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MISSION REPORT

TRADE PROMOTION IN TAJIKISTAN - PHASE III

14 to 21 July 2011

Report by

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Management

Project TAJ/61/124A - Funded by the Government of Switzerland



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1. INTRODUCTION

This report covers the mission of the ITC Senior Adviser on Standards and Quality Management from 14 to 21 July 2011. Previous missions had taken place in May 2010, November 2010 and May 2011¹.

2. BACKGROUND

The overall objective of this project is to contribute to the sustainable expansion and diversification of SMEs' exports in Tajikistan through increasing the competitiveness of the textile and clothing ("T&C") industry and improving the quality management infrastructure of the country.

Consistent with its overall objective, the project will focus on four immediate objectives, one of which is detailed below:

Immediate Objective 4: To improve the capacity of SQAM, SPS and TBT bodies and the regulatory infrastructure.

The project will complement ITC's earlier assistance in improving the quality management infrastructure of the country with further inputs e.g. assistance to two laboratories of Tajikstandart to enable them to be accredited by a full member of the International Laboratory Accreditation Centre (ILAC), the establishment of a National Notification Authority and a National Enquiry Point for TBT as well as SPS, and streamlining the SPS infrastructure.

3. TERMS OF REFERENCE OF THE MISSION

The objectives of the mission were the following:

- To follow-up on project activities with respect to the accreditation of two laboratories and streamlining the SPS infrastructure;
- To provide assistance for making the National Notification Authority (NNA) and National Enquiry Point (NEP) for SPS and TBT operational.

4. PROGRAMME DURING THE MISSION

The programme of the mission is given in Annex I. The third meeting of the Working Group on the Transparency Provisions of the WTO Agreements on TBT and SPS was held on 20 July. Meetings were held with the Chamber of Commerce and Industry, Tajikstandart, Ministries of Health, Agriculture, Economic Development and Trade, Union of Businessmen and Exporters of Tajikistan, the NNA for TBT and SPS and the NEPs for TBT and SPS.

5. ACCREDITATION OF LABORATORIES

It would be difficult for Tajikstandart to maintain the accreditation by DAkKS, the German national accreditation body, of its two laboratories in view of the high cost. However, it is important for Tajikstandart to maintain accreditation of its two laboratories by a member of ILAC.

It is suggested that Tajikstandart consider shifting its accreditation from DAkKS to the National Centre of Accreditation in Kazakhstan, the first such body in Central Asia to become a full member of ILAC.

Positive feedback was obtained from the four staff members of the accredited laboratories who went on a study tour in March 2011 to Hungary.

¹ Reference to ITC reports ITC/DCP/10/2920, ITC/DCP/11/2924 & ITC/DCP/11/2927

6. TRANSPARENCY PROVISIONS OF THE WTO AGREEMENTS ON TBT AND SPS

6.1 Working Group on the Transparency Provisions of the WTO Agreements on TBT and SPS

The third meeting of the Working Group on the Transparency Provisions of the WTO Agreements on TBT and SPS was held on 20 July. The composition of the Working Group is given in Annex II. It was chaired by the Deputy Minister of Economic Development and Trade.

Clarifications about the following documents, which had been provided to the Working Group before the second meeting, were given by Kosim Kurbonov, National Consultant on SPS, and Farzona Tilavova, National Consultant on TBT:

- Recommended procedures for implementing the transparency obligations of the SPS Agreement (Article 7) - from WTO
- Information Retrieval on Sanitary and Phytosanitary Measures – from ITC
- Manual of Model Procedures and Guidance Notes for the Implementation of the WTO Agreement on Technical Barriers to Trade – from ITC
- Information Retrieval on Standards, Technical Regulations and Conformity Assessment Procedures – from ITC
- Decisions and Recommendations adopted by the WTO Committee on Technical Barriers to Trade since 1 January 1995 (relevant extracts) – from WTO
- Action plans for implementing the transparency provisions of the WTO Agreements on TBT and SPS in Bangladesh (as examples)

The author gave clarifications about the mandatory and discretionary activities related to the transparency provisions of the WTO Agreements on TBT and SPS and explained the elements of the action plan for implementing these transparency provisions. He said that mandatory functions related to NNA and NEP as per the agreements were the responsibility of the government and discretionary functions to benefit from the agreements could be performed by the government or the private sector. The mandatory function of NEP could be contracted out to a non-governmental body.

The action plan for implementing the transparency provisions of the two agreements was approved and is reproduced as Annex III. It comprises of the following six elements:

- Policy Statements
- Notifications to WTO
- Responding to enquiries from WTO Members
- Notifications from WTO Members
- Service Bureau for Tajik exporters
- Promotion and Public Awareness

Responsibilities were assigned for the six functions in the action plan. The responsible teams/ministries were asked to provide a timeframe of the activities within a week to finalize the plan.

A small working group comprising representatives of the Ministry of Economic Development and Trade, GIZ, ITC, Tajikstandart and the Ministries of Agriculture and Health would be responsible for "Policy Statements". An example of the policy statement on SPS from New Zealand, from a WTO document, would be translated and made available.

The Ministry of Economic Development and Trade, which houses the NNA for TBT and SPS, and other partners, would comprise a small working group for "Notifications to WTO". ITC would assist with training of regulatory bodies on the notification obligations in the WTO Agreements on TBT and SPS.

The NEPs for TBT and SPS would be responsible for "Responding to enquiries from other WTO Members".

The NNA for TBT and SPS would be responsible for "Notifications from other WTO Members" till the accession of Tajikistan to WTO and then this responsibility would be transferred to the NEPs for TBT and SPS.

The Union of Businessmen and Exporters of Tajikistan would deal with "Service Bureau for Tajik exporters".

ITC, in collaboration with non-governmental organizations, and NEPs would deal with "Promotion and Awareness".

The Deputy Minister emphasized that many activities in the action plan should be completed before the next meeting of the Working Party on the Accession of Tajikistan at WTO in November 2011.

6.2 Implementation of the transparency provisions of the WTO Agreements on TBT and SPS

The WTO Secretariat has been informed of the organization and contact details of the NEPs for TBT and SPS. However, the name of the organization and the contact details of the NEP for TBT have not been put on the TBT Information Management System on the WTO web page. Even though, the name of the organization and the contact person for the NEP for SPS have been indicated in the SPS Information Management System, his contact details have not been indicated. The WTO Secretariat will be contacted to upload the complete information for the NEPs for TBT and SPS in the relevant Information Management Systems.

Meetings were organized with representatives from the NNA for TBT and SPS, the NEPs for TBT and SPS, and the Union of Businessmen and Exporters of Tajikistan (UBET) to clarify issues related to their work in connection with the transparency provisions of the WTO Agreements on TBT and SPS

ITC will provide guidance for the preparation of Standard Operating Procedures for the NNA for TBT and SPS, the NEPs for TBT and SPS, and UBET.

The NNA for TBT and SPS should establish the following Standard Operating Procedures (SOPs):

- SOP for submitting notifications to the WTO
- SOP for responding to notifications from WTO members

The NEPs for TBT and SPS should establish SOPs for responding to enquiries from WTO Members.

The Union of Businessmen and Exporters of Tajikistan should establish a SOP for responding to enquiries from Tajik exporters.

As Tajikistan is not yet a WTO Member, it would not be able to implement the SOP for submitting notifications to WTO. It would only be able to implement partially the SOP on responding to notifications from WTO Members as it would not be able to raise specific trade concerns in the relevant fora of the WTO.

7. STREAMLINING THE SPS INFRASTRUCTURE

Work is continuing on the matrix on the food safety system.

As Digby Gascoine, the International Consultant on SPS issues, had raised the possibility of deviating from the original plan for his next mission taking into account several current activities related to food safety strategy, meetings were organized to obtain information to plan his next mission.

In the context of the accession of Tajikistan to WTO and in view of the next meeting of the Working Party on this subject in November, the Deputy Minister of Economy and Trade requested the assistance of ITC to review the compliance of legislation in the area of SPS.

The next mission of the International Consultant on SPS issues should be as originally planned i.e. present the analytical matrix of food safety roles and responsibilities in Tajikistan and some options for change to minimize duplication and fill gaps in the food safety system. The other activity i.e. organizing a high-level seminar on "Implications of the SPS Agreement for Public Sector Management" could be customized to take into account the issues related to SPS in the Working Party on the Accession of Tajikistan. The report on the review of the SPS infrastructure conducted in 2006 would be given to the Deputy Minister, with the relevant parts on compliance of legislation with WTO requirements highlighted. A review of compliance of current legislation would be undertaken subject to the availability of resources under the project, as these are limited and this activity had not been planned.

8. RECOMMENDATIONS AND FOLLOW-UP

8.1 Accreditation of laboratories

It is suggested that Tajikstandart consider shifting its accreditation from DAkKS to the National Centre of Accreditation in Kazakhstan, the first such body in Central Asia to become a full member of ILAC.

8.2 Working Group on the Transparency Provisions of the WTO Agreements on TBT and SPS

The above Working Group should meet regularly and monitor the implementation of the action plan for implementing the transparency provisions of the WTO Agreements on TBT and SPS. Policy statements should be established on TBT Transparency and SPS Transparency.

8.3 Implementation of the transparency provisions of the WTO Agreements on TBT and SPS

The four SOPs mentioned in section 6.2 should be prepared and finalized.

It is recommended that the staff of the NNA for TBT and SPS and the NEPs for TBT and SPS follow the WTO E-learning Courses on "Technical Barriers to Trade" and "Sanitary and Phytosanitary Measures" as appropriate. The staff of the NNA for TBT and SPS and the NEP for SPS can follow the WTO interactive course on "SPS Handbook: How to apply the transparency provisions of the SPS Agreement".

9. ACKNOWLEDGEMENTS

The author would like to express his appreciation to the ITC staff, both in Geneva and Dushanbe, and in particular to Armen Zargaryan, Regional Trade Promotion Adviser; Saidmumin Kamolov, National Project Manager; Nargiza Abjumajidova, National Programme Assistant; Kosim Kurbanov, National Consultant on SPS; and Farzona Tilavova, National Consultant on TBT.

Annex I – Programme of the mission

Schedule of meetings for mission of Mr. Shyam Kumar Gujadhur, Senior Adviser on Standards and Quality Management to Tajikistan

14- 20 July 2011

Thursday, July 14, 2011

Time	Person(s)	Place	Notes
14:00 – 17:00	Meeting with NPM, NCs on SPS and TBT	ITC office	

Friday, July 15, 2011

Time	Person(s)	Place	Notes
09:00– 11:00	Discussion NC on SPS	ITC office	Gujadhur, Kosim, Saidmumin
14:00-15:30	Ministry of Health (MOH), State Sanitary and Epidemiology Service (SES) Meeting with Mr. Pirnazar Shodmonov, Head of Sanitary Department, Mr. Mahmatali Tabarov, Head of Department of Highly Communicable Diseases, Mr. Navruz Jafarov, Head of State Epidemiological Surveillance	SES	Gujadhur, Kosim, Saidmumin
16:30– 17:30	Chamber of Commerce and Industry (CCI) Mr. Kislyakova Larisa Pavlovna, First Deputy Chairman of CCI (discuss about the new ITC proposed project on Tajikistan's accession to WTO)	CCI	Gujadhur, Kosim, Saidmumin

Monday, July 18, 2011

Time	Person(s)	Place	Notes
09:00 – 10:00	Tajikstandart: Meeting with Mr. Bakhtiyor Shukurov, Director Ms. Saodat Abdullaeva, Head of Department of International Relations	Tajikstandart	Gujadhur, Kosim Farzona, Saidmumin
10:00 – 13:00	Tajikstandart: Meeting with EP TBT staff- Mr. Firdaws Karimov and Mr. Bahrom Jumaev	Tajikstandart	Gujadhur, Farzona, Kosim
14:00– 16:30	Ministry of Agriculture: Meeting with EP SPS staff- Mr. Saidnuriddin Bahriddinov, Chief specialist	MOA	Gujadhur, Kosim, Farzona

16:30– 17:30	Ministry of Agriculture: <i>Mr. Mizrobkhon Dehkonov, Chief specialist</i> <i>Mr. Shohzoda Saidahmad, Head of State Phytosanitary Supervision Department, State Service on Phytosanitary and Plant Quarantine</i> <i>Ms. Sayora Saidarova, Specialist, State Sanitary and Veterinary Service</i>	MOA	Gujadhur, Kosim Farzona, Saidmumin
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Tuesday, July 19, 2011

9:00– 10:00	Ministry of Economic Development & Trade (MEDT) Meeting with Mr. Saidrahmon Nazriev, Deputy Minister of Economic Development & Trade (MEDT) <i>Mr. Parviz Emomov, Chief specialist, WTO Affairs Division</i>	MEDT	Gujadhur, Kosim Farzona, Saidmumin
10:00-13:00	<i>Meeting with Mr. Anvar Ibragimov, Head of WTO Affairs Division</i> <i>NNA on SPS and TBT staff- Mr. Parviz Emomov</i>	MEDT	Gujadhur, Kosim Farzona
	Preparation for the Meeting of the WG on SPS and TBT		

Wednesday, July 20, 2011

Time	Person(s)	Place	Notes
10:00– 12:30	Participation in the 3rd meeting of the Working Group on SPS and TBT	MEDT	
14:00– 15:00	Association of Exporters of Tajikistan Coordination Council of Business Associations and Public Unions of Tajikistan <i>Meeting with Mr. Nekroy Zabirov, Chairman</i>	Association's office	Gujadhur, Kosim, Farzona, Saidmumin
15:30– 16:30	Swiss Cooperation Office in Tajikistan: <i>Debriefing meeting with Mr. Nicolas Guigas, Deputy Country Director, SDC Office in Tajikistan and Ms. Malika Ibrohimova, National Program Officer, SECO Tajikistan</i>	SDC office	Gujadhur, Kosim, Farzona, Saidmumin

Thursday, July 21, 2011 Flight back to Geneva by Turkish Airline at 05:30am

Annex II – Composition of the Working Group on the Transparency Provisions of the WTO Agreements on TBT and SPS

*Approved by Order of the Minister of
Economic Development & Trade of Tajikistan
dated July 15, 2011, #84*

1.	Nazriev S.	Deputy Minister of Economic Development and Trade of Tajikistan
2.	Ibrohimov A.	Head of WTO Affairs Division, Ministry of Economic Development and Trade of Tajikistan
3.	Murodov Sh.	Head of Agriculture Sector Development and Environment Department, Ministry of Economic Development and Trade of Tajikistan
4.	Emomov P.	Chief Specialist of WTO Affairs Division, Ministry of Economic Development and Trade of Tajikistan
5.	Shamsov F.	Leading Specialist, Department of Marketing, Consumer Market and Competition Development, Ministry of Economic Development and Trade of Tajikistan
6.	Shodmonov P.	Head of Sanitary and Epidemiological Department, State Sanitary and Epidemiological Service, Ministry of Health of Tajikistan
7.	Yokubov I.	Sanitary Doctor of Department of Attestation, Accreditation and Certification of the State Sanitary and Epidemiological Service, Ministry of Health of Tajikistan
8.	Bahriddinov S.	Chief Specialist, Department of Economic Policy and Forecasting, Ministry of Agriculture of Tajikistan
9.	Dehkanov M.	Specialist of Administrative Department, Ministry of Agriculture of Tajikistan
10.	Saidahmad Sh.	Head of Phytosanitary and Plant Quarantine Department, State Service on Phytosanitary and Plant Quarantine Inspection, Ministry of Agriculture of Tajikistan
11.	Vazirov Sh.	Head of Veterinary and Sanitary Department, State Veterinary Inspection Service, Ministry of Agriculture of Tajikistan
12.	Abduvalieva A.	Head of Department of Standardization and Registration of Technical Regulation Documents, Agency on Standardization, Metrology, Certification and Trade Inspection under the Government of the Republic of Tajikistan ("Tajikstandart")
13.	Mavlonov S.	Head of IT Department, Agency on Standardization, Metrology, Certification and Trade Inspection under the Government of the Republic of Tajikistan ("Tajikstandart")
14.	Samiev D.	Representative of the Chamber of Commerce and Industry (CCI) of Tajikistan
15.	Zabirov N.	Chairman of Association of Entrepreneurs and Exporters of Tajikistan
16.	Uljababaeva M.	Chairman of National Association of Small and Medium Business of Tajikistan (NASMB)
17.	Jekic J.	Senior Adviser on WTO Issues, USAID RTLC project
18.	Sattorov M.	WTO Attorney, USAID RTLC project
19.	Nigmatova Z.	TBT Programme Coordinator in Tajikistan, GIZ project
20.	Khushvakhtova N.	Representative of GIZ project
21.	Virginie B.	Food Safety and Consumer Protection Expert, GIZ Sustainable Economic Development Program
22.	Makhkamova M.	SME Expert, GIZ Sustainable Economic Development Program
23.	Kamolov S.	National Program Manager, Trade Promotion Programme in Tajikistan (ITC)
24.	Tilavova F.	National Consultant on TBT, Trade Promotion Programme in Tajikistan (ITC)
25.	Kurbonov K.	National Consultant on SPS, Trade Promotion Programme in Tajikistan (ITC)

ANNEX III – Action Plan for implementing the transparency provisions of the WTO Agreements on TBT and SPS in Tajikistan

A. POLICY STATEMENTS		
	Activities	Time Frame
1	Prepare draft National Policy Statements (NPSs) on TBT Transparency and SPS Transparency	
2	Submit draft NPSs to WG for comments	
3	Finalize NPSs after considering the comments made by WG members	
4	Submit NPSs to MEDT for approval	
5	Disseminate NPSs to stakeholders	

B. NOTIFICATIONS TO WTO		
	Activities	Time Frame
1	Establish NNA for TBT and SPS	Done
2	Identify regulatory bodies establishing TRs and SPS measures	
3	Obtain contact points/persons from above bodies & identify responsibility of each organisation/contact point	
4	Make the contact points/ relevant organisations aware of the necessity of notifications to WTO and the associated notification procedure	
5	Train staff of the regulatory bodies on the notification obligations in the WTO Agreements on SPS and TBT	
6	Request all relevant organisations to inform NNA when introducing or amending technical regulations and SPS measures	
7	Define Standard Operating Procedure (SOP) for submitting notifications to WTO secretariat	
C. Responding to enquiries from WTO Members		
1.	Establish NEPs for SPS and TBT	Done
2.	Identify regulatory bodies establishing TRs and SPS measures	
3.	Obtain contact points/persons from above bodies & identify responsibility of each organisation/contact points	
4.	Make the contact points/ relevant organisations aware of the necessity of responding to requiring WTO countries	
5	Train staff of the regulatory bodies on the obligations with respect to enquiries in the WTO Agreements on SPS and TBT	
6	Create databases on technical regulations and SPS measures	
7	Request all relevant organisations to inform EP when introducing or amending technical regulation or SPS measures	
8	Establish a network among the Enquiry Point (EP) contact points/persons for facilitating responses to enquiries	

9	Define Standard Operating Procedure (SOP) for responding to enquiries	
D. Notifications from WTO Members		
1	Designate organizations responsible for tracking notifications from other WTO members on TBT and SPS issues	Done
2.	Create a database of stakeholders, e.g. associations, chambers, ministries	
3	Identify the area of interest of each stakeholder	
4	Obtain TBT and SPS notifications on a regular basis from the WTO Secretariat	
5	Screen notifications which are relevant for Tajikistan	
6	Classify screened notifications by industry sector/sub-sector	
7	Send notifications to the stakeholders for disseminating to their members	
8	Obtain feedback, if any, and communicate to the notifying WTO member	
9.	Create and maintain databases of TBT and SPS notifications of interest to Tajikistan	
10	Develop SOP for responding to notifications from other WTO members	

E. SERVICE BUREAU FOR TAJIK EXPORTERS		
1.	Designate organization responsible for providing information to Tajik exporters on technical requirements in export markets	Done
2.	Identify potential export products and markets for Tajikistan	
3.	Train staff of the Service Bureaus on information retrieval and dissemination	
4.	Obtain information about requirements of export products in their markets	
5.	Create and maintaining databases on TBT and SPS requirements in the export markets for products of interest	
6	Respond to specific enquiries from Tajik exporters through the network NEPs and other means as appropriate	
7	Develop SOP for responding to enquiries from Tajik exporters	

F. PROMOTION AND PUBLIC AWARENESS		
1.	Include relevant information on TBT and SPS issues in the websites of the organizations hosting NEPs for TBT and SPS with links to other sites such as WTO	
2.	Prepare brochures on NEPs/Service Bureau for TBT and SPS	
3.	Organize meetings, seminars, workshops for creating awareness in collaboration with relevant organizations	
4.	Publish news bulletins on a quarterly basis	