



25 November 2016

(16-6499)

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Committee on Technical Barriers to Trade

Original: English

IMPLEMENTATION AND ADMINISTRATION OF THE AGREEMENT ON TECHNICAL BARRIERS TO TRADE

COMMUNICATION FROM YEMEN

Addendum

The following statement under Article 15.2 of the Agreement on Technical Barriers to Trade, dated 14 November 2016, has been received from the delegation of Yemen.

1 LAWS AND REGULATIONS

1.1. Law No 44/1999 on Yemeni Organization for Standardization, Metrology and Quality Control (YSMO) and the Presidential Decree No 52/2000 are the basis for preparation procedures, adoption and application of measures, technical regulations and conformity assessment procedures that cover the principles of the TBT Agreement.

1.2. Decree of the Chairman of Board of Directors No 13/2013 on the legislation of production and import disciplines or trading food additives. This regulation is a set of disciplines and obligations for manufacturing or importing or trading in food additives that comply with the adopted international standards related to food additives which is permitted by CODEX 192 and its standard and specifications.

1.3. Decree of the Chairman of Board of Directors No. 8/2013 of the control system on the imports and establishment appeal committee. This regulation define conformity assessment process for goods and imported products through inspection measures, in visual examination, sampling of goods and imported products and unifying process in all customs ports. The application of control systems on imports is mandatory on all goods and products which has applicable technical regulations and measures standard.

1.4. Decree of the Chairman of Board of Directors No. 6/2008 on the regulation to prepare Yemen standards. Preparation Regulation that regulates all processes related to preparation, adopting, approving, and issuing standards and technical regulations; also the issued standards are not compulsory and comply with Annex 3 rules of the Code of Good Practice of the TBT Agreement while it's preparing, approving, and issuing. The preparation of these standards is based on production requirements in terms of performance rather than designing or descriptive characteristics as the preparation and adoption of mandatory specifications technical regulations is related to health, safety and environmental protection. The approved specifications prepared under the technical committees formed by the Yemeni Organization for Standardization, Metrology and Quality Control (YSMO) that comprises representatives from concerned stakeholders including industry, traders, consumers, government, scientific and research centers and it is available to all interested parties to provide comments.

1.5. Decree of the Chairman of Board of Directors No. 3/2001 on issuing the conformity certificate of standards. This regulation is dealing with the application of certificate of conformity system on all goods, local and imported products.

1.6. Decree of the Chairman of Board of Directors No. 2/2003 on conformity assessment for products and manufactures enterprises such as Good Manufacturing Practice, Product Registration System, Certificate of Conformity Assessment, and Product Test export.

1.7. Decree of the Chairman of Board of Directors No. 7/2013 on the regulation of Yemeni quality-marks. This regulation is voluntary.

1.8. Decree of the Chairman of Board of Directors No. 13/2001 on the organization of the rules and procedures related to the inspection and test of local and imported products and goods.

1.9. Decree of the Chairman of Board of Directors No. 11/2014 on the regulation requirements and conditions related to registration of energy beverages products. The Regulation is concerned with the general requirements to be met by non-alcoholic energy beverages excluding sport beverages prior to their marketing.

1.10. Decree of the Chairman of Board of Directors No. 9/2014 on the adoption of the GCC Technical Regulations for children toys.

1.11. Decree of the Chairman of Board of Directors No. 7/2014 on the regulation of the list of mandatory requirements for pre-packaged containers. This regulation organizes the mandatory requirements for pre-packaged containers related to:

- a. Labeling requirements.
- b. Unit of measurement used in the field of pre-packaged containers.
- c. Nominal quantity of the product in pre-packaged containers.
- d. Nominal volume of the spray containers.
- e. Outline of the control of pre-packaged containers with fixed net nominal weight.
- f. Controls on the pre-packaged containers with variable net nominal weight.
- g. Controls on pre-packaged containers existed in the markets.
- h. Misleading containers.
- i. Responsibility of the packer and importer and person responsible for packer.

1.12. Decree of the Chairman of Board of Directors No. 13/2014 on the provisions related to the control of jewels, precious metals and gemstones.

1.13. Decree of the Chairman of Board of Directors of the Yemen Standardization and Metrology No. 3/2003, rules and procedures related to the implementation of measurements and calibration of instruments, equipment of weight, and their control.

1.14. Decree of the Chairman of Board of Directors of the Yemen Standardization and Metrology No. 24/2005 on the regulation of wages and testing costs of, stamping jewelry and precious metals, inspection and calibration of the weight and measurement tools /equipment as well as registration services wages, accreditation and licensing.

1.15. Minister of Industry and Trade, Chairman of Board of Directors decree No. 11/2004 on the regulation of fees and cost of testing products in laboratories within the Yemen Standardization, Metrology and Quality Control Organization. This regulation is to determine the costs of services compared to tests conducted by the Authority's laboratories in the following areas:

- Fees and costs of testing services in Microbiology laboratories.
- Fees and costs of inspection services in Chemical Laboratory.

- Fees and costs of testing services in food and agricultural laboratories.

1.16. Decree of the Chairman of Board of Directors NO. 16/2005 on the fees and costs of testing in the laboratories of YSMO. This decision regulates fees and costs of physical examinations related to leather, papers, textiles, building materials, steel, metal products and gas cylinders.

1.17. Decision of the Chairman of Board of Directors No. 7/2005 on the fees and costs of testing laboratories for food products within Yemeni Standardization, Metrology and Quality Control Organization. This decision regulates the fees of Physical Testing costs of food products.

1.18. Decision of the Chairman of Board of Directors No. 5/2011 on the determination of adopted prices of Yemen standard of and its selling.

1.19. Decree of Chairman of Board of Directors No. 9/2009 on the fees and testing and inspection services within the Yemeni Standardization, Metrology and Quality Control Organization.

2 MUTUAL RECOGNITION

2.1. The Yemeni Standardization, Metrology and Quality Control Organization (YSMO) seek to apply the principles of mutual recognition to facilitate the acceptance of the conformity assessment results and in this regard the following decree issued:

- a. Decree of the Chairman of Board of Directors No. 3/2013 on the adoption of the mutual recognition guide of conformity certificates and quality marks for products.

3 ACCREDITATION UNIT

3.1. Prime Minister's Decree 228 for 2010 on the establishment of Accreditation Unit. Functions and tasks:

- Accreditation of testing and calibration laboratories;
- Accreditation of medical laboratories;
- Accreditation of bodies issuing certificates of conformity to quality, environment and products systems;
- Accreditation to the inspection bodies according to the related to international standards;
- Accreditation of certification bodies according to related international standard.

3.2. Prime Minister's Decree No. 16/2013 on the adoption of regulation on accreditation of conformity assessment bodies according to ISO standard No.17011.

3.3. Decree of the Chairman of Board of Directors No. 17/2013 on the regulation of using Yemeni logo for Accreditation (YAC) by conformity assessment bodies according to international standards.

3.4. Prime Minister Decree No. 18/2013 on the regulation of fees and accreditation costs.

4 TRANSPARENCY

4.1. YSMO provides information via the website service and social media related to standards, technical regulations and conformity assessment procedures.

4.2. Improving the quality of web site to give a chance for public and interested parties to provide their comments on standards draft technical regulation and conformity assessment procedure.

4.1 Adopted measures

4.3. Lists of standards and technical regulations are published in the formal newspaper and in the YSMO magazine. Technical Regulations and standards are downloaded on the website of YSMO to get opinions from concerned parties but this has stopped for two years because of the war.

4.4. In general the Ministry of Industry and Trade is in charge of notifications to the WTO. YSMO is responsible for the implementation of the obligations of the Republic of Yemen in the framework of the Agreement on Technical Barriers to Trade including notification.

4.5. YSMO is considered the responsible entity for the main enquiry point on the TBT Agreement as well as notifications, publications and internal procedures to ensure the fulfillment of transparency pledges on an ongoing basis. The information center has been established to serve the national enquiry point on issues related to technical barriers to trade and a resolution has been issued in this regard, including the Decree of the Chairman of Board No. 15/2014 on the regulation of the main focal points for the TBT Agreement within the Yemen Standardization, Metrology and Quality Control Organization.

4.6. The address of the national enquiry point is:

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