPS/R/101](#) and [G/SPS/R/101/Corr.1](#).

<sup>26</sup> The programme and presentations are available at [https://www.wto.org/english/tratop\\_e/sps\\_e/sps\\_workshop\\_july21\\_e.htm](https://www.wto.org/english/tratop_e/sps_e/sps_workshop_july21_e.htm). The report is contained in Annex B of document [G/SPS/R/102](#) and in document [G/SPS/R/103](#).

<sup>27</sup> The programme and presentations are available at [https://www.wto.org/english/tratop\\_e/sps\\_e/sps\\_nov21\\_e.htm](https://www.wto.org/english/tratop_e/sps_e/sps_nov21_e.htm). The report is available in Annex B of document [G/SPS/R/104](#).

provisions.<sup>28</sup> In February 2021, New Zealand proposed further ideas and suggestions to best approach to explore those provisions, including a thematic session on Articles 3.5 and 12.4 of the SPS Agreement and initiatives of ISSBs in relation to international harmonization.<sup>29</sup> In July 2021, New Zealand submitted a further communication including topics that could be considered in the thematic session.<sup>30</sup> In the SPS Committee meeting held in July 2021, Members agreed to hold a Thematic Session on the Procedure to Monitor the Process of International Harmonization in November 2021, that took place on the margins of the SPS Committee meeting.<sup>31</sup> The Thematic Session, held in hybrid format, allowed to exchange views and review progress on international harmonization. It provided an overview of the relevant provisions of the SPS Agreement, the Committee's work in monitoring international harmonization, and highlighted the efforts of the ISSBs to monitor the use of their standards.

1.31. In the November 2021 SPS Committee meeting, Members discussed several proposals submitted by Members on the topics for thematic sessions and workshops to be held in 2022. The Committee agreed to hold, in March 2022, the thematic session on trade facilitative approaches to pesticide MRLs, including substances not approved for use in an import market, based on a proposal by Australia, Colombia, Paraguay and the United States. In June 2022, the Committee will hold a thematic session on the use of remote (virtual) audit and verification in regulatory frameworks, based on a proposal by Australia. Finally, the SPS Committee agreed to hold a thematic session on international standards and best practices in pest risk identification, assessment and management in November 2022, based on a proposal by the European Union.<sup>32</sup> Other Relevant WTO Activities

## 1.9 Dispute Settlement

### 1.9.1 The WTO Dispute Settlement Procedure

1.32. Any WTO Member may invoke the formal dispute resolution procedures of the WTO if they consider that a measure imposed by another WTO Member violates any of the WTO Agreements, including the SPS Agreement. If formal consultations on the problem are unsuccessful, a WTO Member may request that a panel be established to consider the complaint.<sup>33</sup> A panel of three individuals considers written and oral arguments submitted by the parties to the dispute and issues a written report of its legal findings and recommendations. The parties to the dispute could, until December 2019, appeal a panel's decision before the WTO's Appellate Body which has not been operative since end-2019 due to a lack of quorum. The Appellate Body examined the legal findings of the panel and could uphold or reverse these.

1.33. According to the SPS Agreement, when a dispute involves scientific or technical issues, the panel should seek advice from appropriate scientific and technical experts. Scientific experts have been consulted in all but one SPS-related disputes. The experts are usually selected from lists provided by the Codex, IPPC Secretariat, and OIE standard-setting bodies referenced in the SPS Agreement. The parties to the dispute are consulted in the selection of experts and regarding the information solicited from the experts.

### 1.9.2 SPS Disputes

1.34. As of January 2022, 607 complaints have formally been raised under the WTO's dispute settlement procedures. Of these, 51 have concerned SPS issues, and panel (and as the case may be, Appellate Body) reports have been issued in thirteen SPS-related disputes.

1.35. Three panel reports have concerned plant pests and quarantine requirements: (i) the United States' complaint about Japan's requirement for testing each variety of fruit for efficacy of treatment

<sup>28</sup> See WTO official document [G/SPS/GEN/1851](#).

<sup>29</sup> See WTO official document [G/SPS/GEN/1877](#).

<sup>30</sup> See WTO official document [G/SPS/GEN/1915](#).

<sup>31</sup> The programme and presentations are available at [https://www.wto.org/english/tratop\\_e/sps\\_e/sps\\_nov21\\_e.htm](https://www.wto.org/english/tratop_e/sps_e/sps_nov21_e.htm). The report is contained in Annex B of document [G/SPS/R/104](#).

<sup>32</sup> See WTO official documents [G/SPS/GEN/1947](#), [G/SPS/GEN/1949/Rev.1](#) and [G/SPS/GEN/1951/Rev.1](#), respectively. See also summary report of the 2021 November Committee's meeting in documents [G/SPS/R/104](#), section 4.7.1 for more information.

<sup>33</sup> A flow chart of the dispute resolution process can be consulted at [http://www.wto.org/english/thewto\\_e/whatis\\_e/tif\\_e/disp2\\_e.htm](http://www.wto.org/english/thewto_e/whatis_e/tif_e/disp2_e.htm).

against codling moth (*Japan-Agricultural Products*)<sup>34</sup>; (ii) the United States' complaint about Japan's set of requirements on apples imported from the United States relating to fire blight (*Japan-Apples*)<sup>35</sup>; and (iii) New Zealand's complaint against Australia's restrictions on apples (*Australia-Apples*).<sup>36</sup> In addition, panel deliberations are on-going in one plant health-related dispute (*Costa Rica-Avocados*).<sup>37</sup>

1.36. The developments of these and other disputes can be followed at <http://www.wto.org/disputes>.

### 1.10 Trade Facilitation

1.37. The WTO's newest multilateral Agreement on Trade Facilitation, which entered into force in 2017, aims to enhance the movement, release and clearance of goods across borders. The Agreement's 36 provisions set out requirements for border agencies to streamline border formalities, improve transparency and enhance intra-agency and cross-border cooperation. It requires each WTO Member to establish a national committee to oversee its implementation.

1.38. In 2021, the ratifications of the Trade Facilitation Agreement rose to comprise 94% of the WTO's Membership (154 out of the 164 Members have now deposited their ratification of the Agreement).

1.39. Under the Trade Facilitation Agreement, developing and least-developed countries can self-designate which provisions they will implement either immediately, after a transition period, or upon receiving assistance and support for capacity building. By end-2021, 95% of developing and least-developed countries had designated their commitments accordingly.<sup>38</sup>

1.40. In order to meet the national implementation deadlines, and reap the full benefits from implementation of this Agreement, the successful integration of plant protection authorities into national discussions on trade facilitation is essential. Indeed, the objectives of trade facilitation and plant protection support each other. Trade facilitation seeks to incentivize trade in safe plant products by promoting more efficient and effective controls, such as through a greater focus on inspections on high-risk products, while also suggesting ways to conduct checks before or after the border to avoid the creation of bottlenecks.

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<sup>34</sup> The report of the panel is contained in document [WT/DS76/R](#). The Appellate Body report is contained in document [WT/DS76/AB/R](#).

<sup>35</sup> The report of the panel is contained in document [WT/DS245/R](#). The Appellate Body report is contained in document [WT/DS245/AB/R](#).

<sup>36</sup> The report of the panel is contained in document [WT/DS367/R](#). The Appellate Body report is contained in document [WT/DS367/AB/R](#).

<sup>37</sup> Dispute settlement panel established on 18 December 2018, document [WT/DS524/2](#), and panel composed on 16 May 2019, document [WT/DS524/3](#).

<sup>38</sup> Developed countries were required to implement all provisions of the TFA from its entry into force on 22 February 2017.