

# WORLD TRADE ORGANIZATION

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## REPORT (2005) OF THE COMMITTEE ON TECHNICAL BARRIERS TO TRADE

1. The Committee held its thirty-sixth to thirty-eighth regular meetings on 22-23 March, 16-17 June and 2 November 2005, respectively, under the Chairmanship of Mr. Sudhakar Dalela (India) and Mr. Margers Krams (Latvia).<sup>1</sup> At each of the meetings in 2005, the Committee heard statements by a number of Members informing the Committee of measures taken to ensure the implementation and administration of the Agreement. Several specific trade concerns were brought to the attention of the Committee with regard to their potential adverse trade effects, or inconsistency with the Agreement.

2. During the reporting period, the Committee discussed issues arising from the Third Triennial Review of the Operation and Implementation of the Agreement under Article 15.4 (G/TBT/13), namely: good regulatory practice, transparency procedures, conformity assessment procedures, technical assistance, as well as other elements. The Committee agreed on a course of action to increase transparency in the identification and prioritization of technical assistance needs and developed a mechanism for the voluntary notification of specific technical assistance needs and responses. As of 2 November 2005, this mechanism will be applied on a trial basis for two years.<sup>2</sup>

3. With a view to improving Members' implementation of Articles 5-9 of the Agreement and promoting a better understanding of Members' conformity assessment systems, the Third Triennial Review set out a Work Programme<sup>3</sup> to address the following issues: supplier's declaration of conformity (SDoC), accreditation, Members' existing conformity assessment procedures and practices, and the different approaches to conformity assessment, including the acceptance of conformity assessment results. Pursuant to this work programme, the TBT Committee held a Workshop on SDoC on 21 March 2005<sup>4</sup> and initiated the preparation of a workshop on different approaches to conformity assessment, to be held in March 2006.

4. The TBT Committee began preparation of the Fourth Triennial Review based on the Work Programme endorsed by the Committee in November 2004.<sup>5</sup> A number of documents were submitted in this context. On good regulatory practice, papers from the European Communities (G/TBT/W/253), the United States (G/TBT/W/258) and the Secretariat (JOB(05)/107) were discussed. On transparency, discussions were held based on papers from Canada (G/TBT/W/234), China (G/TBT/W/252) the European Communities (G/TBT/W/253) and the Secretariat (G/TBT/W/250). China tabled proposals on technical assistance (G/TBT/W/252), special and differential treatment (G/TBT/W/252) and intellectual property right (IPR) issues in standardization (G/TBT/W/251). On conformity assessment procedures, two background documents were prepared by the Secretariat: one general (JOB(05)/261) and another specific to SDoC (JOB(05)/30).

<sup>1</sup> G/TBT/M/35-37.

<sup>2</sup> G/TBT/16.

<sup>3</sup> The Third Triennial Review instructs the Committee to "take stock of the progress made on this Work Programme and reflect it in its Annual Report to the Council for Trade in Goods" (G/TBT/13, paragraph 41).

<sup>4</sup> A summary of this workshop is contained in Annex 1 of G/TBT/M/35.

<sup>5</sup> G/TBT/M/35, Annex 3.

5. The Committee carried out, at its meeting of 22-23 March 2005, the Tenth Annual Review of the Implementation and Operation of the TBT Agreement under Article 15.3 (G/TBT/15) and the Tenth Annual Review of the Code of Good Practice for the Preparation, Adoption and Application of Standards. This work was based on the following background documents: a list of standardizing bodies that have accepted the Code in 2004 (G/TBT/CS/1/Add.9), a list of standardizing bodies that have accepted the Code since 1 January 1995 (G/TBT/CS/2/Rev.11) and the tenth edition of the WTO TBT Standards Code Directory prepared by the ISO/IEC Information Centre.

6. The Committee carried out, at its meeting of 2 November 2005, the Fourth Annual Transitional Review mandated in the Protocol of Accession of the People's Republic of China.

7. During the regular meetings of the TBT Committee held in 2005, representatives of the Codex, IEC, ISO, ITC, OECD, OIML, UNCTAD and UNIDO updated the Committee on the activities relevant to the work of the TBT Committee, including on technical assistance.

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