

Institutionalizing GRP in Developing Countries through an STDF-like Facility in TBT

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WTO TBT Thematic Session
28 March 2017
Geneva , Switzerland

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Good Regulatory Practice (GRP): Brief Background

- Best practices and procedures developed by governments and organizations to improve the quality of regulation
- Ensure the design of high-quality, cost-effective regulations consistent with the goal of open trade
- Contribute to the establishment of a common, predictable framework for regulatory intervention, thereby facilitating global regulatory cooperation and harmonization

ASEAN Good Regulatory Practice Guide (2009)

- Guide to all ASEAN Bodies working in the areas of standards, technical regulations and conformity assessment procedures
- Three (3) elements:
 - 1) Transparency on Non-Tariff Measures (NTMs) and removal of trade barriers;
 - 2) Implementation of Mutual Recognition Agreements (MRAs); and
 - 3) Harmonization of standards and technical regulations.
- Used in conjunction with the ASEAN Policy Guideline on Standards and Conformance (2005)

ASEAN Work Plan on Good Regulatory Practice (2016 – 2025)

- Adopted at the 23rd ASEAN Economic Ministers (AEM) Retreat on 09 March 2017 in Manila, Philippines and endorsed by the ASEAN Economic Community (AEC) Council Members for implementation
- 3rd ASEAN-OECD GRP Network Meeting highlighted that GRP is crucial for connectivity in ASEAN
- The Work Plan aims to mainstream Good Regulator Practices in the AEC
- Complement to the ASEAN GRP Guide (2009)

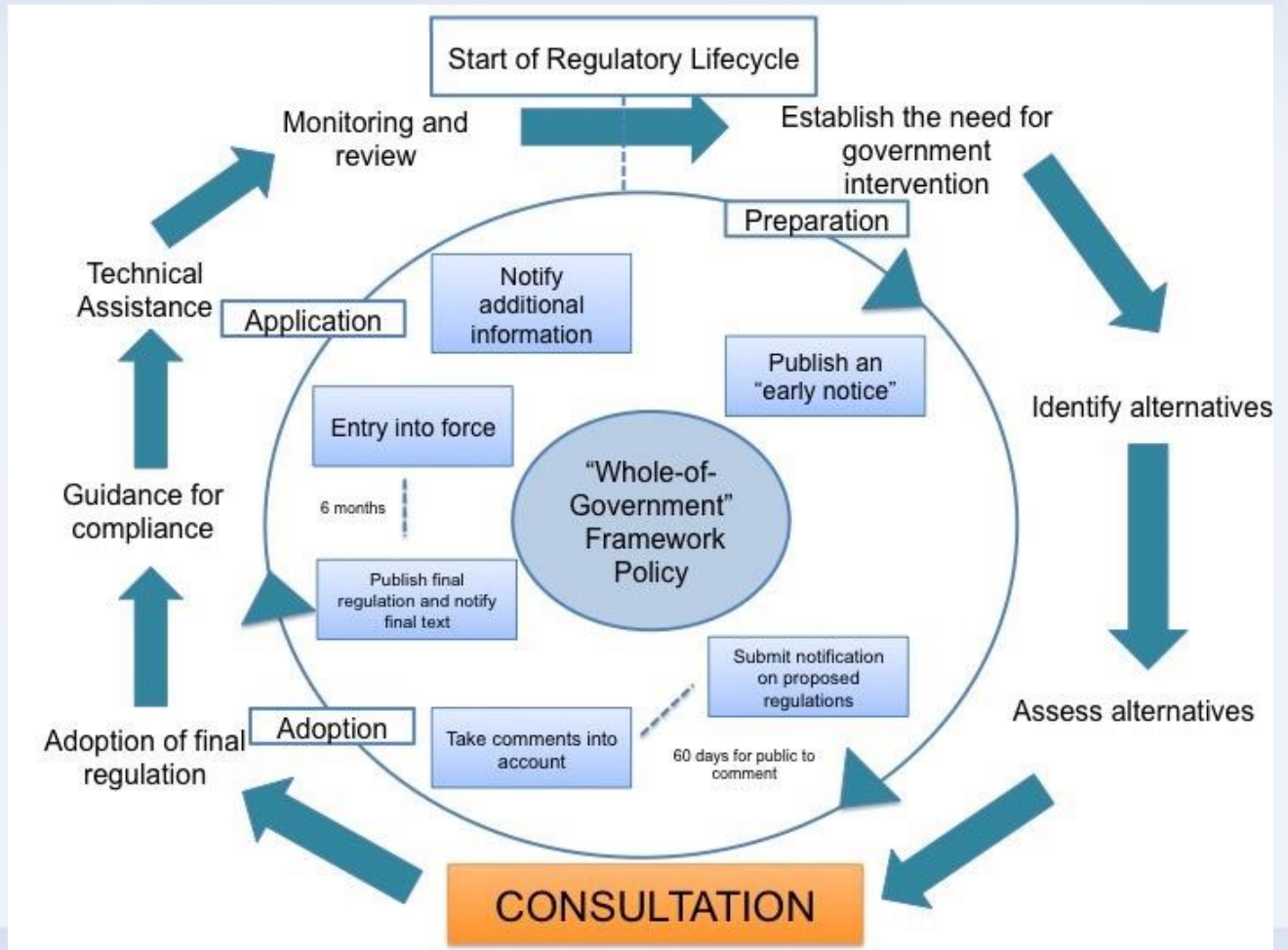
APEC Good Regulatory Practice (2015)

- 8TH Conference on Good Regulatory Practice (27-28 August 2015 in Cebu City, Philippines)
- Experience sharing from policy officials and representatives from private sectors on the following tools:
 - 1) Single online locations for regulatory information
 - 2) Periodic review and prospective regulatory planning
 - 3) Capacity building and education efforts
 - 4) Best practices of the APEC economies
 - 5) Challenges faced by SMEs for inclusive growth

GRP in the TBT Committee

- Transparency and accountability
- Other GRP areas include analysis and review of regulatory alternatives; design of regulations; simple, responsive and flexible regulations
- Important element of capacity-building initiatives
- TBT Agreement's transparency provisions and GRP are closely linked (i.e., "Early notice", consultation, notification, comments, publication and entry into force)

Applying GRP to a TBT Measure Lifecycle



Source: The WTO Agreements Series: Technical Barriers to Trade

GRP: Link to the Philippines' Department of Trade and Industry's (DTI) One Country, One Voice (OCOV)

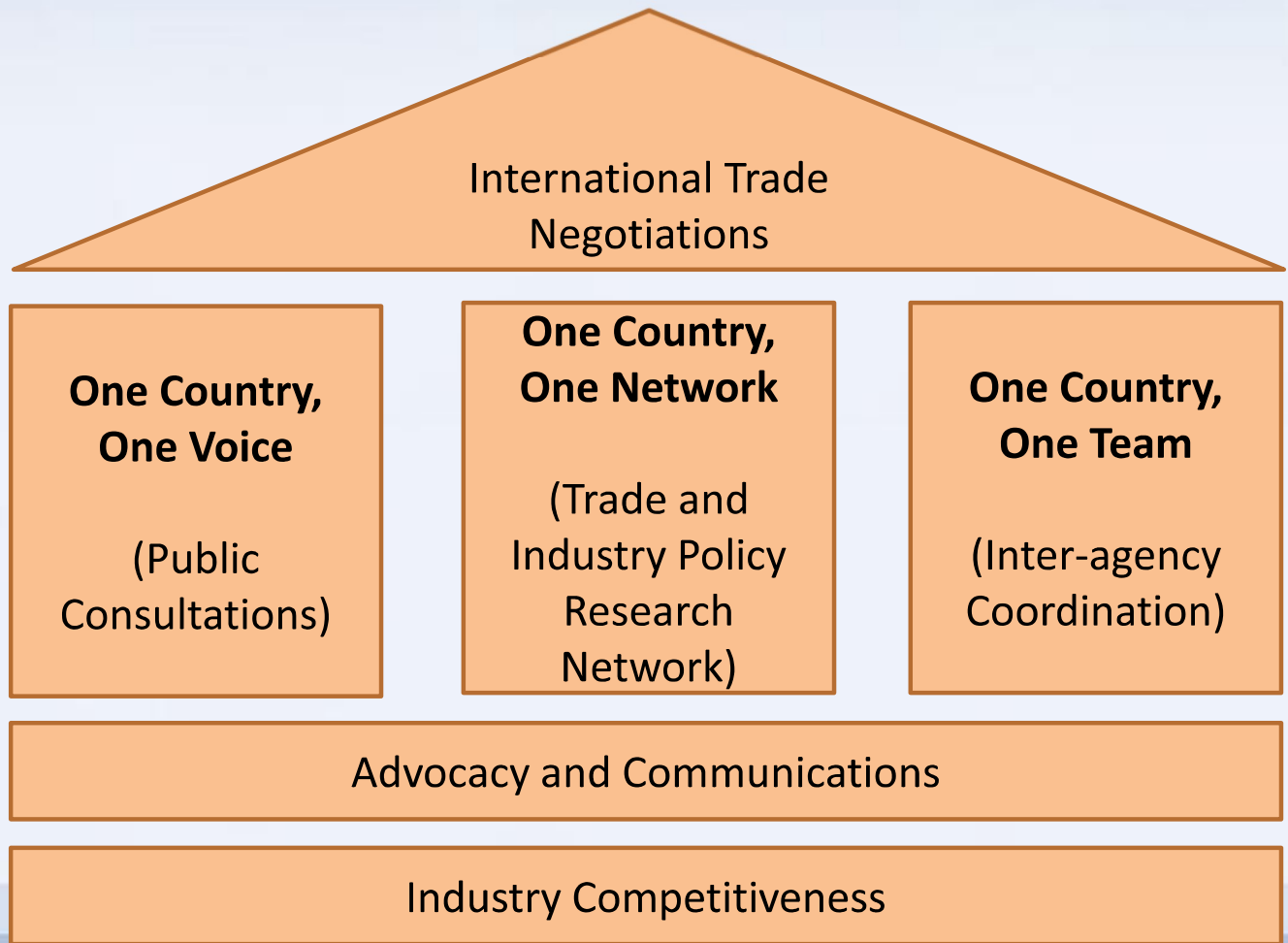
➤ ONE DTI

- Launched in 04 May 2011
- Unified framework towards an integrated industry and trade strategy
- Tool to enhance trade policymaking and negotiations

GRP: Link to the Philippines' Department of Trade and Industry's (DTI) **One Country, One Voice (OCOV)**

- Three Pillars of One DTI:
 - One Country, One Voice - Public Consultations
 - One Country, One Network – Trade and Industry Policy Research Network
 - One Country, One Team – Inter-agency Coordination

Integrated Industry and Trade Strategy



GRP: Link to the Philippines Department of Trade and Industry's (DTI) **One Country, One Voice (OCOV)**

- DTI's One Country One Voice (OCOV)
 - DTI's information sessions and consultations with stakeholders established in 2011.
- Objectives of OCOV:
 - Institutionalize an effective and efficient consultative mechanism
 - Promote mutual trust
 - Reinforce public on the importance of trade
 - Balance the interest of the stakeholders

GRP: Link to the Philippines

Department of Trade and Industry's (DTI)

One Country, One Voice (OCOV)

- The PH DTI's Bureau of International Trade Relations (BITR) successfully conducted 19 public consultations nationwide, on various trade fora (Bilateral trade engagements; ASEAN and APEC initiatives; and WTO negotiations).
- DTI-NCC Project Repeal: reviewing more than 20,000 outdated and burdensome rules
- Next Step to further develop PH DTI's OCOV:
 - Proposed OCOV Website - aims to provide stakeholders with updates and mechanism for online feedback and consultations.

Standards and Trade Development Facility (STDF)

- Standards and Trade Development Facility (STDF)
 - Formally established by FAO, OIE, World Bank, WHO and WTO in September 2004.
 - In 2005, expanded to include representatives of donor and developing countries.
- What it does:
 - Increases SPS awareness, mobilize resources, strengthen collaboration, identify and disseminate good practice
 - Provides support and funding for development and implementation of projects that promote compliance with international SPS standards requirements

What is STDF's value added?

- Aid for Trade knowledge platform/reference point for effective SPS collaboration and identification/dissemination of good practice
- Benefits from the expertise, knowledge and skills of STDF partners, donors, observers, developing country SPS experts and beneficiaries
- Linkages to WTO SPS Committee, WTO Aid-for-Trade Unit, Enhanced Integrated Framework (EIF) as well as many other external programmes
- **In a review of the STDF, WTO and partners were praised for the impressive results and the project significant value added**

Exploring an STDF-like Facility

- Technical assistance is a priority work of the committee and is on the agenda of the Committee on a permanent basis (G/TBT/1/Rev.13, item 6.1.a.i; G/TBT/W/14, p.3)
- In a Questionnaire to assist developing country members to identify and prioritise their specific needs (G/TBT/W/193)
- Under the agenda item on technical assistance, developing country members and IGOs inform other members of the programmes for technical assistance activities. It has also been used on a few occasions by developing country members to identify their needs, however, these have not elicited a substantive discussion in the Committee (G/TBT/W/146, G/TBT/W/164, G/TBT/W/166)

Exploring an STDF-like Facility

- Establishing a demand-driven technical assistance program was reinforced in the Second Triennial Review and emphasizes the need for more effective cooperation and coordination among donors to better address the needs identified by developing country Members (G/TBT/9, 13 Nov 2000, para 45-46)
- In the Third Triennial Review, Members recognised that improvements are needed to facilitate the delivery of technical assistance (G/TBT/13).
- Taking into consideration these issues, one of the options identified by members was to replicate the STDF in the TBT. The STDF was established from a joint statement made at Doha by WTO, FAO, OIE, WHO, and WB (WT/MIN(01)/ST/9)

TBT Development Facility (STDF-like Facility)

➤ Salient Features:

- Global Partners, Donors, Developing Country Experts, Other International Organizations, and Project Partners
- Trust Fund
- Technical Secretariat

TBT Development Facility (STDF-like Facility)

➤ Salient Features:

- Dedicated mechanism for TBT-specific Technical Assistance and Capacity Building (TACB)
- Forum for sharing of experiences and best practices as Good Regulatory Practice (e.g. Public Consultations)
- Facilitates Members implementation of international standards(WTO TBT Agreement)

Next Steps

- The Philippines' Department of Trade and Industry to integrate public consultations for transparency purposes (i.e., the regular review of the existing standards, technical regulation and conformance assessment procedures as a form of GRP).
- Engage Members in discussions to explore the need for an STDF-like Facility for TBT and pursue its establishment.

Sources:

- World Trade Organization (WTO) Website
- The WTO Agreement: Technical Barriers to Trade (TBT)
- DTI-BITR ASEAN and APEC Desks
- Standards and Trade Development Facility (STDF) Technical Secretariat and Website

Thank you

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