

GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED
TBT/W/19
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Special Distribution

Committee on Technical Barriers to Trade

DRAFT MINUTES OF THE MEETING HELD ON 4-6 NOVEMBER 1980

Chairman: Mr. D. Newkirk

1. The Committee on Technical Barriers to Trade held its fifth meeting on 4-6 November 1980.

2. The agenda of the meeting was as follows:

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3. In opening the meeting, the Chairman welcomed on behalf of the Committee three contracting parties which had signed the Agreement under Article 15.1: Republic of Korea, Romania, Yugoslavia.

A. Acceptance of the Agreement by Tunisia under Article 15.2

4. The Committee noted that Tunisia had deposited with the secretariat on 9 October 1980 an instrument of acceptance under Article 15.2. The Committee also noted that this acceptance would become effective when the terms referred to in that paragraph had been agreed. The Chairman consequently suggested that informal consultations should be pursued between Tunisia and the signatories of the Agreement with a view to drawing up mutually satisfactory terms as soon as possible. This was agreed.

5. The representative of Tunisia said the Chairman had given a clear outline of the situation of his country vis-a-vis the Agreement. Tunisia had indeed already consulted with certain signatories, and it hoped that further consultations with all signatories could be accelerated so as to make Tunisia's acceptance of the Agreement definitive as soon as possible.

B. Request for accession by a non-contracting party under Article 15.3

6. The Chairman recalled papers which had been circulated on this subject (TBT/W/4 and 6), the request by Bulgaria circulated in document TBT/2 and the discussion of the matter at the last meeting of the Committee (TBT/M/4, item E). He noted that informal consultations had been held between signatories and invited delegations to report on such consultations.

7. The representative of the United States referred to a letter addressed by his delegation to the Chairman in reply to his invitation to comment on Bulgaria's request at the last meeting. He said that the United States welcomed Bulgaria's interest in joining the

Agreement but, because Bulgaria was a non-contracting party, they thought it necessary to carry out a careful scrutiny of the relevant aspects of Bulgaria's economic system in order to see whether that country would be able to fulfill its obligations under the Agreement. For that purpose the United States delegation thought the best way to proceed would be to establish a working party open to all signatories and Bulgaria, to study the request and report back to the Committee. The terms of accession should, in the view of the United States delegation, include the elements laid down in paragraphs 2 and 3 of the Annex to document TBT/W/6.

8. The representative of Hungary said he had taken part in the informal consultations referred to by the Chairman and that his delegation was not convinced that it was necessary to set up a working party to examine Bulgaria's request. The Committee itself would be able to collect all the information necessary from Bulgaria. There was nothing in the legislative history of the GATT nor in the practice of other Committees which required the setting up a working party to examine a request for accession.

9. The observer from Bulgaria, recalling the statement made by him at the fourth meeting of the Committee, stated that in submitting its application his government had acted on what it considered as a clear understanding that the conditions of accession would be as spelled out in the report of the last meeting of the Trade Negotiations Committee (MTN/P/5). The Bulgarian government, taking into account the fact that the overlap between GATT obligations and obligations under the Agreement was negligible since the Agreement largely covered new ground, had expected that its accession would be rapid. It had stood ready since July to provide, on a voluntary basis, full assistance to those signatories wishing to obtain more information on Bulgaria's standardizing activities. Unfortunately, only one signatory had taken advantage of this offer. The representative of Bulgaria expressed

surprise at the proposal of the United States delegation. He failed to see any relevant connexion between Bulgaria's socio-economic system and its possibility to fulfil its obligations under the Agreement. Bulgaria would meet its obligations under the Agreement if and when it became a Party to the Code but it was under no obligation as of now to discuss its legislation and practices since no other signatory had been required to do so before signing. Bulgaria remained ready to provide full assistance on a voluntary basis to all signatories seeking information relevant to Bulgaria's request for accession to the Agreement.

10. The representative of the European Economic Community said that Article 15.3 of the Agreement made it clear that an examination of the terms of accession was necessary. The proposal by the United States delegation to establish a working party should be seen in this light. It was a normal procedure to follow and in full conformity with the Agreement.

11. The representative of Chile said that there was a need to have the maximum information possible on an acceding non-contracting party and the proposal to establish a working party was helpful in this regard. In his view it would facilitate the accession of the acceding party. The proposal of the United States should therefore be seen as a mechanism for a necessary exchange of information which would not impinge on the final position on accession taken by the Committee. However in the light of this examination of relevant information the working party would be expected to recommend terms of accession to the Committee.

12. The representative of Finland, speaking for the Nordic countries, also felt that the establishment of a working party could facilitate the examination of terms for the accession of Bulgaria and could in fact speed up the proceedings. In his view the basic point was not

whether the working party was necessary or not, but whether it would be useful. In this connexion, he said that a detailed examination of Bulgaria's economic system would be too far reaching an exercise and that the terms of reference of the working party should be restricted to determining appropriate criteria for accession.

13. The representative of Canada said that he had sympathy for the Bulgarian government's position but stressed that this was the first occasion that a non-contracting party had requested accession to the Agreement and that it would be viewed as a test case. In this regard, he felt it would be an unfortunate precedent not to establish a working party to study the case. This did not mean that his government did not wish to see Bulgaria accede to the Agreement nor that it sought to prolong the process of accession. On the contrary, it looked on the establishment of a working party as the quickest and most efficient way to deal with the matter.

14. The representative of Bulgaria repeated that his government felt that the Committee itself could discuss terms of accession without recourse to a working party. If it was felt necessary to have a special group, an informal group of experts could be called to examine mutually satisfactory terms of accession. It should be clear that such a group would not formally discuss Bulgaria's legislation before his country had joined the Agreement, and that it would base its examination on information supplied by Bulgaria, information which his government remained ready to provide on request. Nevertheless, if the Committee felt it necessary to establish a working party, his government would not oppose it, on the understanding that satisfactory terms of accession could be decided before the next meeting of the Committee and that the Committee would take a decision on those terms at its next meeting. Bulgaria, for its part, would put forward terms based on the relevant parts of MTN/P/5 and TBT/W/6.

15. In concluding the discussion, the Chairman noted that different views had been expressed regarding the appropriate way to deal with the request for accession by Bulgaria. He called the attention of the Committee to two aspects of traditional GATT practice which were relevant in this context. First, GATT contracting parties had always endeavoured to deal with matters expeditiously, second, when the setting up of a working party was requested on a particular issue, the request was normally granted without this implying an a priori judgement on the substance of the issue. Keeping these two considerations in mind, he suggested that the Committee should agree to establish a small working party. The working party, would of course, be open to all signatories wishing to take part and to Bulgaria. The terms of reference of the working party would be as follows:

"To draw up proposals for mutually satisfactory terms for the accession of Bulgaria to the Agreement on Technical Barriers to Trade and to report to the Committee prior to the next meeting."

The working party should meet before the end of the year to expedite consideration of the issue. He would nominate the Chairman of the working party after informal consultations with delegations. The Committee agreed to these proposals.

C. Request for observer status

16. The Chairman stated that he had had consultations with Mexico and signatories on Mexico's request for observer status and had found that there was no opposition to this request.

17. The representative of the United States said that his delegation would not oppose inviting Mexico to follow the proceedings of the Committee in an observer capacity. However, they reserved the right to review Mexico's observer status as well as that of other non-contracting parties at an appropriate time if necessary.

18. The Committee agreed to grant Mexico observer status and invited the Mexican delegation to follow the Committee's proceedings in that capacity.

D. Applicability of the Agreement to Processes and Production Methods (Article 14.25)

19. The Chairman recalled the discussions that took place at previous meetings of the Committee under a different, but related, item on the Committee's agenda. At this meeting, the purpose was to try and reach a clear understanding of the circumstances under which Article 14.25 would apply, and of the conditions to be met before it could be invoked. The Committee had before it the minutes of the third and fourth meetings (TBT/M/3 and TBT/M/4) and a note prepared by the secretariat on the negotiating history of Article 14.25 (TBT/W/15).

20. The representative of the United States stated that his delegation believed that Article 14.25 was purposefully included in the Agreement so that processes and production methods (PPM) could be the subject of complaints under the dispute settlement provisions of the Agreement, with a view to reaching satisfactory solutions to trade problems raised by them. PPM were not explicitly covered by the operative provisions of the Agreement because several delegations did not want to subject them to all of the Agreement's procedural requirements. However, the United States had formulated proposals during the final stages of the negotiations of the Agreement to specify the provisions of the Agreement to which PPM would be subject, and they had not pressed these proposals only on the understanding that complaints could be brought and satisfactory solutions found whenever trading problems resulted from the use of PPM. Any interpretation of Article 14.25 that was restrictive and limited the signatories' ability to raise such problems would be contrary to the understanding the United States delegation believed had been reached during the MTN.

21. The United States felt that the issue was of utmost importance for the effectiveness of the Agreement, and that it concerned both agricultural and industrial products. In this regard, he gave the example of automobile safety glass and reinforced concrete, for which standards were formulated in terms of PPM. While the Agreement did not limit signatories' ability to promulgate their own regulations for domestic use, in particular as regards the protection of human health and safety, animal and plant life and health, etc., it discouraged countries from using regulations that restrict trade and also, implicitly promoted, whenever possible, the acceptance of other signatories' regulations that satisfactorily provide equivalent protection. The manner in which regulations were drafted to ensure the acceptability of products varied greatly. However, that did not affect their usefulness for ensuring their acceptability, nor their potential for creating trade barriers. If trade issues involving PPM were to be avoided in the future, it was necessary that each signatory provide guidance to its health and regulatory officials on the preparation, adoption and application of PPM. Instructions that such regulations are subject to obligations of the Agreement would serve as the basis for such guidance. While exporting countries would be expected to meet health and safety objectives, importing countries should be encouraged to accept health measures used by exporting countries that provided equivalent protection. Importers and exporters would benefit from the assurance that dispute settlement procedures of the Agreement would be available in cases of dispute. Both theory and fact indicated that standards based on characteristics of products and PPM were equally in need of the international discipline set out in the Agreement. The United States believed that this was the understanding at the time the negotiations on the Agreement were finalized in late 1978.

22. From the point of view of the United States, it was clear that negotiations on Article 14.25 had been aimed at finding a way to

subject technical specifications drafted in terms of PPM to the basic objectives of the Agreement. Retracing the history of the definition of the term "standard" during the negotiations, the representative of the United States noted that the US definition relating to PPM requirements to protect human health, safety or the environment, which centered on PPM required by law, was not included in the secretariat document TBT/W/15, but was an integral part of the discussions that took place at the relevant stage of the MTN. The language included in the final draft of Article 14.25, "characteristics of final products" had been suggested as an alternative to "final product desired", and was directly linked to the need to connect the obligations of the Agreement to all measures which affected the final composition of products already covered by the Agreement. The United States delegation had finally agreed to the compromise definition of "standard" suggested by the Nordic delegation on the understanding that all delegations were aware of the importance that was placed on the issue of PPM and that they were in substantial agreement with it on this point. The United States delegation had also noted that the European Economic Community was in substantial agreement with its goal, when the question of the "Scope of the Code" was discussed in 1977 in connexion with PPM (MTN/NTM/W/95). The EC at this point had informally suggested that PPM be covered "if they are indispensable to arrive at the final product". Moreover, the Sub-Group set up to negotiate the Code had agreed as a whole that "a way should be found of ensuring that obligations of the Code are not circumvented by the drafting of technical specifications in terms of PPM rather than in terms of the characteristics or performance of products". The Sub-Group had agreed that the Agreement's dispute settlement mechanism in Article 13 and 14 could be used when the obligations of the Code were being circumvented by PPM that substitute for specifications on the final characteristics of products but are not written in terms of such characteristics. In agreeing to the final wording of Article 14.25, the United States delegation had a

basic understanding with other delegations that the United States and these other delegations' interpretations of the Article were the same.

23. The United States delegation had been disappointed to learn at earlier meetings of the Committee that the Committee could not agree with what they had assumed during the negotiations to be the mutually accepted interpretation of the extent of coverage of the basic obligations and dispute settlement provisions of the Agreement to PPM. Since all signatories agreed on the right of each to protect human, plant and animal health and safety, it would have seemed equally important to build a framework for cooperation in this area, in order to improve mutual understanding and minimize adverse effects on trade. The United States delegation hoped that, as discussions on Article 14.25 in the Committee continued, an interpretation could be reached consistent with the position the United States maintained throughout the eight years of discussions on this issue. The United States believed this would be ultimately advantageous to all concerned.

24. The representative of New Zealand stated that his government remained of the view that, in the light of the provisions of Article 1.3, the Agreement on Technical Barriers to Trade covered agriculture. Since food standards must take into account processes and production methods, a restrictive interpretation of Article 14.25 would be in serious conflict with Article 1.3. The document prepared by the secretariat (TBT/W/15) did not give substance to the argument that agriculture is not covered by the Agreement. Nor did it help resolve the issue of the definition of intent as used in Article 14.25. New Zealand's interpretation of this Article concurred with that of the United States. While PPM were not subject to all the requirements of the Agreement, it was clear that if problems arose in relation to PPM, these could be addressed without limitation as to the nature of the problems: for example, the issue of discrimination

discussed at the fourth meeting could be taken up. Therefore, under Article 14.25, PPM must be subject to all the basic obligations laid down in the Agreement. It was immaterial whether PPM were directly or indirectly covered by the Agreement or whether different interpretations existed on the terms of Article 14.25. The meaning of terms such as "considers" and "circumvention" must be read in conjunction with Article 1.3 of the Agreement. In this sense, it was sufficient for a signatory to have reasonable grounds to "consider" that obligations under the Agreement were being circumvented as a prerequisite for invoking the dispute settlement procedures of the Agreement.

25. The representative of Brazil recalled that his delegation had not participated directly in the negotiations on Article 14.25. When the text of this Article was presented to the Brazilian delegation, it was done so with an interpretation like that given by the United States and New Zealand. This was therefore Brazil's understanding of the meaning of Article 14.25, and as no other delegation expressed dissent with this interpretation, it was Brazil's belief that it was shared by all. When accepting the Agreement, the Brazilian government acted on this belief and in fact this interpretation of Article 14.25 was one reason for Brazil's adherence to the Agreement. Consequently, if the interpretation were to be changed, the basis on which Brazil acceded to the Agreement would be eroded.

26. The representative of the European Economic Community said that in the view of his delegation there was only one possible interpretation of Article 14.25. This Article spoke of dispute settlement procedures only in connexion with circumvention of obligations under the Agreement. Regarding the negotiating history of Article 14.25, the EEC's reading of TBT/W/15 was just the opposite of that of the United States. It was true that the United States had constantly tried to have PPM covered by the Agreement and that its

position had never changed in this respect, but what was relevant was the end product of the negotiations, that is, the actual text of Article 14.25 as adopted. That text had never been altered after its adoption. In fact, at the last meeting of the Group Agriculture when the subject was discussed, several delegations had expressed regret that the Agreement did not apply to PPM, and yet they did not propose an alternative draft of Article 14.25.

27. The representative of Finland, speaking for the Nordic countries, said that the statement by the United States delegation was an important one and required further study. Hence he was only in a position to comment on a preliminary basis. The Nordic countries felt, like the United States, that the issue under discussion was crucial to the operation of the Agreement. They also felt that it related not only to agriculture but also to industrial products, for instance pressure vessels and pharmaceuticals. However, they did not share the conclusions of the delegation of the United States regarding the negotiating history of Article 14.25. In the Multilateral Trade Negotiations, the issue had not been one of procedure but one of substance. There had in fact been other similar problems relating to the coverage of the Agreement. Indeed, the Agreement did not cover all technical barriers to trade, and it had been realised at an early stage of the negotiations that it would have been unrealistic to try and extend the coverage to all such barriers. It had therefore been agreed to follow a pragmatic approach and to establish a more limited but feasible Agreement that could be implemented efficiently. Among the barriers that were left out were standards for services (transportation, advertising etc.), company standards, and regulations established for a single government agency. Consequently it was not appropriate to look at PPM in isolation from the context in which this question appeared in the negotiations. In effect it was for the very reason that not all technical barriers were covered by the Agreement that the negotiators added Article 15.9 to it.

This reflected the wide awareness that the Agreement was far from complete and that there would be a need to revert to the problems of lack of coverage of certain barriers in the light of experience with its operation. Taking into account these considerations, the position of the Nordic countries on the matter under discussion remained unchanged since the previous meeting of the Committee (TBT/M/4).

28. The representative of the United States requested that the item be maintained on the agenda of the Committee and said that his delegation would present a paper on the subject prior to the next meeting. This may include a proposal concerning future proceedings of the Committee on the matter.

29. The representative of the European Economic Community, while considering that the matter was settled, did not oppose the inclusion of the item on the agenda of the next meeting. He hoped, however, that the discussion of this question would not be unduly prolonged.

30. The Committee noted the statements made and agreed to revert to this item at its next meeting.

E. Implementation and administration of the Agreement and Annual Review of its operation under Article 15.8

E.1 Implementation and administration

31. The Chairman drew attention to the basic document (TBT/W/16) for the First Annual Review of the Agreement. The information circulated in documents TBT/1 and addenda provided the main basis on which TBT/W/16 had been prepared. Any additional information supplied by delegations would be incorporated in a revised version of this document. A statement on implementation and administration of the Agreement had been received from the delegation of Romania. It would be circulated in the TBT/1 series.

32. The representatives of Austria, Belgium, Brazil, Canada, Denmark, Finland, Ireland, Japan, Sweden, Switzerland, United Kingdom, and United States gave additional information on the implementation of the Agreement in their countries, for inclusion in the revised version of TBT/W/16.

33. The representative of Yugoslavia stated that his government had signed the Agreement on 16 September 1980 subject to ratification. The ratification process had not yet been completed by the National Assembly. However, he assured the Committee that all necessary information on the implementation and administration of the Agreement would be communicated to the secretariat in writing by the Yugoslav authorities.

34. The representative of the United States expressed concern at the fact that some signatories had not yet provided any information on their implementation procedures and urged that this be done in the near future. He then proceeded to ask a number of detailed questions on other signatories' internal procedures for implementation and administration of the Agreement, which he said stemmed from the legitimate interest of his government for a more detailed description of practical steps taken to administer the Agreement than had been supplied so far in many cases.

35. The representative of New Zealand said that in his country the agencies responsible for the implementation of the Agreement were totally under the control of the government and that it was not necessary to have recourse to a law or to a so-called "public policy guidance" statement to ensure their compliance with government orders.

36. Several delegations said that there was no need for specified legislation to implement the Agreement at the administrative level in their countries and that the responsible ministries had full authority to ensure compliance.

37. The representative of European Economic Community said that information concerning implementation of the Agreement by Luxembourg would be provided to the Committee in the near future. Reflecting on the best way to supply information on implementation and administration of the Agreement in response to questions addressed to signatories at Committee meetings, for which delegations were not always prepared, he proposed that all questions asked at this meeting, plus any that might be submitted before 15 December 1980, be consolidated and distributed by the GATT secretariat in an informal paper for signatories. Signatories would then be able to reflect upon and answer all of the relevant questions orally at the next meeting. On the substance of some of the questions asked by the delegation of the United States, he stated that in many instances it would be difficult to give a full description of a government's internal administrative procedures, but that signatories should expect that their partners in the Agreement were acting in good faith and taking all the necessary steps to meet their obligations. He added, however, that his delegation and those of EEC member States would make every effort to satisfy the legitimate curiosity of other signatories in this respect.

38. Several members of the Committee felt that a detailed examination of the legislation and implementation procedures of other signatories within the context of the Committee was an extremely useful exercise and should be continued. They also considered, however, that the procedure suggested would simplify the proceedings and make for a more fruitful exchange of views in the Committee.

39. After a brief discussion on this matter, the Committee agreed to follow the procedure suggested by the European Economic Community

40. The representative of Nigeria expressed the hope that all the information contained in replies to questions would be given in the

Committee and not bilaterally, so that observers could equally benefit from it.

E.2 Notifications

41. The representative of the European Economic Community said that since the adoption of the standard format for notifications the informational situation had improved. However, it was still difficult to know from the notifications exactly what was contained in the proposed technical regulations. It was desirable that the description of the regulation be as clear as possible and more detailed in certain cases. He also commented upon the difficulty of obtaining the complete texts of proposed regulations of interest from the respective capitals rapidly enough to permit study and comment within the time available before their entry into force. He proposed that the relevant texts be submitted along with the notifications. The secretariat could distribute these texts to signatories, or if too voluminous, make photocopies available to them on request.

42. The representative of Finland, speaking on behalf of the Nordic countries, suggested instead that more precise guidelines on how to fill in the format could be elaborated so as to have greater detail and a more harmonized presentation of information. The Nordic countries offered to prepare a paper on such guidelines. Regarding texts of proposed regulations, he suggested that the Committee might formulate a recommendation on how soon an enquiry point should respond to requests for documentation. His authorities had experienced considerable delays in the receipt of relevant texts.

43. Several delegations agreed that it would be useful to have the texts of proposed regulations without delay, but others felt that the communication of such texts through the secretariat would be too costly.

44. The representative of Japan felt that the supplying of more complete information could be reserved for the future when countries would have become more familiar with using the present format. The present format could, however, certainly be improved upon .

45. The representative of the United States stated that under the Agreement the GATT secretariat was not intended to be an enquiry point itself; the purpose of notifications was to signal that a process was underway, which could then be followed upon by contacting the experts in the various countries responsible for this information. Speaking to the substance of the matter, he expressed concern that only eleven signatories have made notifications to date. All members should be doing this, or a serious imbalance in the application of the Agreement would result.

46. The representative of Switzerland suggested that texts should be sent along with the proposed regulations only in cases of a very short time delay for comments. This could be the case if there were six weeks or less between notification of the measure and its coming into effect. In other cases texts could be obtained by writing to the country's enquiry point.

47. In response to a question, the representative of New Zealand stated that his authorities would look into the matter of the time period available for comments on notifications and would possibly alter the present three-week limit.

48. The representative of Austria requested that the text be changed on the notification format to read "party and agency" instead of "party or agency", which was confusing.

49. The representative of the Ivory Coast expressed the desire that notifications furnished to the GATT secretariat for distribution to

signatories also be made available to observers upon request so that such information could facilitate their consideration of accession to the Code.

50. In conclusion, the Committee agreed to ask the secretariat to put together the various proposals concerning notifications in a paper to be discussed at the next meeting, together with the paper to be provided by the Nordic countries.

E.3 Special and Differential Treatment

51. Several delegations referred to the technical assistance activities of their governments under the Agreement. The representatives of Canada, the United States, the Federal Republic of Germany and France supplied additional information for inclusion in the revised version of TBT/W/16.

52. The Chairman noted in conclusion that additional information on activities of signatories in this area would be included in the revised version of TBT/W/16.

E.4 Dispute Settlement

53. The representative of the United States stated that his country had requested that a matter be investigated under Article 14.4 of the Agreement. The representative of the EEC replied that this request had been refused. It was agreed that the text in document TBT/W/16 under this point would be changed appropriately through consultation with the parties concerned.

E.5 Accession and Reservation

54. In response to a question, the representative of the European

Economic Community indicated that Greece would become a Party to the Agreement on 1 January 1981 and that no implementation problems were expected for that country.

E.6 Use of international standards and participation in international standardizing activities

55. After some discussion, the Committee noted that the usefulness of keeping this item as part of the Annual Review depended on signatories indicating the international and regional activities in which they were participating and to what extent they were using international standards when they exist. More detailed information was therefore needed than had been supplied on this point.

56. The United States delegation informed the Committee that a conference had been sponsored by the United States Department of Commerce on 15-16 October 1980 to discuss and encourage further US participation in international standardization activities. A report on this conference would be made available to the Committee.

E.7 Transparency

57. In response to an enquiry on whether or not a requirement to publish all proposed standards existed in Japan, the representative of Japan stated that there was no fixed requirement on publication at this stage, although the Japanese government was making an attempt to include as many standards, technical regulations and certification systems as possible in the JETRO publication.

58. In reply to a question on publication of notifications of standards or certification systems adopted by non-governmental bodies, the representative of the United States stated that although there were 400 private standards organizations in the United States, 90 to 95 per cent of these belonged to the American National Federated

System, which was tied in with the ANSI (American National Standards Institute) system, so that standards adopted by these bodies appeared in the ANSI publication.

E.8 Conclusion

59. The Chairman noted that the Committee had initiated its first Annual Review of the implementation and operation of the Agreement in accordance with Article 15.8. Document TBT/W/16 would be revised in the light of the discussion that had taken place at the meeting and of any further information that might be provided to the secretariat and it would be reissued before the next meeting. All questions outstanding and any further questions submitted before 15 December 1980 would be consolidated by the secretariat and circulated to signatories. Following the conclusion of the Annual Review at that meeting, a revised document would be circulated once more as a TBT document, which would constitute the results of the review and become a basic reference manual for the future work of the Committee.

F. Derestriction of documents

60. The Chairman called the attention of the Committee to document TBT/W/17, circulated by the secretariat in conformity with the procedures adopted at the Committee's second meeting (TBT/M/2). In response to a question from the floor, he indicated that a proposal to derestrict the basic document for the first Annual Review, to be issued after the next meeting of the Committee, would be circulated at the appropriate time, i.e. before the end of 1981.

G. International Laboratory Accreditation Conference

61. The secretariat reported on the International Laboratory

Accreditation Conference (ILAC) held in Paris from 27 October - 3 November 1980, which he attended as an observer. He recalled that the secretariat has provided information on the Conference in TBT/W/3. ILAC was a Conference which for the time being met annually, and not an organization. It was of wider interest than the name might imply, since it brought organizations together concerned with quality testing and the operation of testing laboratories dealt with in Article 5 of the GATT Agreement. Its work was particularly relevant to Article 5.2 of the Agreement. The ILAC Conference had examined the reports of three subsidiary groups and adopted a number of resolutions.

62. The Conference had adopted a resolution setting out the objectives of ILAC among which are "to cooperate and collaborate with interested international organizations on matters related to laboratory accreditation and other testing arrangements".

63. The Conference had before it a list of major obstacles to the mutual recognition of test results. It agreed to convey this list to the main inter-governmental international organizations likely to be interested including the GATT with a view, in particular, to the study of ways of reducing such impediments or the expression of any recommendations which might lead to similar results. It also agreed to establish a working group to present a synthesis of the available documentation concerning bilateral or other agreements for the recognition of laboratory accreditation systems to the next Conference in 1981. The delegation from the Federal Republic of Germany would provide the secretariat of this group.

64. The representative of France, speaking as Chairman of ILAC '80 said that the list of obstacles referred to by the secretariat would be transmitted officially to the GATT secretariat for circulation to the Committee. The Chairman noted that the list would be received and would be before the Committee.

H. Report to the CONTRACTING PARTIES under Article 15.8

65. The Committee adopted its Report (1980) to the Contracting Parties on the first year of operation of the Agreement. (L/5068)

I. Dates and agenda for the next meeting

66. The Committee agreed to meet again in the first week of February 1981, the exact date to be determined by the Chairman in consultation with delegations. The agenda for the next meeting would include the following items:

1. Terms of accession for Tunisia
2. Request for accession by Bulgaria - report of the Working Party
3. Applicability of the Agreement to processes and production methods
4. Statements on implementation and administration of the Agreement and Annual Review of its operation
5. Other business

67. Other items might be included by the Chairman in consultation with delegations. The draft agenda for the next meeting would be circulated in accordance with established practices.