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**Council for Trade in Goods
Committee on Technical Barriers to Trade**

WTO RESPONSE TO THE PANDEMIC

**REPORT TO THE COUNCIL FOR TRADE IN GOODS
BY THE CHAIRPERSON OF THE TBT COMMITTEE**

The following report is being submitted by the Chairperson of the Committee on Technical Barriers to Trade (TBT Committee), Mr Anwar Hussain Shaik, at the request of the Chairperson of the Council for Trade in Goods¹, and was prepared with the assistance of the Secretariat.

1 BACKGROUND

1.1. This report provides an overview of the TBT Committee's work on COVID-19-related matters and lessons learned.

1.2. The TBT Committee agreed in November 2021, in the context of the Ninth Triennial Review of the TBT Agreement, with a view to improving future pandemic preparedness:

*"to examine and compile best practices for: understanding international standards; streamlining conformity assessment procedures (including temporary or emergency alternatives) to facilitate trade in select essential medical goods, including vaccines, during pandemics; and, enhancing international regulatory cooperation."*²

2 WORK OF COMMITTEE AND EXCHANGE OF EXPERIENCES

2.1. The Secretariat assisted the TBT Committee to adapt and continue its work during the initial COVID-19 lockdown in 2020. This was made possible through eAgenda, an online tool that allows Members to submit specific trade concerns (STCs) and collaboratively build the agenda in real-time. The use of eAgenda enabled the TBT Committee to hold the 13-14 May 2020 meeting, on an exceptional basis, by written procedure focusing only on STCs.³

2.2. Members discussed and exchanged experiences on COVID-19-related matters in the TBT Committee, including at an informal meeting of the TBT Committee held on 8 December 2020;⁴ at the thematic session on technical assistance held on 27 October 2020;⁵ during 2021 in the context of the Ninth Triennial Review of the TBT Agreement;⁶ and at the thematic session on conformity assessment procedures held on 8 March 2022.⁷ These discussions related to trade-facilitating measures and regulatory flexibilities introduced in the context of the pandemic, technical assistance and capacity building projects, development of and access to standards, and the role of accreditation.

2.3. At the 10 February 2022 informal meeting of the TBT Committee, Members shared views on how the Committee could initiate its Ninth Triennial Review mandated work on COVID-19 and future

¹ [JOB/CTG/18](#).

² [G/TBT/46](#), para. 8.4.

³ [G/TBT/M/81](#).

⁴ [JOB/TBT/395](#); [RD/TBT/333](#); [RD/TBT/336](#); [RD/TBT/337](#); [RD/TBT/338](#); [RD/TBT/339](#).

⁵ [G/TBT/GEN/306](#).

⁶ [G/TBT/46](#); [G/TBT/W/736](#).

⁷ [JOB/TBT/447](#).

pandemic preparedness. At the 9-11 March 2022 meeting of the TBT Committee, and in this connection, Members requested the Secretariat to prepare a background document on the COVID-19-related work of the TBT Committee since the start of the pandemic as a reference point for further work.⁸

2.4. On 10 May 2022, the Secretariat issued the background document "Overview of COVID-19-related Discussions in the TBT Committee" and presented it to the TBT Committee at its 13-15 July 2022 meeting.⁹ This background document reviews the discussions held in the TBT Committee relating to COVID-19 in the following six areas: (i) COVID-19-related TBT notifications; (ii) discussions of COVID-19 in STCs in the TBT Committee; (iii) Members' exchange of experience on COVID-19-related matters in the TBT Committee; (iv) WTO Secretariat work relating to COVID-19 and TBT; (v) inputs from observers on COVID-19-related matters in the TBT Committee; and (vi) TBT-related discussions in other WTO bodies on COVID-19-related matters.¹⁰

3 NOTIFICATIONS

3.1. The key points from the TBT Committee's background document¹¹ are summarized below:

- a. **Notifications.** 34 Members submitted 225 COVID-19-related notifications to the TBT Committee, comprising 46 per cent of all WTO notifications.¹² The notified measures mostly deal with extraordinary and temporary streamlining of certification and related procedures, and the introduction of new regulatory requirements for medical goods, in response to the pandemic.

4 SPECIFIC TRADE CONCERNs

4.1. The key points from the TBT Committee's background document¹³ are summarized below:

- a. **STCs.** WTO Members made references to the COVID-19 pandemic in 54 STCs. The vast majority of these STCs were not linked to COVID-19-related notifications or medical goods. Rather, they addressed the significant impacts of the pandemic on Members' economies, in particular: (i) the difficulties to comply with regulatory requirements; (ii) the difficulties to perform conformity assessment procedures; and (iii) the overall impact on Members' work in the areas of standards and regulations.

5 PRACTICES DISCUSSED

5.1. Based on the work of the TBT Committee to date, a range of practices were discussed that appear to have mattered in the COVID-19 pandemic response, and thus may be relevant for future pandemic preparedness.¹⁴ In order to help Members to initiate their work on examining and compiling best practices¹⁵, the Secretariat distilled in its background document the following list from the work of the TBT Committee for Members' consideration:

- a. Understanding and using relevant international standards as a basis for technical regulations or standards on select essential medical goods, as well as relevant international standards, guides or recommendations as a basis for conformity assessment procedures associated with those measures;
- b. Increasing transparency on, and providing free and/or facilitated access to, standards relevant to producing select essential medical goods on a temporary/emergency basis, during pandemics;

⁸ [G/TBT/M/86](#), para. 2.478.

⁹ See the Secretariat's presentation in [RD/TBT/367](#).

¹⁰ [JOB/TBT/458](#).

¹¹ [JOB/TBT/458](#).

¹² The figures are updated as of 26 October 2022.

¹³ [JOB/TBT/458](#).

¹⁴ [JOB/TBT/458](#), paras. 8.2-8.3.

¹⁵ [G/TBT/46](#), para. 8.4.

- c. Temporary/emergency suspension or relaxation of technical regulations for select essential medical goods during pandemics, where appropriate;
- d. Temporary/emergency suspension or relaxation of conformity assessment procedures for select essential medical goods during pandemics, where appropriate;
- e. Temporary/emergency use of information technology tools for conducting remote conformity assessment procedures (in instances when such option is not already ordinarily available) for select essential medical goods during pandemics, where appropriate;
- f. Promoting recognition and acceptance of conformity assessment results for select essential medical goods, including through reliance on accreditation, to facilitate trade in select essential medical goods;
- g. Enhancing international regulatory cooperation on select essential medical goods; and
- h. Providing technical assistance to support the application of the above practices, taking into account the particular circumstances of each Member.

5.2. This non-exhaustive list is meant as a starting point for Members' consideration in examination and compilation of best practices for future pandemic preparedness in the TBT Committee. While these practices have been discussed in the Committee's work to date, there may be a range of other relevant practices that Members may wish to consider.
