THE NATIONAL CONSULTATIVE PROCESS IN KENYA

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Outline of Presentation

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- Institutional Framework
- Membership
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Means

Consultations in Kenya are carried out through the TBT National Consultative Committee.

The TBT National Notification Authority (NNA) is based at the State Department for Trade, under the Ministry of Trade, Industry & Cooperatives.

The TBT National Enquiry Point (NEP) is based at the Kenya Bureau of Standards.
Implementation of TBT Agreement

Institutional Framework

Ministry of Industry, Trade and Cooperatives

State Department for Trade

National Trade Negotiations Council

WTO/TBT National Committee

MTS Reference Centers

TBT National Enquiry Point

Other NEPS
Membership

- State Department for Trade – Chair
- Kenya Bureau of Standards (KEBS) - Secretariat

**National Government**

- Ministry of Health - Member
- State Department of East African Affairs - Member
- State Department of Agriculture - Member
- Directorate of Veterinary Services - Member
- The Office of the Attorney General - Member
Membership

Regulatory Authorities & Statutory Bodies

- Kenya Plant Health Inspectorate Service (KEPHIS) - Member
- Kenya Industrial Property Institute (KIPI) - Member
- National Environment Management Authority (NEMA) - Member
- Export Promotion Council - Member
- Kenya Investment Authority - Member
- NACADA - Member
- KENTRADE - Member
- Kenya Accreditation Service (KENAS) - Member
Membership

Consumer Bodies
- Consumer Information Network - Member

Business Associations
- Kenya Association of Manufacturers (KAM) - Member

Universities
- University of Nairobi - Member
Terms of Reference

- To review all issues pertaining to TBT
- To review the operation and administration of the TBT Agreement with regard to enquiry and notification point obligations
- To review developments in technical regulations, standards, & conformity assessment procedures that are barriers to trade nationally & in trading partners
- To exchange information and assist in the co-ordination among ministries and lead agencies on responses to WTO foreign notifications
- Technical evaluation of all WTO TBT foreign notifications
Terms Of Reference

- To review developments in the WTO TBT Committee
- To review responses and enquiries to the country’s notifications to WTO
- To provide views and other inputs for the Triennial Reviews of the TBT Committee
- To review developments in Trade and regulatory practices
- Development of National Positions with regard to WTO TBT issues for onward transmission to the Geneva - based Kenyan negotiators
- To review Technical Assistance needs through the Ministry responsible for trade matters
Committee meets at least three times a year, a month before the Scheduled WTO TBT Committee meeting in Geneva
Typical Agenda

• Minutes of the last meeting and matters arising
• Discussions on implementation of EAC Regional TBT Workplan
• Preparations for the WTO TBT meeting in Geneva
  – Report from previous WTO TBT meeting in Geneva
  – Triennial Review
  – Invitation Letters
  – National Position paper covering ongoing discussions including STCs raised at TBT meetings
  – Follow up on resolution of STCs raised through bilateral means
• Technical Evaluation of Domestic and Foreign Notifications
Challenges

- There is limited feedback from the business community on foreign notifications
- Delayed communication from regulatory authorities concerning proposed/revised technical regulations
- Inadequate resources both human and capital
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Thank You!!!