

LANGUAGES FOR EXCHANGE OF DOCUMENTS

Proposal by India

1. Notification procedures require providing documents covered by notifications in the language of the Party (Articles 2.5.2 and 2.6.1 read with Articles 10.5.1 and 10.5.2). However, Article 10.6 requires that "Notifications to the GATT secretariat shall be in English, French or Spanish (an official GATT language)".
2. The problem of translation of documents relating to notifications has been discussed earlier by the Committee on Technical Barriers to Trade. The Committee has earlier decided that any translated summaries that exist in the language of the requestor in any GATT working language, shall automatically be sent with the documents requested and when translation exists or is planned, the same shall be indicated in the notification. However, if only a translated summary exists, this fact is also to be indicated. A recommendation on exchange of translation of documents was also made to the effect that the notifying Party may inform the requestor of other Parties that have requested for the document, so that Parties may interact to determine whether translations can be shared on mutually agreed terms, if made or intended to be made.
3. It has been generally noted by the Committee that administrations in most of the Parties, especially in developing country parties, have limited resources for translating texts of the highly technical or specialized nature that are found in standards-related documents in various languages. Moreover, all actions relating to commenting on documents are to be executed within a fixed time-frame. Therefore, it is difficult for Parties, especially the developing country Parties to exercise their right to formulate comments on proposed technical regulations or rules of certification systems.
4. All Parties can be expected to have appropriate translation facilities for meeting the obligations required in Article 10.6 as well as other matters such as studying documents circulated by the secretariat.
5. India would, therefore, propose inclusion of a new paragraph at the end of Article 11 on Technical Assistance to other Parties, as under:

"11.9 - Parties shall, if so requested by a developing country Party, provide copies of the documents covered by notifications in English, French, or Spanish."
6. Correspondingly, Article 10.5.2 should be modified by adding at the end "except as stated in Article 11, paragraph 9".