

**2 to 5 June 2015, Dushanbe-Tajikistan**

**Session 2: Post Accession Challenges - A Perspective from a Non-Resident Member**

Honourable Members, Excellencies, Distinguished Guests. First of all may I add my vote of thanks the Government of Tajikistan of organizing this meeting Director General of the World Trade Organization, Minister of Commerce of the People's Republic of China, and Minister of Economic Development and Trade of the Republic of Tajikistan for extending the invitation to Samoa to attend and participate in this Third China Round Table on WTO Accessions.

Samoa acceded to WTO in May 2012 and became the 155 member of WTO family.

Samoa has been fortunate to have been granted the opportunity to not only moderate but also to participate in the discussions of the last two rounds which were held in Beijing, China and later in Laos PDR, which I was informed by our Deputy Prime Minister were both enlightening and valuable contribution to our small country's effective engagement in the multilateral trading arena.

It is on these grounds, that whilst the Deputy Prime Minister was not able to attend this Third Round meeting, the he insisted that Samoa be represented. The first two rounds of discussions were important as we noted the valuable lessons and richness of information that can be shared and learnt from you, our fellow countries, given the common mutual interests we share. I am here today to share with you the experience that my country has gone through since becoming a WTO member and the approach adopted in meeting its obligations to WTO.

While it took Samoa 13 long years (and I understand for some members it took longer than this), to achieve this great milestone having negotiated the terms and conditions of its membership, Samoa saw it as a necessity and a driving force for the relevant reforms required for trade to be mainstreamed into our national development policies.

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Samoa was mindful of the obligations that were placed on her having signed the Protocol of Accession to the Marrakesh Agreement in December 2011 in Geneva. The opportunity to be part of the WTO family and to engage in the level of discussions in Geneva to develop trade rules that are transparent to all is a plus in itself.

I will draw from Samoa's three years since its accession to the WTO in May 2012 (post accession), outlining the preparatory work that went into the post accession stage, the key challenges encountered and how such challenges are being addressed to date.

For Samoa, immediately upon her accession to the WTO in 2012, the first step was to look at the process that countries at similar stages of development (being LDC at the time and having recently acceded) had to go through to initiate what is required at such level to ensure its policies are in line with WTO rules. This in a way provided guidance on what we needed to do at the post accession level.

Secondly, we sought the assistance of the World Trade Organization through the Institute for Training and Technical Cooperation to provide Samoa with a list of notifications that we needed to implement based on Samoa's Protocol of Accession and obligations as contained in its Working Party Report. The table prepared by WTO, stipulated the minimum and immediate obligations for Samoa from the date of its WTO accession including timelines as to when these need to be submitted to WTO through the Central Registry of Notifications. Samoa was advised to firstly focus its efforts on the "one-time" notifications as these were due upon its accession into WTO and whereas for the others, submit these to the extent necessary should there be changes to existing regulations or introduction of new regulations which had implications on goods, services and IP issues.

This table was then used as a basis by the Ministry of Foreign Affairs & Trade as focal point for all trade related matters to formulate the "Post Accession Implementation Plan" which was divided into three (3) key areas: i) Committed reforms to its legislations that Samoa needed to undertake to conform its laws to WTO rules; ii) Notifications requirements and awareness that must be undertaken to ensure key implementing

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agencies understand the key role they play; and iii) General obligations and other notifications based on the obligations contained in Samoa's Protocol of Accession. The matrix also identified the relevant Government Agencies that were responsible for the implementation of these obligations and notifications. The matrix was developed in close consultations with key implementing agencies including the private sector as it was important to get their support given they will be implementing these obligations.

Thirdly, a National Working Committee on WTO matters was set up to coordinate and facilitate the work undertaken for Samoa's accession. This National Committee involves government Ministries, private sector and NGO representations. Its main function was to oversee Samoa's WTO accession process through the provision of policy advice and support to the accession negotiating team. Over the years, Samoa expanded its trade discussions to include Regional Trade Arrangements with the European Union under the Economic Partnership Agreement, the Pacific region under the Pacific Island Countries Trade Agreement to name a few, hence, the functions of this Committee was expanded and renamed in 2010 as the "National Working Committee on Trade Arrangements". It is through this same Committee that Samoa continues to progress its work on WTO and other trade related matters. The Deputy Prime Minister is the Chair of this Committee and his presence indicated the political will and drive that further encourages key representatives of the Committee to contribute effectively to trade related matters where relevant. For Samoa, having this National Committee as the institutional driver is a plus as the Ministry has the opportunity to work with the relevant Agencies in the implementation of its obligations and notifications to WTO.

The fourth step was to identify the relevant assistance required to assist the government agencies in the implementation of these obligations. But even more importantly, the challenge that this was all new to Samoa and the fact that there is little awareness of what WTO is and what it means for Samoa as a WTO member. Samoa noted the need for ongoing awareness workshops to be conducted in hand with the WTO Technical Support Staff and so, have utilized the technical assistance provided through the

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Institute for Technical Training Cooperation that Samoa is entitled to, to conduct sessions tailor made to the needs of the stakeholders so as to build their capacities. Samoa was also fortunate to receive assistance from the International Trade Centre (ITC) towards building the capacity of the private sector on WTO matters. In addition, the WTO progressive learning programs through e-learning, the access to thematic courses in Geneva, the Geneva weeks and the internship programs were encouraged and these assisted in building the knowledge of key officials from the relevant Government Ministries.

Overall, we believe the major challenge for Samoa is that we do not have a permanent mission in Geneva. We believe that having our presence in Geneva ensures we are fully engaged and involved in the foras where issues of key interests to Samoa are discussed and negotiated in the different Committee/groups. As a Small Vulnerable Economy (SVE) with limited resources and budgetary constraints, we have opted to use whatever institutional support is available to us to ensure key information is being filtered to the national level. Hence to address such challenge, we have so far managed to utilize the Pacific Islands Forum Secretariat in Geneva and the Samoa Embassy in Brussels, to ensure we are kept abreast of the discussions at hand. In addition to this, we continue to receive airgrams from WTO regarding work and meetings being organized in Geneva and also, constantly accessing the member's website to keep track of the discussions in Geneva. Moreover, with Samoa's membership in the ACP and SVE groups, we are able to contribute to the discussions and provide feedback on proposals being developed on behalf of these groups on issues of interests.

Samoa's graduation from LDC to Developing Country status in January 2014 also provided another key challenge to the country. Noting the implications on Samoa of such a change, the Government through the Ministry of Foreign Affairs & Trade commissioned a preliminary study to consider the likely implications once Samoa graduates. In fact it was from this analysis that the government noted that there would be variations in the level of financial and other support provided by the donors. From trade itself, requests were made through our diplomatic ties with key trading partners such as New Zealand, Australia,

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Japan, China for the Generalized System of Preferences (GSPs) seeking transitional periods for duty free-quota free exemptions as such programs were geared towards LDCs only. Samoa managed to secure three year transitions from China but other countries were not forthcoming. Graduation from LDC status is a cosmetic change that does not address any of the underlying challenges that are unique to small and vulnerable economies like Samoa. Samoa is grateful for the support received through the Enhanced Integrated Framework for LDCs in Geneva where, Samoa managed to secure funding under its Tier 1 and 2 proposals which assisted in Samoa's trade related work before it graduated out of LDC status.

Another major challenge is the resources that are available to us, with the obligations placed on Samoa especially the legislative reforms that need to be undertaken. I refer specifically to the import prohibition for turkey tails which requires an in-depth analysis to consider the implications of removing the ban and to identify feasible ways to address health concerns. Samoa requires financial and technical assistance to undertake such work. This is in fact another hindrance to our work as it has taken us 3 years to secure funds. Samoa's commitment was such that we were required to have removed the ban in 2015 and implement findings of the study. The funding has only been secured in the recent months of this year. It is important that during accessions, developing and developed countries must be mindful that the implementation periods and the ability of acceding countries to implement commitments within the given periods must be realistic should such targets need to be met given the resources that each countries have.

National coordination and building human resource capacity are key factors to the successful implementation of Samoa's WTO obligations. For the development of notifications, the Ministry of Foreign Affairs & Trade as the central body for all trade related matters established a system whereby all draft notifications prepared and drafted by enquiry or competent authorities would be submitted to the Ministry for internal screening before submission to WTO. The challenging side is that no one had the experience on how to prepare notifications and what needs to be notified. Thus, the Ministry managed to obtain from WTO Secretariat a handbook on all the notifications and

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samples of notifications for the different WTO Agreements. These samples and forms were then circulated to implementing agencies for their information. To complement this work, the Ministry ensured that national workshops take for instance on services, would include a session on notifications for services, so officials get an understanding on how to approach these notifications. Another important factor is the need to establish contact with the relevant resource personnel at WTO, should there be any queries on notifications or obligations.

**Concluding remarks**

In summary, the government of Samoa has been the driving force behind our accession and post accession process and relevant supporting agencies including the private sector, NGOs, civil societies also play a crucial role in the successful achievement of such goal. Having the relevant national institutional frameworks in place is vitally important to our successful accession and fortunately for Samoa, these were successfully established during preparation to accession and continue to be so, post accession.

As with any country, we are not immune to challenges but we have managed to work together to find ways within Samoa and with the support of development partners and international organizations to ensure that matters are properly addressed, as they arise.

One point that I want to leave with you is that our graduation from LDC status in January 2014, has not in any way change the circumstances that we are in. Samoa will continue to require technical and financial support to ensure our priorities are realized in terms of trade.

Thank you for inviting Samoa to this conference and,

**Thank you for your attention!!!**

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