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Page: 1/2

Committee on Technical Barriers to Trade

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**DRAFT MINISTERIAL DECLARATION ON STRENGTHENING REGULATORY COOPERATION
TO REDUCE TECHNICAL BARRIERS TO TRADE**

SUBMISSION BY CHINA

The following communication, received on 5 June 2023, is being circulated at the request of the Delegation of China.

1. We acknowledge that the work of the WTO Committee on Technical Barriers to Trade (TBT Committee) has been instrumental in advancing the implementation of the Agreement on Technical Barriers to Trade (TBT Agreement) and keeping the TBT Agreement dynamic since 1995. In this regard, we recognize the good practices developed by the TBT Committee in the areas of transparency and notifications, managing trade interests (e.g. specific trade concerns), decisions and recommendations, information exchange (e.g. thematic sessions) and efficient use of digital tools (e.g. ePing; eAgenda).

2. We reaffirm that the TBT Agreement remains relevant to modern global trade challenges, including measures taken to address climate change and global health pandemics. The TBT Agreement provides a unique multilateral framework for regulatory cooperation that is essential to avoid and reduce unnecessary barriers to trade. We note, for example, that close regulatory cooperation among Members was fundamental in addressing the COVID-19 pandemic by facilitating trade through the reduction or suspension of unnecessary regulatory barriers, use of international standards or recognition of multiple standards, and decreasing unnecessary costs.

3. We also recognize the important role of regulatory cooperation in disseminating good regulatory practices for both developed and developing Members.

4. We recall that the TBT Committee was established with the explicit mandate of affording Members the opportunity to consult on any matters relating to the operation of the TBT Agreement.¹ In this regard, we seek to promote and further enhance the Committee's role in the area of engaging in international regulatory cooperation within the scope of this Agreement.

5. In light of the above, the Ministerial Conference:

- a. *Affirms* that regulatory cooperation helps to avoid and reduce unnecessary barriers to trade. Cooperation builds confidence between trading partners through mutual understanding and dialogue. This contributes to the development of effective and efficient regulations and avoids regulatory fragmentation and unnecessary divergence;
- b. *Notes* that cooperation on emerging issues – particularly in the context of international standards development – provides opportunity to promote regulatory convergence, as appropriate. In this respect, we encourage the Committee to promote the dissemination and use of Committee Decision regarding the six principles of international standards, Guides and Recommendations²;

¹ Article 13.1 of the TBT Agreement.

² [G/TBT/1/Rev.15](#), page 68.

- c. *Encourages* Members to engage early in exchange of comments on draft regulations and signal willingness to engage in regulatory cooperation in order to identify and mitigate potential regulatory incompatibilities or frictions before they become fixed in regulation;
 - d. *Urges* the Committee to enhance its Member-driven work on immediate and emerging regulatory challenges, including but not limited to the areas of climate change, sustainable development, digital economy, and MSMEs, and *stresses* the importance of promoting dialogue between Members, including among competent authorities;
 - e. *Underlines* the importance of transparency as a key building block for constructive engagement and encourages continued refinement of related Committee notifications and use of digital tools to improve the global business environment;
 - f. *Encourages* Members, as a means of enhancing business certainty and access to regulatory information, to implement the TBT Committee recommendation on notification of adopted final text of measures³;
 - g. *Promotes* the further development and enhancement of digital tools, including ePing and eAgenda, for early engagement on TBT matters;
 - h. *Stresses* the importance of technical assistance and capacity building to address challenges facing developing Members, especially in the area of transparency and quality infrastructure; and,
 - i. *Promotes* international recognition arrangements for accreditation, which can facilitate the acceptance of conformity assessment procedures.
6. The Ministerial Conference instructs the TBT Committee to advance work on these points in the context of the Tenth Triennial Review of the TBT Agreement based on proposals from Members, as well as in the context of existing work streams (e.g. regular meetings, thematic sessions, informal meetings and working groups as necessary), and report on results to the fourteenth Ministerial Conference with recommendations, as appropriate.
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³ [G/TBT/1/Rev.15](#), page 43.