

*Article 34***Special committee for customs and trade facilitation**

Within the EPA Committee, the Parties will set up a Special Committee on customs and trade facilitation, comprising representatives of the Parties. This committee will report to the EPA Committee. It will discuss all customs issues meant to facilitate trade between the Parties and monitor the implementation and the application of this Chapter as well as the operation of rules of origin.

*Article 35***Cooperation**

1. The Parties recognise the importance of cooperation as regards customs and trade facilitation measures for the implementation of this Agreement.
2. The Parties agree to cooperate, in accordance with the provisions of Article 4, including by facilitating support, notably in the following areas:
  - (a) elaboration of appropriate simplified legal and regulatory provisions;
  - (b) information and sensitisation of operators, including training of staff concerned;
  - (c) capacity-building, modernisation and interconnection of custom administrations.

## CHAPTER 4

***Technical Barriers to Trade and Sanitary and Phytosanitary Measures****Article 36***Multilateral obligations and general context**

The Parties reaffirm their rights and obligations under the WTO Agreements and, in particular, the WTO Agreements on Sanitary and Phytosanitary Measures (hereinafter referred to as the 'WTO SPS Agreement') and on Technical Barriers to Trade (hereinafter referred to as the 'WTO TBT Agreement'). The Parties also reaffirm their rights and obligations under the International Plant Protection Convention (IPPC), CODEX Alimentarius and the World Organisation for Animal Health (OIE).

The Parties reaffirm their commitment to enhance public health in Ghana, in particular through the strengthening of capacities to identify non-compliant products.

These commitments, rights and obligations shall underline the activities of the Parties under this Chapter.

*Article 37***Objectives**

The objectives of this Chapter are to facilitate trade in goods between the Parties, to increase the capacity of the Parties to identify, prevent and eliminate unnecessary obstacles to trade between the Parties as a result of technical regulations, standards and conformity assessment procedures applied by either Party while not affecting the capacity of the Parties to protect public, plant and animal health.

*Article 38***Scope and definitions**

1. The provisions of this Chapter shall apply to technical regulations, standards and conformity assessment procedures as defined in the WTO TBT Agreement and to sanitary and phytosanitary measures (hereinafter referred to as 'SPS measures') as defined in the WTO SPS Agreement, in so far as they affect trade between the Parties.
2. For the purposes of this Chapter, unless specified otherwise, the definitions used by the WTO TBT Agreement and WTO SPS Agreement, the CODEX Alimentarius, the IPPC and the OIE shall apply, including where reference is made to 'products' in this Chapter.

*Article 39***Competent authorities**

The Competent Authorities of the Parties for the implementation of the measures referred to in this Chapter are described in Appendix II.

The Parties shall, in accordance with Article 41, inform each other of any significant changes to the competent authorities listed in Appendix II. In such a case, the EPA Committee will adopt an amendment to Appendix II.

*Article 40***Sanitary and phytosanitary zoning**

In respect of import conditions, the Parties may propose and identify on a case-by-case basis zones of defined sanitary and phytosanitary status, taking into account Article 6 of the WTO SPS Agreement.

*Article 41***Transparency of trade conditions and Information Exchange**

1. The Parties shall inform each other of any changes to their technical import requirements for products (including live animals and plants).
2. The Parties agree to inform each other in writing of measures taken to prohibit the importation of any good to address a problem relating to health (public, animal or plant health), safety and the environment as soon as possible in accordance with SPS recommendations.
3. The Parties agree to exchange information with a view to collaborating so that their products meet technical regulations and standards required to access their respective markets.
4. The Parties shall also directly exchange information on other topics agreed by both Parties to be of potential importance for their trade relations, including food safety issues, animal and plant disease outbreaks, scientific opinions and other significant product safety related events. In particular, the Parties undertake to inform each other when applying the principle of sanitary and phytosanitary zoning as set out in Article 6 of the WTO SPS Agreement.
5. The Parties agree to exchange information in epidemiological surveillance on animal disease. Also in the domain of plant health, the Parties will exchange information on the occurrence of pests of known and immediate danger to the other Party.

6. The Parties agree to cooperate with a view to alerting each other early when new regional rules might impact trade between them.

#### Article 42

### Cooperation in international bodies

The Parties agree to cooperate in international standard setting bodies, including by facilitating the participation by representatives of the Ghanaian Party in the meeting of these bodies.

#### Article 43

### Cooperation

1. The Parties recognise the importance of cooperation in the areas of technical regulations, standards and conformity assessment as well as regards sanitary and phytosanitary measures for the implementation of this Agreement.

2. The Parties agree to cooperate, in accordance with the provisions of Article 4, with the aim of improving the quality and the competitiveness of priority products for Ghana and access to the EC market, including by facilitating support, notably financially, in the following areas:

- (a) Set-up of an appropriate framework for the exchange of information and expertise among the Parties;
- (b) Adoption of technical standards and regulations, conformity assessment procedures, and harmonised sanitary and phytosanitary measures at regional level, based on relevant international standards;
- (c) Building the capacity of the public and private actors, including information and training, with the aim of helping exporters to conform to EC rules and standards, and of participating in international organisations;
- (d) Development of national capacities for the assessment of product compliance and access to the EC market.

#### TITLE IV

### SERVICES, INVESTMENT AND TRADE RELATED RULES

#### Article 44

Building on the Cotonou Agreement, the Parties will cooperate to facilitate all the necessary measures leading to the conclusion as soon as possible of a global EPA between the whole West Africa region and the EC in the following:

- (a) trade in services and electronic commerce;
- (b) investments;
- (c) competition;
- (d) intellectual property.

The Parties will take all necessary measures to endeavour to conclude a global EPA between the West Africa region and the EC before the end of 2008.

On these issues, as well as on any other issues the Parties may agree on, the Parties support the negotiations of the global EPA on the basis of the EC-West Africa Road Map and subsequent developments since its adoption. They welcome a two-step approach starting first with formulating and implementing regional policies and building regional capacity, and in a second step, deepening the EC-West Africa trade provisions mutually agreed on concerning these issues.