

GENERAL AGREEMENT ON TARIFFS AND TRADE

Committee on Technical Barriers to Trade

APPLICATION OF ARTICLE 2.5

Revised Proposal by the Nordic Countries

It is recalled that the Nordic countries have previously submitted a draft recommendation on how the concept of "significant effect on trade of other parties" in Article 2.5 of the Agreement on Technical Barriers to Trade should be understood (TBT/W/59, item III on page 3). The idea of such a recommendation was widely supported in the Committee on Technical Barrier to Trade, but some delegations have been uncertain about a few elements in the proposed text. After consultations with interested delegations the Nordic countries have prepared the following new text for a draft recommendation, in which the comments received have been taken into account.

Recommendation by the Committee on Technical Barriers to Trade:

For the purposes of Article 2.5 the concept of "significant effect on trade of other parties" may refer to the effect on trade

- of one technical regulation only or of various technical regulations in combination,
- with a specific product, group of products or products in general, and
- between two or more Parties (countries).

When assessing the significance of the effect on trade of technical regulations, the Party concerned should take into consideration such elements as the value or other importance of imports from other Parties individually and collectively, the potential growth of such imports, and difficulties for producers in other Parties to comply with the proposed technical regulations.