

WORLD TRADE ORGANIZATION

RESTRICTED

G/TBT/SPEC/1

22 May 1995

(95-1337)

Committee on Technical Barriers to Trade

REQUEST FOR FURTHER SUGGESTIONS IN RELATION TO DOCUMENT G/TBT/W/2

(Draft Updating of the Decisions and Recommendations taken by the
Tokyo Round Committee on Technical Barriers to Trade Regarding
Procedures for Notification and Information Exchange)

Communication from the Secretariat

At its meeting of 21 April 1995, under agenda item 2.6 (ii), the WTO TBT Committee held discussions based on the Secretariat's background document G/TBT/W/2 with a view to adopting updated decisions and recommendations on procedures for notification and information exchange under the WTO TBT Agreement. The following suggestions to improve document G/TBT/W/2 were made by delegations during the discussion:

1. On page 2, the third line of paragraph 1, regarding Members submitting relevant information in the form of written Statements on Implementation and Administration of the Agreement, "Members should" should be replaced by "Members shall" so as to keep the same language as in the first line of the paragraph. In relation to that, a question was raised about whether it is necessary for Signatories of the Tokyo Round Agreement to re-submit their original Statements or to make completely new Statements since the basic structure of the recommendations would remain the same;
2. On page 2, point 2 (b), doubts were raised on the value of including "the expected length of time allowed for presentation of comments" in the statements, since it was recommended elsewhere by the Committee that 60 days should be provided normally and 45 days under special circumstances;
3. On page 2, point 2 (d), doubts were raised on the value of "consultation points", given the new integrated dispute settlement mechanism established under the WTO;
4. On page 3, point (iii), regarding notifications under Articles 3.2 and 7.2, "proposed and adopted technical regulations/procedures for assessment of conformity" should be replaced by "proposed or adopted technical regulations/procedures for assessment of conformity" to reflect the distinction between the obligations under Article 2.9 and Article 2.10 of the Agreement;
5. In relation to information provided under the Code of Good Practice, specifically paragraphs J, L and O of Annex 3 of the Agreement, doubts were raised about whether it was possible to submit that information in the initial statement by Members without knowing which standardizing bodies would accept the Code of Good Practice; and
6. It was suggested that Paragraph N of document TBT/16/Rev.7 "Labelling Requirements" should also be included as a decision relating to notifications.

Members are requested to address further suggestions in relation to document G/TBT/W/2 to the Secretariat (Ms. Vivien Liu tel. 739 5455) or the Chairperson before 15 June 1995, so that informal consultations can be held according to the suggestions made.