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# **SPS Measures and their Application in Regional Economic Communities**

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# Importance of SPS Measures for Trade

- SPS in intra-African and global trade --- e.g. re agriculture
- WTO SPS Agreement invoked in REC regimes
- Members may adopt measures necessary to protect human, animal or plant health
- **Subject to:** must not constitute arbitrary or unjustifiable discrimination or result in disguised restrictions on trade.
- Governance is key. What required domestically?



# REC SPS Regimes & their Challenges

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- Recent examples: chickens, honey, and livestock trade
- Transparency
- Fragmentation
- Dealing with NTBs
- Honey and Livestock examples
- Regional standards
- Regional institutional arrangements

# TFTA and CFTA prospects?

- Starting point: SPS measures are about national space **but** as exceptions to basic trade rules
- Exceptions to which trade rules?
- Global and Intra-African needs to be reconciled
- Dispute settlement mechanisms vital
- Certainty for private sectors
- Transparency
- There are certain African standards bodies
- What is the REC acquis?
- What substantive provisions in new agreements?
- Any domestication prospects?



# Way forward?

- Duplication and overlap. RECs will continue
- Cost implications for firms: Grape eating worms
- Governance, reforms, Admin Law protection
- How to tackle domestic capacity constraints?
  - Examples: Abattoirs & Fish
  - Use Int. agencies for testing when possible
- Equivalence (Recognize others' measures as acceptable even if different, as long as equivalent level of protection is provided).
- Scientific Standards: Indian & Beef Hormone cases)