

PROCEDURE AND LEGAL INSTRUMENTS USED TO CONTROL AGRICULTURAL COMMODITIES IMPORT AND EXPORT IN ZAMBIA

BY H SIKWIBELE & D MUNDIA

PREAMBLE

- Agric Sector characterized by heavy subsidies and control at independence
- The 1970's oil crisis coupled with declining world copper prices in the early 80's necessitated diversification
- Agricultural sector had long been identified as one of the alternatives to strengthen foreign currency earnings
- The sector has been experiencing growth from the 1990s
- The sector faces many challenges including the rapid appreciation of the local currency

ZAMBIA IS A MEMBER OF AND CONCERTED TO THE FOLLOWING ORGANISATIONS

- World Trade Organisation (WTO),
- United Nations (UN),
- International Plant Protection Convention (IPPC)
- International Office of Epizootics (OIE),
- Codex Alimentarius Commission (CAC),
- International Standards Organisation,
- African Caribbean and Pacific (ACP-EU),
- Common Market for Eastern and Southern Africa (COMESA).
- Southern Africa Development Community (SADC)

SUPPORTIVE LEGISLATION

- Control of Goods Act (import and Export) Agriculture Regulations (Cap 421)
- Administered by Minister responsible for Agriculture
- WTO Agreement on Agriculture (AoA)
 - Sanitary & Phytosanitary Measures (human, plant, animal and environmental health & safety)
 - General safe guard provisions (allows emergency safe actions to impose non-tariff measures)
 - Export restrictions for food items (may be allowed in accordance with paragraph 2 (a) of Article XI of GATT 1994)
- Zambia has been using this article to prevent export of maize and maize meal in times of deficit or surplus

CROSS BORDER TRADE FOR NON-COMMERCIAL PURPOSES

- The tradition along border areas has allowed residents to import food items for own consumption without any formalities.
- This is meant to improve household food security
- However this provision has been abused by commercial traders

IMPLICATIONS OF SIGNED TRADE PROTOCOLS & AGREEMENTS

- Zambia wants to be a good regional trade partner
- Zambia is obliged to apply the international agreed standards
- The COMESA, SADC FTAs oblige Zambia to offer duty free access to imports from member states
- Zambia has benefited in times of national deficit from being able to count on regional imports
- Zambia is also expected to manage its international trade activities in conformity with the basic WTO principles of Most Favoured Nation(MFN) and National Treatment (NT)