

**CHILE'S POSITION ON THE IMPLEMENTATION OF THE
PRINCIPLE OF TRANSPARENCY IN 2008**

Communication from Chile

The following communication, received on the 20 March 2008, is being circulated at the request of the delegation of Chile.

1. In relation to its size and trade volume, Chile has stood out for the number of notifications it has issued under the Agreement on the Application of Sanitary and Phytosanitary Measures. Indeed, it is among the five to ten countries which have submitted the most notifications over the past few years.
2. While we consider transparency to be one of the principles which has seen the greatest progress in terms of implementation by Members, we agree that there is a need for improvement in certain areas and that not all countries have been implementing it at the same rate.
3. Regarding the note produced by the Secretariat (G/SPS/W/215/Rev.1) following the revision of the Agreement and the meetings held by the Committee on the subject, we support the document in general, particularly in the areas identified below.
4. Chile supports the notification of all import measures which may have an impact on trade, regardless of whether they differ from the international standards. However, the process by which Members submit information regarding deviation from the international standard must be improved to ensure greater clarity where necessary.
5. If it is decided that all measures should be notified, whether or not they comply with international standards, not only should there be a separate item in the form indicating that the measure is in keeping with the international standard, but it is also important that the measure should be exempted from the 60-day comment period and allowed to come into force immediately.
6. Producing all notifications and forwarding them to secretariats of the scientific reference organizations will make it possible to ensure monitoring, thereby introducing something which does not currently exist in such organizations. It would also help the Committee to comply with Article 12 of the Agreement as regards the monitoring of international standards.
7. Chile firmly supports the creation of a WTO web site for notification purposes, as this would be a major step towards facilitating the implementation of the transparency principle. However, the participation of the Members concerned is very important.
8. We also agree with the idea of having unofficial translations of the measures.

9. We share the concern regarding compliance with the period for comments and that this period should begin with the circulation of the notification by the WTO Secretariat. Just as there is an exception for emergency measures and measures which facilitate trade, if there were agreement that all measures should be notified, measures which conform to international standards would also be exempted from the time period.

10. For emergency measures, there should be a procedure for monitoring the period of validity. Although according to the form such measures are meant to be temporary, this process is often used for the notification of measures which end up becoming permanent.

11. While we agree with idea of attaching the regulations to the notifications in order to make them available to all Members, there should be some kind of information mechanism regarding the Members who obtain the regulations in question.

12. We agree with the amendments and additions to the text on the notification of recognition of equivalence.

13. We agree that all matters concerning transparency and notifications should be united in one document, and it might be useful to consider adding, in the future, all that concerns notifications relating to special and differential treatment, currently in document G/SPS/33, and any agreed notifications concerning the application of any of the other principles, for example regionalization.
