



**Terms of Reference for the NAFTA
Technical Working Group on Pesticides**

Approved by TWG June 4, 1997

Terms of Reference for the NAFTA Technical Working Group on Pesticides

1. Purpose and Responsibilities

Pursuant to Article 722(3)(e) of the North American Free Trade Agreement (NAFTA), the NAFTA, the Committee on Sanitary and Phytosanitary Measures (SPS), establishes the Working Group on Pesticides. The Working Group will serve as a focal point to address pesticide issues arising under the NAFTA provisions on SPS Measures. The Working Group's primary objective will be to facilitate cost effective pesticide regulation and trade among the three countries through harmonization and work sharing while recognizing the objectives of NAFTA Chapter Seven, Subchapter B, for the "protection of human, animal or plant life or health in its territory, including a measure more stringent than an international standard, guideline or recommendation".

2. Composition

- a. Representatives on the Working Group should be management and Technical officials with responsibility for pesticide issues within their countries.
- b. Delegation size for Working Group sessions should remain flexible, with a view toward maximum efficiency in operations while allowing for representation of needed expertise.

3. Working Group Operations

- a. The full Working Group will meet annually or as agreed upon by the three parties. An intersessional meeting of the Working Group consisting of senior government officials and the chairs of the technical subcommittees as necessary shall meet between full Working Group meetings in order to review progress and amend work plans and priorities if necessary. Where it is most efficient and practical for members, meetings should be schedule in connection with meetings of the NAFTA Committee on Sanitary and Phytosanitary Measures (SPS).
- b. Meeting sites for the full Working Group will rotate among the three countries, except that where it is more practical, sites will coincide with meeting of the SPS Committee. The host country will be responsible for meeting arrangements including secretarial services, agenda co-ordination, recording minutes and meeting follow-up as appropriate. Meetings will be chaired by the delegation lead of the host

country. Working Group chair responsibilities for meeting preparation will be passed to the next host country, in turn, at the closure of each meeting, unless otherwise agreed to by the parties.

- c. Pesticide-related issues may be referred to the Working Group by the SPS Committee, or Working Group members may propose agenda items directly. Proposed items for Working Group consideration should be made available to all parties and agreement reached on meeting agenda in sufficient time for adequate preparation.
- d. The Working Group's work plan shall comprise both trilateral and bilateral activities, as appropriate. The Working Group shall establish technical subcommittees as necessary to carry out the work between sessions.
- e. Each party will designate a lead representative to be the principal contact and act as part of a trilateral secretariat responsible for coordinating national input to the Working Group, communicating with stakeholders and for the preparation of the meetings of the Working Group and the semiannual reports on their activities.
- f. The Working Group shall prepare periodic updates of its activities, and reports on specific projects as agreed upon by the Group. In addition, the Working Group will prepare reports as requested on specific issues referred to it for consideration by the NAFTA SPS Committee.
- g. In its deliberations, the Working Group may consult with and seek assistance from other experts and expert bodies, as appropriate.
- h. The Working Group shall seek to minimize duplication of effort, through coordination with the activities of regional fora and drawing upon the work undertaken in other international fora as appropriate.
- i. The Secretariat shall, in connection with full meetings of the Working Group, schedule a meeting open to interested members of the public. The Group may schedule additional public meetings and take other measures as appropriate to secure input and provide opportunities for public participation on issues before the Group.
- j. Meetings of the Working Group and Technical Subcommittees shall be conducted in English and Spanish, as necessary and reports shall be prepared both in English and Spanish. The host country shall arrange for the necessary interpretation and translation services.

4. Coordination Framework

- a. When an issue is referred to the Working Group for consideration, the Group will be responsible for determining the terms of reference and time frames for a report, provided that interim reports will be provided as requested by the SPS Committee on issues which they refer to the Working Group.
- b. Parties shall be responsible for facilitating access and providing relevant information necessary for Working Group reports to be completed.
- c. On receipt of the necessary information, the Working Group will respond in a timely manner, as appropriate to the issue, to the Party or Committee that referred the issue.