

GENERAL AGREEMENT ON TARIFFS AND TRADE

REPORT (1986) OF THE COMMITTEE ON TECHNICAL BARRIERS TO TRADE

1. This report, submitted under Article 15.8 of the Agreement on Technical Barriers to Trade, sets out developments in the implementation and operation of the Agreement since the Committee's last report on 13 November 1985 (L/5890).

2. The Agreement on Technical Barriers to Trade entered into force on 1 January 1980. As of 14 October 1986 the following thirty-four signatories have accepted the Agreement under Article 15.1: Austria, Belgium, Brazil, Canada, Chile, Czechoslovakia, Denmark, Egypt, European Economic Community, Finland, France, Federal Republic of Germany, Hong Kong, Hungary, India, Ireland, Italy, Japan, Republic of Korea, Luxembourg, Netherlands, New Zealand, Norway, Pakistan, Philippines, Portugal, Romania, Singapore, Spain, Sweden, Switzerland, United Kingdom, United States and Yugoslavia. Pursuant to the declaration of Hong Kong as a contracting party to the GATT with effect from 23 April 1986 (TBT/24), the Committee noted that Hong Kong would continue to accept the Agreement and to participate in the work of the Committee. In addition, Argentina, Greece and Rwanda have accepted the Agreement subject to ratification. Tunisia has accepted the Agreement under Article 15.2.

3. The following twenty-three contracting parties have observer status in the Committee on Technical Barriers to Trade: Australia, Bangladesh, Colombia, Cuba, Gabon, Ghana, Indonesia, Israel, Ivory Coast, Malaysia, Malta, Mexico, Nicaragua, Nigeria, Peru, Poland, Senegal, Sri Lanka, Tanzania, Thailand, Trinidad and Tobago, Turkey and Zaire. Two non-contracting parties, Bulgaria and Ecuador, are also observers. Seven international organizations, IMF, UNCTAD, ITC (UNCTAD/GATT), ISO, IEC, FAO/WHO Codex Alimentarius Commission and IOE have attended meetings of the Committee in an observer capacity.

Developments since the Committee's last report (L/5890)

4. The Committee held its twenty-first, twenty-second and twenty-third meetings respectively on 6-7 March 1986 (TBT/M/21 and L/5972), 28 May 1986 (TBT/M/22 and L/6012) and 13-14 October 1986 (TBT/M/23, to be issued shortly and L/6060).

5. The Committee heard statements by Parties on recent developments with regard to matters relating to standardization, certification and testing and having a bearing on the implementation and administration of the relevant provisions of the Agreement in their countries (TBT/M/21, TBT/M/22 and TBT/M/23, to be issued shortly). At its twenty-second meeting the Committee agreed that in future such statements should also specify measures and arrangements established at the national level for gathering early information on proposed technical regulations and rules of certification systems from national authorities in charge of preparing them (TBT/M/22, paragraph 18 and Annex).

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6. At its twenty-first meeting, the Committee extended for a period not exceeding one year the exception granted to India under Article 12.8 of the Agreement from the obligations of Article 7.2 in respect of the ISI Certification Marks Act (TBT/M/21, paragraph 11).

7. The Committee discussed two proposals on the manner in which information on translation of documents relating to notifications could be exchanged among interested Parties (TBT/M/19, paragraph 36(i) and TBT/M/21, paragraph 19) and agreed to revert to this matter at a future date in the light of further informal consultations among interested Parties. Such consultations would take into account the data available on translation of proposed documents undertaken by governmental and non-governmental organizations within the territories of a number of Parties (TBT/M/21, paragraphs 18-28, TBT/M/22, paragraphs 19-23 and TBT/M/23, to be issued shortly).

8. The Committee discussed ways of furthering the objectives of Article 5.2 of the Agreement, on the basis of the proposals before it (TBT/21, TBT/W/79, TBT/W/91, TBT/W/94, TBT/M/21, paragraphs 33-43, TBT/M/22, paragraphs 27-31 and TBT/M/23). At its twenty-third meeting, the Committee agreed that any testing and inspection activity developed within the territories of Parties should be based on the principles and rules presented in the ISO/IEC Guides 25, 38, 39, 43 and 45, which it considered as providing an important contribution in building up mutual confidence in testing and inspection activities between Parties.

9. The Committee discussed two ideas submitted by one Party in the second three-year review of the Agreement under Article 15.9, respectively on possible extension of obligations of the Agreement on notifications of proposed technical regulations and certification systems to local government bodies (TBT/23, TBT/M/21, paragraphs 44-50, and TBT/M/22, paragraphs 32-37) and on establishment of a code of good practice for non-governmental standardising bodies (TBT/23, TBT/M/21, paragraphs 51-54) at its twenty-first and twenty-second meetings. It also discussed two proposals introduced by one Party in the second three-year review relating to improvement of transparency with regard to bilateral standards-related agreements (TBT/21, TBT/W/96, TBT/M/23) and to regional standards activities (TBT/21, TBT/M/23).

10. At its twenty-third meeting, the Committee noted that informal consultations were being held between interested Parties regarding the introduction of certain standards in the territory of one Party on ski equipment of export interest to a number of other Parties (TBT/M/23, to be issued shortly).

11. Taking into account the decision to launch a new round of multilateral trade negotiations, the Committee agreed at its twenty-third meeting, to prepare a non-exhaustive list of subjects that might be addressed in further improvement, clarification or expansion, as appropriate, of the Agreement in the Uruguay Round. The compilation of this list should not prejudice the appropriateness of including any of the issues contained therein or any other issues in the negotiations (MIN.DEC, TBT/M/23 to be issued shortly).

12. The Committee completed its seventh annual review of the implementation and operation of the Agreement under Article 15.8 at its twenty-third meeting, on the basis of background documentation included in TBT/25 and Suppl.1, TBT/W/62/Rev.1 and Corrs.1 and 2, TBT/W/31/Rev.5 and Corrs.1 and 2, TBT/W/25/Rev.10 and Corr.1 (TBT/M/23).