

**MULTILATERAL TRADE
NEGOTIATIONS
THE URUGUAY ROUND**

RESTRICTED

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VOLUNTARY DRAFT STANDARDS AND THEIR STATUS

Proposal by India

For the specific purpose of the Agreement, the term "standard" (definition 3 of Annex 1) covers a technical specification approved by a recognized standardizing body, or a national standardizing system, for repeated or continuous application, with which compliance is not mandatory.

The recognized standardizing body may not necessarily be the national standards body but one of the bodies recognized under the (Party's) national system of standardization. Technical specifications prepared by an individual company for its own production or consumption requirements are, however, excluded.

At present, Articles 2.5.2 and 2.6.1 relating to notifications apply only to proposed or adopted technical regulations. However, preparation, adoption and application of standards that substantially deviate from international standards and have a significant trade effect are covered by other requirements under Articles 2 and 10 to provide transparency. Article 2.5.1 requires public notice and Articles 2.5.3 and 2.6.2 require Parties to make available copies of proposed or adopted standards to interested parties in other parties. Discussion and consideration of comments presented by interested parties are covered by Articles 2.5.5 and 2.6.3 while Article 2.7 ensures publication of adopted standards. Information about any standards adopted or proposed by central and local government bodies or by non-governmental standardizing bodies may be obtained through the enquiry points established under Articles 10.1 and 10.2.

India considers improvement of the existing provisions, with regard to notification requirements, for standards, desirable for the following reasons:

- (a) It is not obligatory to notify (draft) standards including national standards. In some cases, even when these are not national standards, their wide adoption by the local industry (and even in other countries) give them status similar to that of national standards, causing a significant impact on international trade.
- (b) Initiative for getting information is the responsibility of the interested party and is not inbuilt in the system the way it is

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for technical regulations. Since standards are likely to be biased towards technology used in issuing country, producers in other countries are at a disadvantage, and more so because they get information late and consequently less time for adapting to them.

- (c) The Agreement was drawn up more than ten years ago. Since then, importance of standards has increased the world over. It is expected to increase more, and involvement of standards in international trade is likely to be of much greater degree.
- (d) Reliance on standards is apparently increasing as compared to the use of technical regulations all over the world.

It is proposed that (proposed) standards should also be notified, like technical regulations, whenever a relevant international standard does not exist or the technical content of a (proposed) standard is not substantially the same as the technical content of relevant international standards and if it may have a significant effect on trade of other Parties.