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1 ARTICLE 11

1.1 Text of Article 11

Article 11

Technical Assistance to Other Members

11.1 Members shall, if requested, advise other Members, especially the developing country Members, on the preparation of technical regulations.

11.2 Members shall, if requested, advise other Members, especially the developing country Members, and shall grant them technical assistance on mutually agreed terms and conditions regarding the establishment of national standardizing bodies, and participation in the international standardizing bodies, and shall encourage their national standardizing bodies to do likewise.

11.3 Members shall, if requested, take such reasonable measures as may be available to them to arrange for the regulatory bodies within their territories to advise other Members, especially the developing country Members, and shall grant them technical assistance on mutually agreed terms and conditions regarding:

11.3.1 the establishment of regulatory bodies, or bodies for the assessment of conformity with technical regulations; and

11.3.2 the methods by which their technical regulations can best be met.

11.4 Members shall, if requested, take such reasonable measures as may be available to them to arrange for advice to be given to other Members, especially the developing country Members, and shall grant them technical assistance on mutually agreed terms and conditions regarding the establishment of bodies for the assessment of conformity with standards adopted within the territory of the requesting Member.

11.5 Members shall, if requested, advise other Members, especially the developing country Members, and shall grant them technical assistance on mutually agreed terms and conditions regarding the steps that should be taken by their producers if they wish to have access to systems for conformity assessment operated by governmental or non-governmental bodies within the territory of the Member receiving the request.

11.6 Members which are members or participants of international or regional systems for conformity assessment shall, if requested, advise other Members, especially the developing country Members, and shall grant them technical assistance on mutually agreed terms and conditions regarding the establishment of the institutions and legal framework which would enable them to fulfil the obligations of membership or participation in such systems.

11.7 Members shall, if so requested, encourage bodies within their territories which are members or participants of international or regional systems for conformity assessment to advise other Members, especially the developing country Members, and should consider requests for technical assistance from them regarding the establishment of the institutions which would enable the relevant bodies within their territories to fulfil the obligations of membership or participation.

11.8 In providing advice and technical assistance to other Members in terms of paragraphs 1 to 7, Members shall give priority to the needs of the least-developed country Members.

1.2 Related TBT Committee decisions and recommendations

1.2.1 General

1. In considering the ways in which the provisions of Article 11 could be given operational significance, the TBT Committee agreed in 1995 that technical assistance would remain as an item of the agenda of the Committee on a permanent basis and would be included on the agenda of a regular meeting of the Committee when so requested by a Member in accordance with the agreed procedures.¹

2. At its meeting in November 2000, in considering technical assistance, the TBT Committee agreed to develop a demand driven technical cooperation programme related to the TBT Agreement, taking into account existing and proposed technical assistance activities, as well as seeking ways to achieve more effective cooperation and coordination among donors to better target the needs identified by developing country Members.²

3. Following-up on recommendations in the Committee's Third Triennial Review, at its meeting of 2 November 2005, the TBT Committee adopted, on a trial basis for a period of two years, a format for the voluntary notification of specific technical assistance needs and responses (G/TBT/16).³ The Committee made follow-up recommendations in 2006 and 2009.⁴ Notifications of Specific Technical Assistance Needs and Responses are contained in the following document series: G/TBT/TA-[number]/[Member].

1.2.2 Information exchange

4. In 1995, in considering the ways in which the provisions of Article 11 could be given operational significance, the Committee agreed to exchange information on technical assistance as follows: specific needs for technical assistance, as well as information that may be provided by potential donor Members on their technical assistance programmes, may be communicated to Members through the Secretariat. Members will take into account the provisions of Article 11.8 of the TBT Agreement when considering requests for technical assistance from the least-developed country Members. In agreement with requesting Members or potential donor Members, as the case may be, the information concerning specific needs and technical assistance programmes would be circulated by the Secretariat to all Members on an informal basis. Whilst information would be multilateralized in this manner, technical assistance would continue to be provided on a bilateral basis. The Secretariat would reflect the information circulated under this procedure in the documentation prepared for annual reviews of the implementation and operation of the Agreement if the Members concerned so agree.⁵

5. The Committee made follow-up recommendations in 1997, 2000, 2006, and 2009.⁶

Current as of: September 2011

¹ G/TBT/1/Rev.10, p. 36.

² The elements that formed the basis of the programme are discussed in G/TBT/1/Rev.10, pp. 36-37. Further recommendations were made in 2003 and 2009, see G/TBT/1/Rev.10, pp. 37-38.

³ G/TBT/1/Rev.10, p. 36. The format may be found at G/TBT/1/Rev.10, Annex G, p. 55.

⁴ G/TBT/1/Rev.10, pp. 38-39.

⁵ G/TBT/1/Rev.10, p. 39.

⁶ G/TBT/1/Rev.10, p. 40.