

Committee on Technical Barriers to Trade

MINUTES OF THE MEETING HELD ON 20 NOVEMBER 1998

Chairman: Mr. Otto Th. Genée (Netherlands)

1. The Committee on Technical Barriers to Trade held its fifteenth meeting on 20 November 1998.

2. The following agenda, contained in WTO/AIR/967, was adopted:

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I. REQUEST FOR OBSERVER STATUS IN THE COMMITTEE BY THE OFFICE INTERNATIONAL DE LA VIGNE ET DU VIN (OIV) AND THE INTERNATIONAL LABORATORY ACCREDITATION COOPERATION (ILAC)

3. The Chairman indicated that more time was needed for informal consultations on the requests for observer status by the OIV and ILAC. The Committee agreed to return to the requests at its next meeting.

II. REPORT (1998) OF THE COMMITTEE ON TECHNICAL BARRIERS TO TRADE

4. The Committee agreed to adopt the Report (1998) of the Committee on Technical Barriers to Trade (G/L/278).

III. TRADE FACILITATION RELATED TO THE TBT AGREEMENT (AS REQUESTED BY THE COUNCIL FOR TRADE IN GOODS)

5. The Chairman drew attention to a letter dated 1 September 1998, from the Chairman of the Council for Trade in Goods (CTG), requesting the inclusion of an item on "Trade Facilitation" in the regular agenda of the Committee. The CTG wished to be informed of work conducted by the Committee on issues related to trade facilitation, in order to contribute to its own deliberations on the subject (particularly at its informal meeting of March 1999).

6. The Committee agreed to have the Chairman, on behalf of the Committee, submit a note on trade facilitation and the TBT Agreement, to the Chairman of the CTG (Annex 1). The Chairman proposed that the Committee resume its discussions on the subject at its next meeting, when delegations would be better placed to decide on whether or not to include this item on the agenda of the Committee's regular meetings, and how to do so if they so desired.

IV. STATEMENTS ON IMPLEMENTATION AND ADMINISTRATION OF THE AGREEMENT

7. The representative of the United States (US) recalled that at the last meeting, her delegation had requested further information from the European Communities (EC) and Japan on the labelling of genetically modified organisms (GMOs) (G/TBT/M/13).

8. The representative of the European Communities indicated that a formal response would be circulated to Members in the next few weeks. It would answer the questions raised at the last meeting by the US and Canada, including those related to the rationale and practical implementation of the measure.

9. The representative of Japan informed the Committee that the issue of the labelling of GMO products was currently being discussed in his country and that no conclusion had yet been reached. However, he assured the Committee that Japan would adhere to the provisions of the TBT Agreement, in particular, those related to transparency. He indicated that his authorities had invited public comment on the proposed labelling requirement.

10. The representative of Canada welcomed the EC and Japanese replies.

11. The representative of the United States expressed concern regarding a proposed EC regulation restricting non-European Union (EU) registered aircrafts fitted with "hushkits", or aircrafts with engines of a bypass ratio of less than three, from being registered in EU member states after 1 April 1999. The regulation would similarly restrict the operation, providing service or receiving

maintenance of these kind of aircrafts in the EU after 1 April 2002, unless they were registered in the same third country from 1 April 1999 and operated in the EU between 1 April 1995 and 1 April 1999.

12. She raised concerns that the proposed regulation would restrict the operation in Europe of aircrafts that met the engine noise standards of the International Civil Aviation Organization (ICAO) using hushkits or engines with low bypass ratios. The regulation could have a potentially negative impact on trade in hushkits and engines with low bypass ratios, as well as trade in aircrafts fitted with these products. It would impact on flights to, from and within the EU, operated by any airline using aircrafts with hushkits or engines of a low bypass ratio that registered outside the EU. Such aircrafts could not be sold or transferred to any EU airline and registered in the EU after 1 April 1999. Moreover, such aircrafts would not be sold or transferred to a non-EU airline if re-registered in a country outside the EU for operation to, from or within the EU after 1 April 2002.

13. She questioned why the EU wished to restrict the use of hushkits and of aircrafts equipped with low bypass ratio engines, when these aircrafts complied with the requisite "Chapter 3" noise standards developed by ICAO. She pointed out that EU member states had agreed to the Chapter 3 noise standards when they were developed. Therefore, the proposed EU regulation constituted a unilateral imposition of standards. In addition, it was discriminatory because it exempted aircrafts fitted with hushkits or low bypass ratio engines registered in the EU as of 1 April 1999. Since non-EU registered aircrafts did not benefit from the exemption, they would be the targets of the proposed regulation.

14. She feared that the proposed regulation would set a precedent for design rather than performance based standards, since it targeted a product, rather than noise reduction *per se*. Her authorities were not aware of evidence which demonstrated that the proposed regulation would result in a perceptible improvement in the noise levels at European airports, nor of any impact analyses undertaken by the EU to provide scientific or technical justification for the restrictions. She requested documentation on the scientific and technical grounds for the proposed regulation.

15. She indicated that the Commission was planning to adopt the regulation as early as 30 November 1998, and expressed concern that the measure had not been notified to the WTO. Her delegations had already complained to the EC and its member states, requesting that the regulation not be adopted.

16. The representative of the European Communities indicated that his delegation would respond to the US, and that the response would be circulated to Members before the next meeting. He believed that the proposed regulation was compatible with international standards, in particular with Annex 16 of the ICAO. He said that the aim of the proposal was to reduce noise pollution and environmental damage at airports, and that this fell within the scope of the legitimate objectives provided for by the TBT Agreement.

17. He stated that there would continue to be a market for US manufactured hushkits both within and outside the EC, since eligible Chapter 2 aircrafts would be allowed to continue their operations after 1 April 2002 in the Communities if fitted with a Chapter 3 hushkit. Concerning the sale to third countries of hushkitted aircrafts which had operated at a prior stage in the Communities, the proposed regulation was non-discriminatory since it provided for identical treatment for aircrafts registered in the Communities and those registered in third countries. He informed the Committee that the draft regulation was still within the Communities procedures, i.e., at the stage of taking a common position. He believed that there would be time available for notification. His delegation would ensure that the proposed measure was not in violation of the TBT Agreement.

18. The representative of Japan expressed his delegation's interest in the issue.

19. The representative of Norway drew attention to notification G/TBT/Notif.98.448 concerning a draft legislation of the Netherlands on the mandatory labelling of timber and timber products. His delegation had requested information from the Dutch Enquiry Point, and enquired about the status of the legislation.

20. The representative of the Philippines, on behalf of Asean countries, welcomed the opportunity provided by the Dutch government, for comments on the draft legislation. The latter required, with effect from 1 July 1999, "persons placing a wooden product on the market for the first time, to keep records concerning the origin of these products" and, with effect from 1 January 2000, the labelling of timber and timber products as either 'green' or 'red'. She informed the Committee that several Asean countries had provided comments to the EC Enquiry Point as well as to the EC on the proposal.

21. She laid out a number of reasons as to why the regulation should not be adopted. First, it contradicted a number of multilateral arrangements, such as the WTO Agreement, the process being undertaken by the United Nations Intergovernmental Forum on Forest (IFF), and the International Tropical Timber Agreement (ITTA). The Dutch Government was itself a member of the ITTA, and was obliged to follow Article 1(e) of the ITTA (1994) in promoting "the expansion and diversification of international trade from sustainable sources by improving the structural conditions in international markets and the improvement of market access".

22. She believed that the proposed legislation would create obstacles to international trade. It was inconsistent with Article 2.2 of the TBT Agreement, as it was not only mandatory but was also aimed at addressing perceived environmental concerns in the territory of other Members. It went against the non-discrimination principle of the WTO, impeding the importation of 'red' labelled timber and timber products. Furthermore, it neglected to give effect to Article 12 of the TBT Agreement, particularly with respect to paragraphs 2 and 3 of the Article. She stated that such unilateral discrimination would have a deleterious effect on the export earnings of developing countries, and hence, negative consequences on their ability to undertake long-term work towards sustainable forest management.

23. She stated that the causes of global deforestation, and the role of timber labelling in the promotion of sustainable forest management in producing countries, were issues that were still under discussion in the IFF, and had yet to be resolved. Furthermore, an international understanding on what constituted Sustainable Forest Management (SFM) had yet to be achieved. She considered the draft Dutch legislation to be untimely because it imposed its own interpretation of SFM. The attempt by the Dutch Parliament to implement its own labelling scheme constituted an extra-territorial imposition of its process and production methods (PPMs) for what was primarily a domestic agenda. She argued that forest management plans were bound to differ from country to country in order to take account of the regional characteristics of forests and the diversity of economic, social and cultural environments. Therefore, the requirement that a country's forest management plan be approved by the Council of Accreditation, presumably established by the Netherlands, could not be accepted by sovereign states.

24. The representative of Poland said that his delegation had sent comments on the draft Dutch legislation to the Dutch Enquiry Point and to the EC, and looked forward to their replies.

25. The representative of Ecuador endorsed the statements made by the two previous speakers, and expressed his interest in receiving further information on the issue.

26. The representative of Canada recalled that at the last meeting, his delegation had expressed its view on the proposed Dutch legislation, and shared the concerns raised by other delegations.

27. The representative of the European Communities informed the Committee that the position within the Communities on the proposed Dutch legislation had not changed significantly since the last meeting. He noted that there was strong international opposition to the proposal, and indicated that

this would be transmitted to the Dutch Parliament for reflection. He explained that it was only upon the completion of the proceedings in the Dutch Parliament (i.e. when a vote would be taken on the draft legislation), that the government of the Netherlands would indicate whether or not it accepted the legislation. He believed that at that point, another notification would be made, and that G/TBT/Notif.98.448 would turn into a pre-notification.

28. The representative of Egypt recalled that at the last meeting the EC had expressed its concern regarding a number of Egyptian Decrees. With respect to the Decree on the labelling of meat, to indicate the names of importers and slaughterhouses, he explained that the measure was necessary for the protection of consumers from a religious standpoint. It served to establish that animal slaughter was conducted in an Islamic fashion. With respect to having to indicate the date of slaughter and the country of origin, this was necessary for consumer health protection. As to the requirement of putting the labels inside and outside the packaging, he argued that this would not create barriers to trade and would not represent an added cost to exporters, since the information was known to them.

29. With respect to the Decree on the labelling of textiles which mandated that the name of the importer and country of origin be woven on both ends of each roll for every 30 meters, he explained that the requirement was designed to protect consumers. It provided an indication of the nature and quality of the goods. The regulation applied both to local and imported goods. He indicated that a written response would be submitted to the EC.

30. The representative of the European Communities welcomed the reply from Egypt.

31. He drew attention to notification G/TBT/Notif.98.343 on EU Council Directive 92/23/EEC relating to tyres for motor vehicles, and document G/TBT/W/91 in which Indonesia had commented on the said Directive. He indicated that his delegation would respond to the comments made. However, he questioned why Indonesia had submitted its comments directly to the Committee, rather than to his authorities. His authorities had not received any comments from Indonesia during the comment period which expired on 8 September 1998. This approach did not conform with the normal practice or recommendations of the Committee.

32. The representative of Indonesia clarified that the communication had already been sent to the EC enquiry point, and that he expected bilateral consultations in the near future.

33. The representative of the European Communities recalled that at the last meeting, his delegation had raised concerns about Brazilian standards on pacifiers, and that no reply had been received.

34. The representative of Brazil indicated that she would reply after seeking information from her authorities.

35. The representative of the United States drew attention to Mexican notification G/TBT/Notif.98.485, dated 12 October 1998, prohibiting the use of certain coolants, or chlorofluorocarbon compounds, for refrigerators and air conditioners. While the regulation was notified under Article 2.9.2, it was described in the notification form as an Emergency Official Standard for adoption and entry into force on 22 September 1998, a day after the publication of the Official Journal (on 21 September 1998). She questioned the nature of the emergency and indicated that, in order to comply with the Mexican regulations, products had to be tested by an accredited laboratory. Until today, however, not a single laboratory had been accredited to perform the required tests. Therefore, US exporters were uncertain about how to comply with the regulation.

36. She asked if comments on the regulation could be submitted, since in the notification, the words "not applicable", had been written with regards to the "final date for comment". She drew attention to Article 2.10.3 of the Agreement, and stated that even if a technical regulation was

prepared in response to urgent problems, other Members could still submit their comments. She believed that alternatives existed to fulfill the same objectives but in a less trade restrictive manner.

37. The representative of Mexico took note of the concerns raised by the US, and said that she would convey them to her capital. She agreed that it was a mistake to notify the Emergency Standard under Article 2.9.2, as it should have been notified under Article 2.10.1.

38. The representative of the United States informed the Committee that a mutual recognition agreement between the US and the EC had been concluded, and would enter into force on 1 December 1998. Her delegation was in the process of preparing a notification to the Committee under Article 10.7.

39. The Committee took note of the statements made.

V. FOLLOW UP OF THE MEETING ON PROCEDURES FOR INFORMATION EXCHANGE

40. The Chairman drew attention to a list of proposals made by the US at the Meeting on Procedures for Information Exchange held on 14 September 1998, and by Canada on 17 November 1998 (G/TBT/W/89/90 and 100), and invited delegations to comment on them.

41. The representatives of India, Ecuador, Egypt, Mexico and Thailand said that their delegations were not in a position to take decisions at this point, and that time would be needed to obtain instructions from capitals. They reserved their rights to comment on the proposals.

42. The representative of Mexico stated that a number of proposals were useful and were not controversial. However, she asked if the Committee knew how the output of the Meeting on Procedures for Information Exchange should be treated, and if the proposals related to the Work Programme that resulted from the Triennial Review. She noted that one of the elements of the Triennial Review related to the operation and implementation of notification procedures. Document G/TBT/1/Rev.5 had been revised from G/TBT/1/Rev.4 to incorporate the results of the Triennial Review. She asked if the document would be further revised if the Committee chose to adopt some of the proposals.

43. The Chairman explained that the US and Canadian proposals were a direct result of the meeting which the Committee held on a biennial basis "in order to give Members the opportunity to discuss the activities and problems relating to information exchange" with persons responsible for information exchange, including persons responsible for enquiry points (page 19, G/TBT/1/Rev.5). It had been the practice of the Committee to allow experts from capitals to put forward concrete proposals to improve the functioning of notification procedures and of enquiry points. He said that the proposals were not directly related to the Triennial Review.

44. With respect to document G/TBT/1/Rev.5, he explained that the document comprised all the decisions and recommendations that have been adopted by the Committee since 1 January 1995, and that it had been revised whenever the Committee adopted or made amendments to decisions and recommendations for the improved functioning of the Agreement. He said that not all of the revisions were necessarily linked to the Triennial Review. He agreed that if the issues discussed were related to the Triennial Review, the Committee should address them in the context of its Work Programme. However, that did not mean that all efforts should be part of a single undertaking as that would make progress on smaller issues impossible to achieve. He argued that if the Committee could adopt some of the proposals by consensus, it should do so.

45. The representative of New Zealand supported the Chairman's view. He believed that the idea of holding regular meetings on Procedures for Information Exchange provided opportunities for a

technical discussion of the issues relating to notifications and enquiry points, leaving policy matters for the consideration of the Committee. It allowed the Committee to consider the specific proposals coming out of the meetings on Procedures for Information Exchange. The practice was established prior to the First Triennial Review of the Agreement.

46. The representative of the United States supported the comments made by New Zealand, and drew attention to page 22 of the minutes of the last meeting (G/TBT/M/13). It stated that at the meeting on Procedures of Information Exchange, the proposals put forward by the US were supported by a number of delegations, and it was agreed that they would be transmitted to the Committee for further discussion and consideration. She recalled that this had been the practice of the Committee, and document G/TBT/1 had been revised five times since 1 January 1995. She believed that the Committee had the capacity to consider proposals, make decisions and recommendations at any time, independently of a Triennial or Annual Review. She appealed to delegations to move forward when consensus could be reached, regardless of whether the proposals were related to the Meeting on Procedures for Information Exchange or to the Triennial Review.

47. The representative of Mexico clarified that she did not mean that decisions could only be made in the context of Triennial Reviews, and agreed that the Committee should move forward. However, she suggested that the Committee reach some general understanding on how to proceed and address all the different proposals made before the Committee.

48. The Chairman shared the concern expressed by Mexico, and suggested that he hold informal consultations on how the Committee could best approach the Work Programme resulting from the Triennial Review. At present, the Committee was in an analytical phase, in which delegations were reflecting on the issues contained in the Work Programme. They were exchanging information on their national experiences, and some had put forward concrete proposals. The Committee had held discussions on these proposals, but had not made decisions in their regard. With the next Ministerial Conference approaching, he understood the concern of some delegations on how the numerous proposals would be dealt with. However, he suggested that at present, the Committee could make progress in addressing the proposals made in relation to the Meeting on Procedures for Information Exchange.

49. The representative of the United States drew attention to document G/TBT/W/89 which contained her delegation's proposals on how to improve TBT notification procedures. Paragraph 5 of the document stated that "WTO Members are interested in having a notification system that facilitates the development of standards, technical regulations and conformity assessment procedures that reflect a consideration of the best available scientific and technical information, related processing technology or intended end uses of products. The rapid development of modern telecommunications and information technologies provides tremendous new opportunities to advance these goals, including speeding the transmission of documents between governments and improving the readability of these documents over fax equivalents. Ideally, Members' Enquiry Points will have access to computers, publication software, Internet access, an established web site and the capacity to transmit notifications and text electronically."

50. Against this background, the US proposed that: *"In order to extract the benefits of such technological advances, it might be useful to survey Enquiry Points to determine what steps need to be taken to facilitate the electronic transmission of documents between Members. Such a survey could, among other things, facilitate efforts to better target technical assistance and training. Even without a survey, the simple addition of e-mail addresses to the list of Enquiry Points would greatly facilitate the electronic transmission of documents".*

51. She explained that the purpose of the US suggestion was to allow for the electronic exchange of information whenever possible. The objective was not to create new obligations nor inconvenience for delegations. However, her delegation was aware that concerns had been expressed about the lack

of resources in enquiry points, and proposed that a survey of enquiry points be conducted to identify the measures that could be taken to facilitate the electronic transmission of documents, i.e., by way of technical assistance and training for instance. She indicated that if Members could agree to adding the email addresses of their enquiry points to the list of enquiry points (G/TBT/ENQ/ documents), that would in itself facilitate electronic transmission.

52. The representative of India stated that a survey could identify the problems faced by certain enquiry points and the need for technical assistance for facilitating electronic transmission of documents. Concerning the second part of the proposal on "*the simple addition of e-mail addresses to the list of Enquiry Points*", he suggested replacing the words "*Even without a survey*" by "*In the meantime*".

53. The representative of the European Communities supported the US proposals. However, he pointed out that due to the incompatibility of standards, documents received by email were sometimes difficult to read. He suggested that the survey also investigate this issue.

54. The representative of Brazil asked if the proposal was intended to complement existing notification procedures, allowing for more rapid transmission of documents when possible.

55. The Chairman explained that two proposals had been made by the US: the first entailed a request to the Secretariat to conduct a survey of the national enquiry points of Members; and, the second, a request for the inclusion of the email addresses of enquiry points when available, in the list of enquiry points. The survey would identify the problems faced by some delegations in using email or transmitting documents electronically. With this information, the Committee could have a more focused discussion and consider how technical assistance could be targeted. He invited delegations who were in a position to transmit documents electronically, to do so.

56. The representative of the United States drew attention to paragraph 8 of document G/TBT/W/89 which suggested that: *The TBT Committee could exercise its authority under the "Procedures for Circulation and Derestriction of WTO Documents" and immediately derestrict the minutes of the Committee, including the Annual reviews, once approved*".

57. The representative of India argued that the question of the circulation and derestriction of documents was under discussions in the General Council, and that the Committee should wait for its decision.

58. The Chairman suggested that the Committee return to this proposal at a future date.

59. The representative of the United States drew attention to paragraph 2 of document G/TBT/W/90 which suggested that "there has been some confusion by WTO Members concerning what types of technical regulations are to be reported under the notification procedures". To clarify the situation, her delegation proposed to make the following amendments to the recommendation on the description of information contained in the notification form (pages 11-12 of G/TBT/1/Rev.5): Item (iii) Notified under: to replace "Article 2.10.1: adopted technical regulations..." by "*Article 2.10.1: technical regulations adopted for urgent problems...*"; to replace "Article 3.2: proposed or adopted technical regulation..." by "*Article 3.2: proposed technical regulations or technical regulations adopted for urgent problems...*"; to replace "Article 5.7.1: adopted procedures for assessment of conformity..." by "*Article 5.7.1: conformity assessment procedures adopted for urgent problems...*"; and to replace "Article 7.2: proposed or adopted procedures for assessment of conformity..." by "*Article 7.2: proposed procedures for assessment of conformity or conformity assessment procedures adopted for urgent problems...*".

60. She explained these drafting suggestions were only intended to clarify the urgent nature of the notifications under Articles 2.10.1, 3.2, 5.7.1 and 7.2, and did not change existing procedures.

61. The representative of New Zealand supported the proposal, saying that it would convey useful information to the readers.

62. The representative of the European Communities agreed with New Zealand, indicating the proposal only constituted an editorial change.

63. The representative of the United States drew attention to paragraph 5 of document G/TBT/W/90, in which her delegation proposed adding a decision to page 16 of document G/TBT/1/Rev.5, under Item 4. With respect to the Translation of Documents Relating to Notifications and Address of the Body Supplying the Documents, the proposed decision to be added read: "*Members may voluntarily make unofficial translations of proposed rules available - whether translations are of their own proposals or those of another Member - and could inform the Secretariat of the availability, language, and location of the translation on the Internet. The WTO could provide this information (notification, availability, language and location) to WTO Members generally through existing electronic systems on the WTO Home Page*".

64. She stated that Members could inform the Secretariat of the availability, language and location of translated documents on the internet. The Secretariat could provide the information to Members through existing electronic systems on the WTO homepage. The idea was to alert potentially interested Members of the availability of translated documents and to provide them with the documents through the internet.

65. The Secretariat explained that it would be necessary to seek advice from the relevant WTO experts on the feasibility of posting this information on the WTO home page, and of, amongst other issues, the format to be used. It would also be necessary to examine the human and financial resources that would be required.

66. The representative of Japan generally agreed with the concept of the proposal. However, he was concerned about the accuracy of unofficial translations, and suggested that Members could inform each other informally of the availability of translated documents.

67. The representative of India desired to know whether the unofficial translation would be made available in hard copies. In addition, he indicated that if a Member's rules were to be translated by another, the consent of the original Member should first be sought.

68. The Chairman recalled that many delegations had identified the translation of documents as a problem at the Meeting of Procedures for Information Exchange. He suggested that the Committee revert to the proposal under discussion at its next meeting in light of the information provided by the relevant WTO experts.

69. The representative of the United States drew attention to paragraph 6 of document G/TBT/W/90, where her delegation suggested adding certain recommendations to page 16 of G/TBT/1/Rev.5. Under Item 5 on the Processing of Requests for Documentation, she proposed the inclusion of the following points: (c) *E-mail requests for documentation should include name, organization, address, telephone and fax numbers and e-mail address in the request*; and, (d) *Electronic delivery of documentation is encouraged and requests should indicate whether an electronic version is desired*.

70. The representative of the European Communities supported the proposal. However, regarding point (d), he drew attention to the importance of ensuring the compatibility of electronic documents.

71. The representative of the United States said that if a document could not be successfully transmitted electronically, using the information provided under point (c), it could then be sent by fax or by other means.

72. The representative of Thailand supported the electronic transmission of documents. However, he pointed out that hard copies should also be made available due to human resource constraints and technological limitations in developing countries.

73. The Chairman shared the concerns expressed by Thailand. He explained that the proposal was only intended to be added to existing recommendations and practices for the supply of documentation.

74. The representative of the United States indicated that paragraph 7 of document G/TBT/W/90 included a suggested recommendation to be added to page 17 of G/TBT/1/Rev.5. Under Item 7 on the Handling of Comments on Notifications, the following could be inserted: *(c) In order to facilitate a broader understanding of the implications of regulatory proposals, Members may wish to post their comments on the proposals on the Internet and make their Internet address known to other Members on the National Enquiry Point List.*

75. The representative of the European Communities expressed his reservations with respect to this proposal, indicating it could go against the will of notifying countries who would not wish to have comments posted on the internet. He preferred that all comments be sent directly to the notifying country.

76. The representative of Mexico also expressed her doubts with respect to this proposal, and enquired about its objective. Members wishing to enter into consultations with other Members on their technical regulations could already do so.

77. The Chairman indicated that existing procedures allowed for comments to be forwarded by WTO Members to the notifying country, either directly or through the Committee. The US proposal was aimed at enhancing transparency. It enabled Members who did not have the capacity to comment on notifications, to familiarize themselves with the issues that others may have raised. The proposal did not add to existing obligations, as it was only voluntary.

78. The representative of the United States believed that the purpose of notifications and the provision of comments under the Agreement was information exchange. Such exchanges brought to light new information to regulatory authorities, and allowed comments to be taken into account prior to the adoption of draft technical regulations and conformity assessment procedures. She explained that the objective of the proposal was not to embarrass governments, but to enhance transparency and promote technical exchanges.

79. The representative of New Zealand found the proposal interesting. He observed that a number of delegations in the WTO had small bureaucracies and found it difficult to keep track of all notifications. It was difficult for any one delegation to carefully scrutinize every single notification. His own delegation often looked into notifications in terms of the product areas of key interest to his country. In some cases, it was only during informal discussions with other delegations when his delegation realized that certain problematic notifications had been made. However, it was sometimes the case that the comment period had already elapsed. He enquired about how other delegations sifted through notifications, and if certain enquiry points or designated bodies had already begun posting comments on notifications on their internet sites.

80. The representative of India questioned the need for the proposal, and felt that it went beyond the rights and obligations of Members. Posting the comments on the internet would make them available to the general public. In addition, many of the developing countries experienced difficulties

in accessing the electronic medium. He, therefore, felt that comments on the proposed regulations covered in the notifications should be sent to the notifying Member in the normal manner.

81. The representative of Chile supported the proposal, and welcomed all initiatives to enhance transparency, information exchange, and consultations. Such initiatives were fundamental to the functioning of the TBT Agreement.

82. The Chairman suggested that the Committee revert to this proposal at its next meeting. He invited the delegation of the United States to further examine the text of the proposal.

83. The representative of the United States drew attention to paragraph 8 of document G/TBT/W/90 and proposed amending the recommendation under Item 2 of page 19 of document G/TBT/1/Rev.5. Under Booklets on Enquiry Points (b) (i), the US suggested the following redraft: *Objective, name, address, telephone number, fax number, e-mail address and Internet address of WTO TBT enquiry point(s)*

84. The Chairman proposed that this only apply to the enquiry points that had email addresses, and internet sites.

85. The representative of the European Communities supported the proposal as well as the statement made by the Chairman. He suggested adding the words "*if available,*" before "*e-mail address and internet address ...*".

86. The representative of Canada drew attention to paragraph 2 of document G/TBT/W/100 and to Item 4 (a) on page 16 of document G/TBT/1/Rev.5, which state that: "When a translation of a relevant document exists or is planned, this fact shall be indicated on the WTO TBT notification form next to the title of the document. If only a translated summary exists, the fact that such a summary is available shall be similarly indicated;". He indicated that page 12 of document G/TBT/1/Rev.5 contained a table that laid out the information to be included under the various headings of notification forms. In order to make Item (v) of the table fully consistent with the decision on page 16, he proposed to modify the last sentence of Item (v) as follows: "The language(s) in which notified documents, *and summaries thereof, are available exist, or will be made available*".

87. The representative of India suggested that the words "*and summaries*" be replaced by "*or summaries*". This was supported by the representative of Mexico.

88. The representative of Canada proposed amending paragraph (c) of the Decisions relating to Point 4. With respect to the Translation of Documents Relating to Notifications and Address of Body Supplying the Documents (page 16 of G/TBT/1/Rev.5), he suggested the following wording: "Members shall indicate under point 11 of the WTO TBT notification form the exact address, *e-mail address*, telephone and fax numbers of the body responsible for supplying the relevant documents if that body is not the enquiry point".

89. He indicated that he was open to replacing the original proposed wording by "*where available, e-mail address*". Point 4 had failed to mention email addresses, despite the reference made to them in other parts of document G/TBT/1/Rev.5.

90. The representative of Mexico found the additional wording "where available" to be acceptable.

91. The representative of Canada proposed amending paragraph (b) of the Recommendations in point 5 on the Processing of requests for documentation (contained in page 16 of G/TBT/1/Rev.5) to read as follows: "any request for documentation should be processed if possible within five working days. If a delay in supplying the documentation requested is foreseen, this should be acknowledged to

the requester, *along with an estimate of when the documents can be provided*". The proposal was designed to provide an improved service to information seekers. It would add to current practice the ability to find out when documents could be made available.

92. He proposed that the recommendation under point 4 of page 21 of document G/TBT/1/Rev.5 on the Handling of Requests, be modified to the following: "An enquiry point should, without further request, acknowledge the receipt of the enquiry, *and advise the requester if the enquiry has been forwarded to another organization or body for response*". Once again, the proposal's objective was to provide a better service to information seekers by informing them of the steps taken to handle their comments.

93. The representative of Mexico expressed her reservations on the proposal. She indicated that enquiry points were established under the TBT Agreement to facilitate information exchange, and that it was the responsibility of enquiry points to forward information to other relevant bodies to respond. She questioned the purpose of the proposal, and asked if it actually meant that information seekers would have direct contact with the relevant authorities (such as, for instance, Ministries of Health and Agriculture). If so, then the role that enquiry points played became unclear.

94. The representative of India supported the view expressed by Mexico. He stated that if an enquiry point could not advise an information seeker, it had to indicate the timeframe within which an answer would be delivered.

95. The representative of the European Communities said that more time would be needed to consider the proposal. He expressed concern on the potential breach of confidentiality and increase of bureaucratic procedures involved.

96. The representative of Canada drew attention to his delegation's proposal that "*Members might wish to give consideration to developing mutually agreeable, voluntary service standards, which would establish acceptable time-frames for acknowledging and providing responses to technical enquiries*". He indicated that concerns had been raised with respect to the words "mutually agreeable", and clarified that it was not Canada's intention to put forward a binding obligation. The proposal could read just as well in the absence of those words.

97. The representative of Mexico suggested a survey to examine the feasibility of this approach.

98. The representative of Hong Kong, China stated that Canada's proposal was both relevant and valid. However, in light of the differences between national enquiry points, it would not be easy to seek a "mutually agreeable and acceptable time-frame" to be used by all. She suggested that Members follow the example set by her authorities of promulgating their own standards for service delivery, and establishing a time-frame within which to respond to enquiries.

99. The representative of the European Communities welcomed the proposal, and indicated that his delegation had been planning to make a similar one. The proposal addressed the functioning of the Agreement and how it could be improved with respect to, for instance, the failure to notify, late notifications, the failure to provide texts and translations, lack of compliance with the time-limits, and the failure to take comments into account.

100. The representative of Australia expressed her delegation's support for many of the proposals, indicating that further comments might be provided.

101. The representative of Canada welcomed the comments made on the Canadian proposals, and said that they would be reflected upon.

102. The Chairman invited delegations to further reflect on the proposals, and suggested that the Committee revert back to them at its next meeting. He indicated that some of the proposals relating to document G/TBT/1/Rev.5 were not controversial. He believed that the Committee may be able to agree to some of them at the next meeting. However, proposals of a more general and broader nature would require further discussion.

103. The Committee took note of the statements made, and requested the Secretariat to carry out a survey on the electronic facilities available to national enquiry points.

VI. PROGRAMME OF WORK ARISING FROM THE FIRST TRIENNIAL REVIEW OF THE OPERATION AND IMPLEMENTATION OF THE TBT AGREEMENT UNDER ARTICLE 15.4

A. IMPLEMENTATION AND ADMINISTRATION OF THE AGREEMENT BY MEMBERS UNDER ARTICLE 15.2

104. No statements were made under this item.

B. OPERATION AND IMPLEMENTATION OF NOTIFICATION PROCEDURES UNDER ARTICLES 2, 3, 5 AND 7

105. No statements were made under this item.

C. ACCEPTANCE, IMPLEMENTATION AND OPERATION OF THE CODE OF GOOD PRACTICE FOR THE PREPARATION, ADOPTION AND APPLICATION OF STANDARDS BY STANDARDIZING BODIES

106. The Chairman recalled that at its last meeting, the Committee had held discussions on a EC proposal on the publication of work programmes by standardizing bodies. He put forward for the Committee's consideration the compromise text included below. He believed it allowed for the publication of work programmes on the internet, while meeting the concerns of delegations who did not have access to the electronic medium.

Background and purpose

In order to simplify and speed up the work of standardizing bodies with respect to the publication of work programmes by standardizing bodies under paragraph J of the Code of Good Practice for the Preparation, Adoption and Application of Standards by Standardizing Bodies, the Committee agree on the following procedures.

Decisions

The communication of the work programmes of the standardizing bodies via Internet would be another possibility to fulfil the paragraph J obligations by adapting to new technology. However, if requested, hard copy of work programmes shall be printed out and made available to requesters.

107. The representative of the European Communities supported the Chairman's proposal.

108. The representative of Egypt stated that under Annex 3 of the Agreement, standardizing bodies had to provide hard copies of work programmes. He argued that to provide work programmes through the internet could be used as another option if so desired, but should not replace the obligation to provide hard copies.

109. The Chairman explained that the proposals allowed for obtaining copies of work programmes both in hard copies and electronically. The proposal would also allow standardizing bodies to up-date their work programmes on a daily basis on the computer, rather than every six, and, thus, ensured the timeliness of information. The proposal did not in any way prevent standardizing bodies from printing out hard copies of their work programmes and delivering them upon request.

110. He drew attention to paragraph J of the Code of Good Practice which stated that "At least once every six months, the standardizing body shall publish a work programme..." He explained that the word "publish" in the electronic age, did not have to mean in hard copy. Publication could also take place through the internet. For delegations that did not have access to that medium, hard copies would be provided.

111. The representative of India shared the views expressed by Egypt. He asked how Members without access to electronic format would find out about the existence of work programmes in the first place.

112. The representative of Hong Kong, China shared the view that the work of standardizing bodies had to respond to the technological advances, but understood the difficulties faced by some of the developing country Members in getting access to the new medium.

113. The representative of Chile asked if paragraph J of the Code of Good Practice necessitated publishing as well as making available the work programme.

114. The Chairman drew attention to paragraph J of the Code of Good Practice, which stated that "A notice of the existence of the work programme shall be published in a national or, as the case may be, regional publication of standardizing activities." He stressed that the notice be in writing in a publication, and not be made through the internet.

115. Paragraph J also required standardizing bodies to notify the existence of their work programme to the ISO/IEC Information Centre. The notification should contain information, among other things, on how and where the work programmes could be obtained. He believed that these basic obligations were not changed by the proposal. Interested parties would be informed of the existence of work programmes in a publication, and of how to obtain them through the notifications made. However, under the Agreement, standardizing bodies were not obliged to circulate every six months, copies of their work programmes to Members or to other standardizing bodies.

116. The representative of Mexico welcomed the proposal, and indicated that a solution could soon be reached. She shared the view expressed by Egypt, and suggested replacing in the last sentence of the Decision, the word "However" by the word "Therefore", so that the option of choosing between hard copies and internet copies could remain with the requesters.

117. The representative of New Zealand pointed out that the first sentence of paragraph J of the Code, did not specify how work programmes were to be published. However, the last sentence of the same paragraph clarified that the notice of the existence of the work programme should be published in a national or, as the case may be, regional publication of standardization bodies (a hard copy publication). He suggested adding the following sentence to the end of the proposal: "This is without prejudice to the requirement to publish a notice of the existence of the work programme in a national or, as the case may be, regional publication of standardization activities." This would enable Members who did not have access to the internet to be informed of the existence of work programmes.

118. The representative of Australia supported New Zealand's suggestion. She suggested redrafting the last sentence of the existing text to satisfy the concerns that had been expressed. It

could read: "Hard copies of the work programmes shall be still be printed out and made available to requesters".

119. The representative of the European Communities stated that his delegation would redraft the proposal, taking account of the comments made.

120. The Committee took note of the statements made.

D. INTERNATIONAL STANDARDS, GUIDES AND RECOMMENDATIONS

121. The Chairman recalled that at the Information Session of Bodies involved in the Preparation of International Standards, held one day prior to this meeting, the following organizations had been invited: the Food and Agriculture Organization (FAO), the Food and Agriculture Organization (FAO)/the World Health Organization (WHO)/the Codex Alimentarius Commission, the International Electrotechnical Commission (IEC), the International Office of Epizooties (OIE), the International Organization for Standardization (ISO), the International Organization of Legal Metrology (OIML), the International Telecommunication Union (ITU), the Organization for Economic Cooperation and Development (OECD), the United Nations Economic Commission for Europe (UN/ECE), and the World Health Organization (WHO).

122. He indicated that delegations would need time to examine the information provided in a structured fashion, and proposed that the Secretariat prepare a synthesis paper on the basis of the different questions put forward to these organizations, i.e., addressing issues such as their membership, working procedures, and how they took account of the special problems facing developing countries.

123. He also proposed that the Committee consider organizing another Information Session on conformity assessment procedures. He stated that he would hold informal consultations in January 1999 to discuss the following: when to hold the Information Session, how to structure it, who to invite and what questions to put forward to those involved in conformity assessment. He indicated that a broad examination of the subject was needed, and invited delegations to provide written suggestions.

124. The representative of the United States found the Information Session of Bodies involved in the Preparation of International Standards to have been informative. However, while it had answered some questions, it had raised new ones that her delegation wished to return to in future. She supported the Chairman's proposal to have the Secretariat prepare a synthesis document. With respect to having another Information Session on Conformity Assessment Procedures, she enquired if the Committee would invite only those organizations involved in the preparation of international guides, recommendations and standards in this area, or would also include the practitioners involved in conformity assessment procedures. She believed that her question would best be addressed at the informal consultations to be held in January 1999.

125. The representative of Canada supported the Chairman's proposals. He recalled that it had been his delegation's idea to hold an information session related to international standards. As for the up-coming information session related to conformity assessment procedures, he suggested to invite a wide range of conformity assessment bodies, including those at the national level (both from the government and voluntary sides), the regional and international levels. He indicated that his delegation would put forward some suggestions before the informal consultations in January.

126. The Committee agreed to request the Secretariat to prepare a synthesis paper based on the information provided by the organizations at the Information Session of Bodies involved in the Preparation of International Standards held 19 November 1998, and agreed to organize an Information Session on Conformity Assessment Procedures.

127. The Chairman drew attention to documents G/TBT/W/75 and 87 which contained proposals made by the United States and the European Communities on "Transparency in International Standards" and "Conditions for Acceptance and Use of International Standards in the Context of the WTO TBT Agreement". He recalled that a number of delegations had expressed views on the papers at the last meeting, and invited further comments.

128. The representative of Japan shared the basic idea of the US paper and Part III of the EC paper. There should be disciplines for international standardizing bodies to ensure the transparency and equality in the participation of international standards preparation. He found the Information Session held the day before important, and suggested that the Committee study the information provided and continue discussions on the subject matter.

129. The representative of the European Communities noted that Members had taken a legal commitment to use international standards as a basis for their technical regulations and standards. In order to ensure certainty to Members, those documents needed to be identified and recognized. The Committee should have a detailed examination on the issue of international standards. With respect to the US paper, he supported the reinforcement of transparency. The EC paper also addressed some of the issues stated in the US paper, and went further. He invited Members to study the two papers in parallel.

130. The representative of Mexico found the subject matter of international standards complex, and supported the view that the Committee should have substantive discussions on it. Based on the Secretariat synthesis paper and further discussions on the EC and US papers, the Committee might come up with further ideas on what step it would take in terms of recommendations or guidelines in relation with this subject-matter.

131. The representative of New Zealand agreed that the Secretariat synthesis paper would assist further discussions in the Committee. He supported the views expressed in the U.S. and E.C. papers. A common aspect of the two papers suggested the consideration by the Committee, ways in which it could give guidance to international standardizing bodies. The proposed guidance were similar to those elements contained in the Code of Good Practice for the Preparation, Adoption and Application of Standards by Standardizing Bodies (Annex 3 of the Agreement) which applied to other standardizing bodies. He suggested that the Committee could consider developing a parallel Code or making basic recommendations for the purpose of international standardizing bodies.

132. The representative of the United States shared the remarks made by Mexico and New Zealand that it would be fruitful to return to the proposals in the light of the Secretariat synthesis paper. She supported the EC concept of key criteria for bodies to be accepted as producing international standards in the context of the WTO TBT Agreement. She noted that the concept reflected in both the US and EC papers was the need for impartiality in the preparation of international standards, achieving results without discrimination on the nationality of participants, and that all Members with an interest in standardization would have the opportunities to participate in the work of international standardization. This would be the key point that her delegation would return to. She drew attention to parts II and III of the EC paper containing certain principles which were different from the US proposals. She indicated that her delegation would return to those points at the next meeting.

133. The representative of Chile supported the view of Mexico and New Zealand that in the light of the synthesis paper, the Committee would re-read the proposals made by the delegations of the United States and European Communities. He thought that the issue of international standards was a sensitive one which required coordination at both the international and national levels.

134. The representative of New Zealand drew attention to the New Zealand paper on "Equivalency" (G/TBT/W/88). He believed that the paper was relevant to the subject matters of international standards, because it was intended to promote the concept of equivalency where there

existed no relevant international standards. The paper was also relevant to the Code of Good Practice, because it proposed an addition provision to the Code that would encourage standardizing bodies to consider equivalency.

135. The representative of the European Communities said that the concept of equivalency had been tried within the European Union, and was being addressed in the context of the Trans-Atlantic economic partnership. He thought that standardizing bodies were the agencies responsible for accepting as equivalent of standards, and it ought to be done, if possible by consensus, through selected process resulted from an explicit act of standardizing bodies. From the European Union experience, he found that equivalency required compatible technical environment. There had been an attempt to call standards equivalent within the European Union, only to find out later that they did not turn out to be equivalent when being applied in practice. One would question why a national standardizing body would bother to prepare a national standard, if there existed an equivalent standard. He thought the reason must be the desire to mark out the differences. If standards did not reflect real equivalence, they would not be treated as equivalent by traders in the market. For this reason, it was not sufficient to declare equivalent, because the market might need to opt for compliance with national standards.

136. He welcomed the point that the approach of equivalency of standards was an interim measure to facilitate trade in the absence of relevant international standards. He supported the concept of objectives of standards stated in the New Zealand paper, and said that at the moment, objectives of standards were usually not declared. He suggested that Members, when considering to develop a standard, could consider the objectives thereof and to adopt standards existed elsewhere.

137. With respect to the comments made by the United States on the EC paper, he said that paragraph 6 and parts II and III of the paper were important to his delegation. He suggested that since the issue of international standards was considered important by delegations, the Committee might wish, at a later stage, to hold special consultation sessions, back to back with Committee meetings, focusing on the discussions of the subject.

138. The Committee took note of the statements made.

E. PREPARATION, ADOPTION AND APPLICATION OF TECHNICAL REGULATIONS

139. The representative of Australia drew attention to document G/TBT/W/99, a paper on National Experiences with Standards and Technical Regulations prepared by Australian agencies responsible for standard preparation and development in response to the invitation of the Committee as a result of the Triennial Review. She said that the development of standards in Australia had been the product of her country's size, geography, economic development and other domestic factors. According to the circumstances, Australia had taken the best of overseas standards and applied or adapted them. Australia developed its own standards only when it was needed because of Australian special geographic or climatic conditions; as well as taking account of specific industrial or infrastructure developments and the closer economic relationship with New Zealand.

140. She noted that many Australian standards were an amalgam of others, recognizing that the development of standards was a product of investment in research and development. The needs of the multinational companies operating in Australia or countries which were the destination of Australian exports had been another factor. Standards had been developed in response to the need of Australian companies to meet the standards of others rather than a desire to develop a local standard for its own sake. The four principal standards setting agencies in her country are the Australia and New Zealand Food Authority (ANZFA), the National Accreditation and Testing Authority (NATA), the Federal Office of Road Safety (FORS) and Standards Australia.

141. The Committee took note of the statement made.

F. CONFORMITY ASSESSMENT PROCEDURES

142. The Chairman recalled that at the last meeting, under agenda item 3.6.8 "Special and Differential Treatment", the Committee had agreed "to invite representatives of international systems for conformity assessment procedures to make written and oral presentations to the Committee with a view to assessing whether and how account is taken of the special problems of developing countries in such systems". He suggested that it could be one of the issues to be taken up at the up-coming Information Session on Conformity Assessment Procedures.

143. The representative of Switzerland recalled that at the last meeting, his delegation had introduced a paper (G/TBT/W/79) providing information on how Switzerland had implemented Article 6.1 of the Agreement by introducing the concept of autonomous recognition of the results of foreign conformity assessments. He said that the result of applying the concept in his country during the last two years had been positive. Cost of imported products subject to third party certification had been reduced as a result of the avoidance of unnecessary double certifications. This had led to the stimulation of competition in the Swiss market and thus strengthening the international competitiveness of Swiss industries. From a health and safety point of view, the concept of autonomous recognition had proved to be useful. Based on internationally accepted criteria, it had safeguarded an appropriate degree of protection without undermining the existing level of safety and health in Switzerland. He invited reactions on the Swiss paper .

144. The Committee took note of the statements made.

G. TECHNICAL ASSISTANCE UNDER ARTICLE 11

145. The representative of Japan informed the Committee of a WTO/ISO/ITC/JISC/JSA Seminar on WTO Agreement on Technical Barriers to Trade and the Role of Standards in Trade Promotion to be held on 23-26 February 1999 in Tokyo. The countries to be invited were Brunei, Fiji, China, Indonesia, Rep. of Korea, Malaysia, Mongolia, Papua New Guinea, Philippines, Singapore, Thailand, Vietnam, Cambodia, Laos and Myanmar. Japan would provide funding to finance the participants, covering the air fare (except for Brunei and Singapore, because of budget constraints), hotel accommodation and daily allowance. Invitations would be sent out by the WTO, ISO and ITC separately to their respective members for the nomination of one representative from each of the relevant bodies. Experts from the WTO, ISO, ITC and Japan would be delivering lectures concerning the TBT Agreement, standard information, international standards and conformity assessment activities. Further information could be obtained from the Secretariat.

146. The Committee took note of the statement made.

H. SPECIAL AND DIFFERENTIAL TREATMENT UNDER ARTICLE 12

147. The Chairman recalled that at the last meeting, the Committee had agreed to request the Secretariat to prepare a study to establish the state of knowledge concerning the technical barriers to the market access of developing country suppliers, especially small and medium sized enterprises (SMEs), as a result of standards, technical regulations and conformity assessment procedures.

148. The Secretariat informed the Committee that it had contacted a number of international and regional organizations for information on studies which they might have prepared of relevance to the issue. They were the Organization for Economic Cooperation and Development (OECD), the United Nations Conference on Trade and Development (UNCTAD), the United Nations Industrial Development Organization (UNIDO), the World Bank, the Economic and Social Commission for Asia and the Pacific (ESCAP), and the Asia Pacific Economic Cooperation Forum (APEC). In addition, works of independent authors deemed to be of particular importance to the subject would be reviewed. The Study would be ready for the first meeting of the Committee in 1999. Delegations

were invited to submit to the Secretariat the titles of any studies which they would like to see included in the Study.

149. The Committee took note of the statements made.

VII. OTHER BUSINESS

150. The Chairman suggested that the next meeting of the Committee would be held sometime in March 1999 with the exact date to be fixed closer to the time. Informal consultations would be held in the second half of January 1999.

Annex 1

NOTE TO THE CHAIRMAN OF THE COUNCIL FOR TRADE IN GOODS ON TRADE FACILITATION AND THE TBT AGREEMENT

1. The objective of the Agreement on Technical Barriers to Trade is to minimize technical barriers to trade. The text of the Agreement recognizes the importance of trade facilitation. It is reflected, for example, in the provisions related to non-discrimination, the avoidance of unnecessary obstacles of trade, encouragement of harmonization, the concept of equivalence, mutual recognition and transparency. In particular, under the transparency provisions of the Agreement, industries and traders can obtain standard related information from national enquiry points, and opportunities are provided for Members to comment on other Members' draft technical regulations and conformity assessment procedures to avoid unnecessary trade obstacles.

2. In accordance with Article 13.1 of the Agreement, each Member has the opportunity of consulting in the Committee any matters relating to the operation of the Agreement to the furtherance of its objective. At each regular meeting, the Committee hears statements on the implementation and administration of the Agreement. Measures have been brought to the attention of the Committee by Members who raise concerns about the potential adverse trade effects or inconsistency with the Agreement of those measures. Under Article 15.2 of the Agreement, Members have informed the Committee of measures taken to ensure the implementation and administration of the Agreement.

3. Article 15.4 of the Agreement provides that the Committee review the operation and implementation of the Agreement every three-years. The First Triennial Review was conducted at the end of 1997. The Committee reiterated the importance of the prevention and elimination of technical barriers to trade and the essential role of the Agreement in furthering these objectives. The Committee noted however, that certain difficulties or problems existed in a number of areas regarding the operation and implementation of the Agreement (G/TBT/5). The Committee started its programme of work arising from the First Triennial Review at the beginning of 1998. This is providing Members further opportunities to hold discussions on elements in relation to trade facilitation.

4. To conclude, the provisions of the TBT Agreement are by their very nature relevant to trade facilitation. Issues related to this matter have therefore been a regular feature of the work of the TBT Committee. They are being addressed regularly, in particular, under the agenda item "Statements on Implementation and Administration of the Agreement".
