

# REGULATORY DEVELOPMENT AND CHALLENGES FOR THE REGIONALIZATION PROVISIONS IN THE WTO SPS AGREEMENT AND REGIONAL TRADE AGREEMENTS

*Gaegoung Kim\* & Minjung Kim\*\**

## ABSTRACT

*This paper examines the regulatory development of the regionalization provisions in Article 6 of the WTO SPS Agreement, focusing on implementation challenges to the provisions' operation. Main findings of the study reveal that, since the time the principle was drafted in the Uruguay Round negotiations, one of the issues continuously discussed was finding an appropriate level of burden that requires exporting Members to provide evidence for a claim of clean areas. The Agreement's legal criteria being not sufficiently concrete, recent rule-developments seem to be mainly in two directions: the onus is more shared between exporting and importing countries, and RTA provisions structurally incorporate more participation from the relevant international organizations. Also, applying a broad perspective that explores negotiations, rules and applications, the analysis attempts to shed light on recurring fundamental problems pertinent to importing countries' recognition of clean areas under the*

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\* Research Associate, Center for International Commerce and Strategy, Seoul National University.  
Email: worudrla405@snu.ac.kr.

\*\* Corresponding Author. Senior Research Fellow, Center for International Commerce and Strategy, Seoul National University. Email: mjk@snu.ac.kr.

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*world trading system.*

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