

**Committee on Technical Barriers to Trade**

**SIXTH TRIENNIAL REVIEW OF THE OPERATION AND IMPLEMENTATION  
OF THE AGREEMENT ON TECHNICAL BARRIERS TO TRADE  
UNDER ARTICLE 15.4**

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## I. INTRODUCTION

1. The Sixth Triennial Review is being carried out in 2012 in accordance with the mandate under Article 15.4 of the Agreement on Technical Barriers to Trade (TBT Agreement)<sup>1</sup> and was concluded on 28 November 2012. The first five triennial reviews were held in 1997, 2000, 2003, 2006 and 2009.<sup>2</sup>

2. In the three years since the Fifth Triennial Review (November 2009 – November 2012, the "review period"), the Committee has undertaken work to follow-up on specific decisions and recommendations of the Fifth Triennial Review<sup>3</sup>, as well as those agreed in previous reviews.<sup>4</sup> In taking stock of the existing body of decisions and recommendations, Members recognize that their full implementation is a process that may span over several reviews. In this regard, the Committee agrees:

- (a) to *reaffirm* all previous decisions and recommendations as contained in G/TBT/1/Rev.10.

## II. IMPLEMENTATION AND ADMINISTRATION OF THE AGREEMENT

### A. GOOD REGULATORY PRACTICE<sup>5</sup>

3. In successive triennial reviews, Members have recognized that Good Regulatory Practice (GRP) can contribute to the effective implementation of the substantive obligations of the TBT Agreement, and, can play a part in avoiding unnecessary obstacles to international trade in the preparation, adoption and application of technical regulations and conformity assessment procedures.

4. During the review period, the Committee held discussions based on submissions from Members<sup>6</sup> and input from the Secretariat.<sup>7</sup> It continued an in-depth exchange of Members' experiences on the use of various aspects of GRP, including in the context of a Workshop on Regulatory Cooperation between Members held in 2011.<sup>8</sup> The importance of regulatory cooperation between Members was reaffirmed not only as an effective means of disseminating GRPs but also as an element thereof, in so far as it contributes to reducing unnecessary obstacles to international trade. Building on this exchange as well as on previous decisions and recommendations of the Committee, and with a view to furthering its work in the area of GRP, the Committee agrees:

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<sup>1</sup> Article 15.4 of the TBT Agreement states, in full: "Not later than the end of the third year from the date of entry into force of the WTO Agreement and at the end of each three-year period thereafter, the Committee shall review the operation and implementation of this Agreement, including the provisions relating to transparency, with a view to recommending an adjustment of the rights and obligations of this Agreement where necessary to ensure mutual economic advantage and balance of rights and obligations, without prejudice to the provisions of Article 12. Having regard, *inter alia*, to the experience gained in the implementation of the Agreement, the Committee shall, where appropriate, submit proposals for amendments to the text of this Agreement to the Council for Trade in Goods".

<sup>2</sup> Reports of these triennial reviews are contained in G/TBT/5, G/TBT/9, G/TBT/13, G/TBT/19 and G/TBT/26, respectively.

<sup>3</sup> A list of documents circulated in the TBT Committee relevant to the topics that have been revised is contained in Annex A of this document.

<sup>4</sup> A compilation of the TBT Committee's Decisions and Recommendations adopted between January 1995 and November 2009 is contained in document G/TBT/1/Rev.10. This document also contains the Committee's Rules of Procedure, including Guidelines for Observer Status for Governments and International Intergovernmental Organizations.

<sup>5</sup> Previous decisions and recommendations on GRP are contained in Section I (Part 1) of G/TBT/1/Rev.10.

<sup>6</sup> The United States (G/TBT/W/350 and G/TBT/W/333) and New Zealand (JOB/TBT/5).

<sup>7</sup> G/TBT/W/340 and G/TBT/W/341.

<sup>8</sup> This workshop was held 8-9 November 2011. A summary report, prepared by the Secretariat, is contained in G/TBT/W/348.

- (a) to *identify* a non-exhaustive list of voluntary mechanisms and related principles of GRP, to guide Members in the efficient and effective implementation of the TBT Agreement across the regulatory lifecycle, including, but not limited to, the following areas:
- (i) transparency and public consultation mechanisms;
  - (ii) mechanisms for assessing policy options, including the need to regulate (e.g. how to evaluate the impact of alternatives through an evidence-based process, including through the use of regulatory impact assessment (RIA) tools);
  - (iii) internal (domestic) coordination mechanisms;
  - (iv) approaches to minimizing burdens on economic operators (e.g. how to implement mechanisms that ensure reflection of the TBT Agreement's substantive obligations in the design and development of regulations);
  - (v) implementation and enforcement mechanisms (e.g. how to provide practical, timely and informative guidance needed for compliance);
  - (vi) mechanisms for review of existing technical regulations and conformity assessment procedures (e.g. how to evaluate the effectiveness and continued adequacy of existing measures, including with a view to assessing the need for amendment, simplification or possible repeal); and,
  - (vii) mechanisms for taking account of the special development, financial and trade needs of developing Members in the preparation and application of measures, with a view to ensuring that they do not create unnecessary obstacles to exports from developing Members.

## B. CONFORMITY ASSESSMENT PROCEDURES<sup>9</sup>

5. During the review period, the Committee continued to explore various aspects of conformity assessment, based on submissions from Members and previous work of the Committee.<sup>10</sup> Building on the structure developed by the Committee (in the Fourth Triennial Review<sup>11</sup>) and recalling, in particular, the recommendation (in the Fifth Triennial Review<sup>12</sup>) that the Committee initiate work on developing practical guidance on the choice and design of mechanisms aimed at strengthening the implementation of the TBT Agreement, including the facilitation of acceptance of conformity assessment results, the Committee agrees to organize its work in three thematic areas:

- (a) Approaches to conformity assessment. With respect to the choice and design of conformity assessment procedures, Members will *exchange information* on criteria and methods of analysis used to inform their evaluation of the range of choices in conformity assessment procedures. This exchange may include, for instance, how the assessment and management of risk affects the choice of conformity assessment procedure, and how Members' approach to market surveillance may affect this choice. A possible output of this work could be the development of an illustrative list of principles to guide the selection of conformity assessment procedures;

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<sup>9</sup> Previous decisions and recommendations on conformity assessment procedures are contained in Section II (Part 1) of G/TBT/1/Rev.10.

<sup>10</sup> New Zealand (JOB/TBT/5) and United States (G/TBT/W/349).

<sup>11</sup> G/TBT/19, Section C (paragraphs 21-46).

<sup>12</sup> G/TBT/26, paragraph 19(c).

- (b) Use of relevant international standards, guides or recommendations. Members will *exchange information* on how they use relevant existing international standards, guides or recommendations, or the relevant parts of them, as a basis for their conformity assessment procedures. To this end, relevant bodies involved in the development of such instruments may be invited to inform the Committee of the current status of their work; and,
- (c) Facilitating the recognition of conformity assessment results. Building on the "Indicative List" (Second Triennial Review<sup>13</sup>), Members will continue their *exchange of information* on approaches that may facilitate the acceptance of conformity assessment results. For instance, Members may explore how international and regional systems for conformity assessment (e.g. regional and intergovernmental initiatives, voluntary cooperation arrangements between accreditation bodies, and voluntary cooperation arrangements between conformity assessment bodies) can contribute to building globally robust and trade facilitative schemes (as envisaged under Article 9 of the TBT Agreement). To this end, relevant bodies involved in the development of such instruments may be invited to inform the Committee of the current status of their work.

### C. STANDARDS<sup>14</sup>

6. During the review period, the Committee continued to exchange experiences on various aspects of standards in relation to the TBT Agreement. Discussions were based on submissions from Members<sup>15</sup> and previous work done by the Committee. Building on this exchange as well as on previous decisions and recommendations of the Committee, and with a view to furthering its work in the area of standards, the Committee agrees to undertake work in the following three thematic areas.

#### (i) *The Code of Good Practice*

7. The Committee reiterates the importance of ensuring the effective application of the Code of Good Practice for the Preparation, Adoption and Application of Standards (Annex 3 of the TBT Agreement, hereafter the "Code of Good Practice"), and the importance of strengthening the implementation of Article 4 of the TBT Agreement. It is recalled that in the context of the Fifth Triennial Review, several Members raised concerns regarding "private standards" and the trade impact thereof, while other Members considered that the term lacked clarity and that its relevance to the implementation of the TBT Agreement had not been established.<sup>16</sup> During the review period, the Committee reverted to this discussion. The Committee hereby reiterates the recommendations made at the Fifth Triennial Review<sup>17</sup> and, in view of the need to further strengthen implementation of Article 4, agrees:

- (a) to *exchange information* and experiences on reasonable measures taken by Members to ensure that local government and non-governmental standardizing bodies involved in the development of standards within their territories, accept and comply with the Code of Good Practice.

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<sup>13</sup> The "Indicative List of Approaches to Facilitate the Acceptance of the Results of Conformity Assessment", agreed in the Committee's Second Triennial Review (G/TBT/9, Section D (paragraphs 26-36)), is contained in Annex A of G/TBT/1/Rev.10 (page 44).

<sup>14</sup> Previous decisions and recommendations on standards are contained in Section III (Part 1) of G/TBT/1/Rev.10.

<sup>15</sup> India (G/TBT/W/345), Colombia (G/TBT/W/351) and Korea (G/TBT/W/353).

<sup>16</sup> These concerns are reflected in the Fifth Triennial Review Report (G/TBT/26, paragraph 26).

<sup>17</sup> The three recommendations contained in G/TBT/26, paragraph 26(a)–(c).

(ii) *The "Six Principles"*

8. The Committee reiterates the importance of ensuring the full application of the six principles set out in the Committee's 2000 Decision (the "Six Principles"<sup>18</sup>) on the development of international standards, and the sharing of experiences in respect of their use. In this respect, the Committee agrees:

- (a) to *exchange information* on efforts to promote the full application of the Six Principles set out in the 2000 Committee Decision. The Committee may also invite relevant bodies involved in the development of international standards, guides or recommendations to share their experiences with the use of these same principles; and,
- (b) in the deliberations on the Six Principles, to *give particular attention* to how the "Development Dimension" is taken into consideration.

(iii) *Transparency in standard-setting*<sup>19</sup>

9. During the review period, the Committee emphasized, in particular, the importance of transparency in the development of standards.<sup>20</sup> It is recalled in this regard that several paragraphs of the Code of Good Practice are relevant to transparency in standard-setting, including paragraphs J through Q.<sup>21</sup> With respect to the development of international standards, the Principle on Transparency contained in the 2000 Committee Decision states, *inter alia*, that transparency procedures should, at a minimum, provide an "adequate period of time for interested parties in the territory of at least all members of the international standardizing body to make comments in writing and take these written comments into account in the further consideration of the standard". In light of this, the Committee agrees:

- (a) To *exchange information* on how relevant bodies involved in the development of standards – whether at the national, regional or international level – provide opportunity for public comment.

D. TRANSPARENCY<sup>22</sup>

10. During the review period, the Committee continued to exchange experiences on various aspects of transparency in relation to the TBT Agreement. Discussions were based on submissions from Members<sup>23</sup> and previous work done by the Committee. Experience sharing also took place in the

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<sup>18</sup> In 2000, the WTO TBT Committee adopted a Decision on Principles for the Development of International Standards, Guides and Recommendations with Relation to Articles 2, 5 and Annex 3 of the TBT Agreement. These principles include: (1) Transparency; (2) Openness; (3) Impartiality and Consensus; (4) Effectiveness and Relevance; (5) Coherence; and (6) the Development Dimension. The full text of this Decision (hereafter the "2000 Committee Decision") is contained in Annex B of G/TBT/1/Rev.10 (pages 46-48).

<sup>19</sup> Relevant existing decisions and recommendations are contained in G/TBT/1/Rev.10, Section IV.C.2.(iii) on page 29.

<sup>20</sup> The G/TBT/GEN/39/series of documents includes information on Members' publications in relation to technical regulations, conformity assessment procedures and standards. It is also recalled that Members have previously agreed that statements under Article 15.2 of the Agreement should specify the names of publications that are used to announce work relevant to Paragraphs J, L and O of Annex 3 of the Agreement (G/TBT/1/Rev.10, page 17).

<sup>21</sup> For example, Paragraph L of the Code of Good Practice states, *inter alia*, that "before adopting a standard, the standardizing body shall allow at least 60 days for the submission of comments on the draft standard by interested parties within the territory of a Member of the WTO".

<sup>22</sup> Previous decisions and recommendations on transparency are contained in Section IV (Part 1) of G/TBT/1/Rev.10.

<sup>23</sup> Japan (G/TBT/W/352), Korea (G/TBT/W/353) and the European Union (G/TBT/W/354) addressed the topic of transparency in their submissions.

context of the Sixth Special Meeting on Procedures for Information Exchange, held on 22 June 2010.<sup>24</sup> This Special Meeting included technical discussions on good practices in notification, electronic databases, operation of enquiry points, and transparency in standard-setting.

11. Building on this exchange as well as on previous decisions and recommendations of the Committee, and with a view to furthering its work in the area of transparency, the Committee reiterates the importance of the full implementation of the existing body of decisions and recommendations adopted by the Committee in the area of transparency and agrees to the following new recommendations.<sup>25</sup>

(i) *"Significant effect on trade of other Members"*<sup>26</sup>

12. It is recalled that both Articles 2.9 and 5.6 of the TBT Agreement refer to the concept of "significant effect on trade of other Members". With a view to enhancing the practical application of this concept while keeping in mind the criteria established by the Committee in 1995, the Committee agrees:

- (a) to *encourage* Members, for the purpose of enhancing predictability and transparency in situations where it is difficult to establish or foresee whether a draft technical regulation or conformity assessment procedure may have a "significant effect on trade of other Members", to notify such measures.

(ii) *Sharing information on assessments on the possible effects of draft measures*

13. To the extent that Members have undertaken assessments of the possible effects of a draft measure on consumers, industry and trade, Members note the usefulness of sharing such information. With a view to increasing transparency across the regulatory lifecycle, and on methods Members use to assess the potential impact on trade of draft measures, the Committee agrees:

- (a) to *encourage* Members when notifying draft measures to provide access – on a voluntary basis and depending on their individual situations – to assessments, such as regulatory impact assessment (RIA), that they have undertaken on the potential effects of the draft measure, including likely impacts on consumers, industry and trade (e.g. a cost-benefit analysis, analysis of alternative measures). This can be achieved, for instance, through a hyperlink to the assessment in Box 8 of the notification template or by including the assessment in the draft measure itself.

(iii) *Notifications of Proposed Technical Regulations and Conformity Assessment Procedures of Local Governments at the Level Directly Below that of the Central Government*<sup>27</sup>

14. The Committee reiterates the importance of Members fulfilling the notification obligations pursuant to Articles 3.2 and 7.2 of the TBT Agreement. During the review period, the Committee continued to discuss the implementation of these obligations. In light of this, the Committee agrees:

- (a) to *reaffirm* the importance of establishing mechanisms to facilitate internal coordination for the effective implementation of the TBT Agreement's notification obligations, including with respect to the notification of measures in line with Articles 3.2 and 7.2.<sup>28</sup>

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<sup>24</sup> A Summary Report is contained in Annex 1 of G/TBT/M/51, pages 68-88.

<sup>25</sup> Where possible, the recommendations listed below follow the structure contained in G/TBT/1/Rev.10.

<sup>26</sup> Relevant existing decisions and recommendations are contained in G/TBT/1/Rev.10, Section IV.C.1.(i) on pages 19-20.

<sup>27</sup> Relevant existing decisions and recommendations are contained in G/TBT/1/Rev.10, Section IV.C.1.(v) on page 22.

(iv) *Follow-up*<sup>29</sup>

15. It is recalled that the Committee previously recommended the establishment of common procedures on how and under which notification format (addendum, corrigendum, revision, new notification) to notify modifications or any other information relevant to previously notified measures. This may, *inter alia*, facilitate the traceability of information pertaining to a given notification (e.g. amendments, availability of the adopted text, entry into force), and avoid confusion between new notifications and previously notified measures. With a view to advancing this work, the Committee agrees:

- (a) To *exchange experiences* on Members' use of notification formats (addendum, corrigendum, revision, new notification).<sup>30</sup>

(v) *Enquiry Points – Functioning of Enquiry Points*<sup>31</sup>

16. During the review period, Members reiterated the importance of well-functioning enquiry points to the implementation of the TBT Agreement. Members noted that enquiry points, in some contexts, faced challenges in responding to comments and requests. In light of this, the Committee agrees:

- (a) to *recommend* that Members share experiences with regard to challenges faced by enquiry points in responding to comments and requests, with a view to improving their functioning; and
- (b) to *discuss* the functioning of enquiry points, including with respect to building support among interested stakeholders in the private sector for the services of the enquiry points.

(vi) *TBT Information Management System (TBT IMS)*

17. The TBT IMS<sup>32</sup> is a publicly available, searchable database providing access to TBT-related information, including notifications and specific trade concerns. Members are of the view that an efficient and well-functioning WTO-based IT system that provides a common platform for available information will contribute significantly to an improved implementation of the TBT Agreement's transparency provisions, and in particular those relating to notification. The TBT IMS may also be of significant benefit to those Members that do not have the resources to develop their own web-based applications, or are in the process of doing so.<sup>33</sup>

18. During the review period, the Committee discussed the importance of maintaining, enhancing and further developing the existing TBT IMS so that it becomes a more effective tool to assist Members

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<sup>28</sup> It is noted that the establishment of internal coordination mechanisms is also an important element of GRP.

<sup>29</sup> Relevant existing decisions and recommendations are contained in G/TBT/1/Rev.10, Section IV.C.1.(x) on pages 26-27.

<sup>30</sup> It is noted that one possible starting point could be the recommendations developed by the SPS Committee and contained in Section F on "Addenda, Revisions and Corrigenda" of G/SPS/7/Rev.3.

<sup>31</sup> Relevant existing decisions and recommendations are contained in G/TBT/1/Rev.10, Section IV.E.2. on pages 34-35.

<sup>32</sup> <http://tbtime.wto.org>

<sup>33</sup> Several Members have developed their own TBT databases, for example, the European Commission (<http://ec.europa.eu/enterprise/tbt/>), the United States (<https://tsapps.nist.gov/notifyus/data/index/index.cfm>), Canada (<https://alert.scc.ca/ExportAlert/Index?lang=en>), and Singapore (<http://apps.spring.gov.sg/Content/ModulePage.aspx?group=wto>).

in the implementation of the TBT Agreement's transparency provisions. To this end, the Committee agrees:

- (a) to *request* the rapid development of a TBT on-line Notification Submission System (TBT NSS) to foster more expedient processing and circulation of notifications by the Secretariat;
- (b) to *note* that the TBT NSS and TBT IMS should be developed in a flexible manner, to accommodate the particularities of the TBT Agreement. There should, for example, be scope for: the use of a standardized PDF template for uploading notification forms; the development of criteria (e.g. common product categories encompassing different HS codes) to facilitate the indication of the products covered by notification; the development of "standardized" alert systems (dates, products of interest); and the development of systems that allow for improved links with Members' own websites and databases (e.g. web services); and
- (c) to *discuss* further enhancement of the TBT IMS.

#### E. TECHNICAL ASSISTANCE

19. The TBT Agreement's provisions on technical assistance are contained in Article 11. Since the Committee's establishment, technical assistance has been considered an area of priority work and it figures on the agenda of the Committee on a permanent basis. Members have regularly, and on a voluntary basis, exchanged experiences and information on technical assistance in order to enhance the implementation of Article 11 of the Agreement.

20. During the review period, Members provided general information on technical assistance activities and projects in the TBT area.<sup>34</sup> The Committee also heard regular updates from Observer organizations<sup>35</sup> and from the Secretariat<sup>36</sup> on relevant work and activities. In 2010 and 2011, the Secretariat organized the Second and Third two-week Specialized Course on the Implementation of the TBT Agreement for developing Members and Observers. The purpose of the Courses is to promote greater understanding of the TBT Agreement and to address implementation challenges related to the Agreement in a practical manner. They are also aimed at increasing effectiveness of developing Members' participation in TBT Committee work.<sup>37</sup>

21. While noting that technical assistance and capacity building was extensively discussed in the context of the Fifth Triennial Review<sup>38</sup>, the Committee reiterates the importance of enhancing the effectiveness of its delivery and receipt, and, in this regard, agrees:

- (a) to request that Members *review* the effectiveness of TBT technical assistance and capacity building activities among Members, with a view to exploring ways and means to focus such activities on relevant capacity building needs and priorities thereby enhancing their usefulness, particularly in beneficiary developing Members.

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<sup>34</sup> South Africa (G/TBT/GEN/130), Chinese Taipei (G/TBT/W/328) and Sweden (G/TBT/GEN/116).

<sup>35</sup> Codex (G/TBT/GEN/90, 93, 104, 107, 113, 119, 125, 132); IEC (G/TBT/GEN/92, 98, 103, 110, 112, 118, 126, 134); ITC (G/TBT/GEN/95, 105, 106, 115, 120, 127, 133); OECD (G/TBT/GEN/96); OIML (G/TBT/GEN/97, 121, 124); UNIDO (G/TBT/GEN/99); ISO (G/TBT/GEN/101); ITU (G/TBT/GEN/109); and, UNECE (G/TBT/GEN/131).

<sup>36</sup> G/TBT/GEN/91, G/TBT/GEN/94, G/TBT/GEN/102, G/TBT/GEN/108, G/TBT/GEN/114, G/TBT/GEN/122, G/TBT/GEN/128.

<sup>37</sup> These Courses were organized by the Trade and Environment Division as part of the 2010-11 Biennial Technical Assistance and Training Plan (WT/COMTD/W/170/Rev.1).

<sup>38</sup> G/TBT/26, Section E and in particular paragraph 59.



F. SPECIAL AND DIFFERENTIAL TREATMENT

22. The Committee emphasizes the importance of Members providing special and differential treatment to developing Members through the implementation of Article 12 of the TBT Agreement. It is recalled that on various occasions, Members have exchanged views and information on how to improve the operation and implementation of this Article.<sup>39</sup> During the review period, the importance of special and differential treatment was reiterated. Building on this exchange, as well as on previous decisions and recommendations of the Committee, and with a view to furthering discussion in the area of special and differential treatment, the Committee agrees:

- (a) to *exchange* views and explore ideas on the implementation of Article 12 of the TBT Agreement with respect to the preparation of technical regulations, standards and conformity assessment procedures, and the enhancement of the effective operation of Article 12, in coordination with the WTO Committee on Trade and Development.

G. OPERATION OF THE COMMITTEE

23. Pursuant to Article 13 of the TBT Agreement, the TBT Committee was established with the purpose of: "affording Members the opportunity of consulting on any matters relating to the operation of this Agreement or the furtherance of its objectives, and shall carry out such responsibilities as assigned to it under this Agreement or by the Members". The Committee has, to date, essentially had two functions: (i) the review of measures and (ii) exchange of information on Members' experiences on the implementation of the Agreement. By carrying out these functions, the Committee plays an important role in building expertise among Members on how to ensure that technical regulations, standards and conformity assessment procedures do not create unnecessary obstacles to trade.

1. **Review of measures**<sup>40</sup>

24. Members use the TBT Committee as a forum to review and discuss issues related to specific measures (technical regulations, standards or conformity assessment procedures) maintained by other Members. These are referred to as "specific trade concerns" (STCs) and relate normally to proposed draft measures notified to the TBT Committee or to the implementation of existing measures. Members reiterate the value of the Committee's multilateral review of STCs; to date, 364 STCs have been discussed in the Committee (dotted line in Figure 1) and over 15,600 notifications from 113 Members have been submitted to the WTO. During the review period, most of the Committee's time was dedicated to the review of measures and the number of notifications and STCs discussed remains high. Members note that the recommendations agreed in the Fifth Triennial Review to streamline the organization of its discussions of STCs have improved the Committee's functioning.<sup>41</sup> The Committee affirms its on-going commitment to ensuring the efficiency of the discussion of STCs, and agrees:

- (a) to further *reflect* on ways to streamline the work of the Committee in the consideration of STCs.

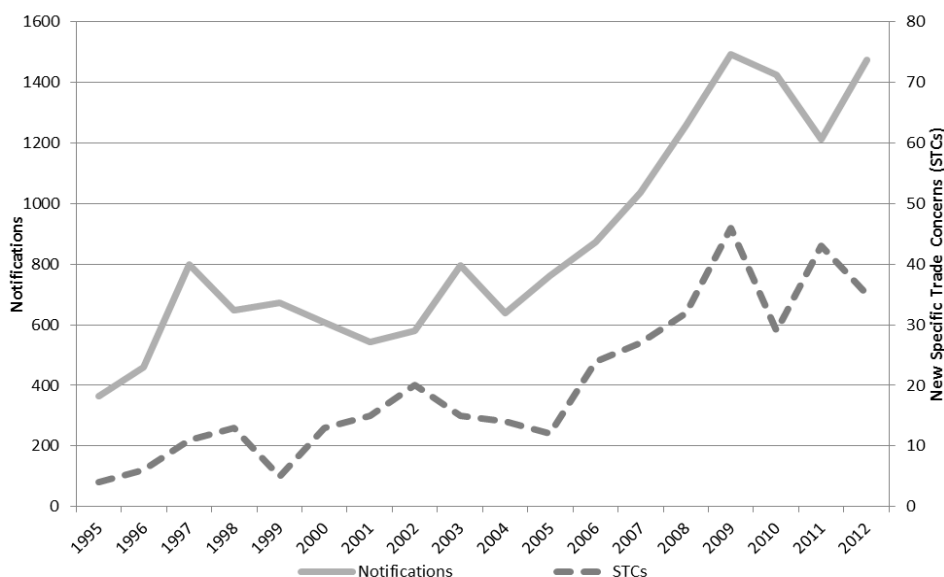
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<sup>39</sup> G/TBT/19, Section F; G/TBT/9, Section F and Annex 1 (concerning a Workshop on Technical Assistance and Differential Treatment in the context of the TBT Agreement held on 19-20 July 2000); and, G/TBT/5, Section H.

<sup>40</sup> Recommendations in the Fifth Triennial Review that addressed how to make this work more effective are contained in G/TBT/1/Rev.10, Section VII.

<sup>41</sup> G/TBT/26, paragraph 68.

**Figure 1: Review of measures by TBT Committee<sup>42</sup>**



## 2. Exchange of information

25. Members agree on the importance of exchanging information on experiences gained from the implementation of the TBT Agreement. In this regard, Members underline the value of discussions held under the agenda item on "exchange of experiences" at meetings of the Committee. These discussions provide opportunity for TBT experts to consider, in a multilateral setting, how other Members have addressed challenges in their national efforts to strengthen implementation of the Agreement. The discussion of these challenges in the Committee benefits from the variety of perspectives of national officials attending Committee meetings, including regulators from various agencies, standards officers, enquiry point officials and others involved in the implementation of the TBT Agreement.

26. Considering the substantive body of recommendations and decisions before the Committee, both existing and those contained in this Report, Members agree on the need to focus and deepen their work. Noting that follow-up is a long-term endeavour, Members see benefit to dedicating time to thematic topics in response to the specific decisions and recommendations in this Report, as well as those contained in previous triennial review reports, in order to press for greater progress on these issues. To this end, the Committee agrees to hold the following thematic discussions (half a day each), in conjunction with its upcoming regular meetings<sup>43</sup>:

- (a) March 2013: one thematic discussion on Good Regulatory Practice; and one thematic discussion on standards.
- (b) June 2013: Seventh Special Meeting on Procedures for Information Exchange (transparency); and one additional thematic discussion.

<sup>42</sup> Source: TBT IMS.

<sup>43</sup> This listing is flexible. Members may agree to include other matters for discussion, or they may agree to otherwise adapt this work programme to reflect unforeseen developments. At the end of each regular meeting of the Committee, the Chairperson will confirm the thematic topics to be addressed at the following meetings.

- (c) October 2013: one thematic discussion on conformity assessment procedures; and one additional thematic discussion.
  - (d) In 2014 and 2015, Members will continue to hold thematic discussions as appropriate pursuant to the decisions and recommendations before the Committee.
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**ANNEX**

A. LIST OF RELEVANT DOCUMENTS BY TOPIC (NOVEMBER 2009 – NOVEMBER 2012)<sup>1</sup>

| <b>Member</b>                           | <b>Symbol &amp; Date</b>         | <b>Title / Reference</b>   |
|---|----------------------------------|--|
| <b>Good Regulatory Practice</b>         |                                  |  |
| India                                   | JOB/TBT/40<br>26 November 2012   | Comments on JOB/TBT/21/Rev.2   |
| European Union                          | JOB/TBT/38<br>20 November 2012   | Comments on JOB/TBT/21/Rev.1   |
| Malaysia                                | JOB/TBT/34<br>7 November 2012    | Comments on JOB/TBT/21/Rev.1   |
| United States                           | JOB/TBT/32<br>5 November 2012    | Comments on JOB/TBT/21/Rev.1   |
| Japan                                   | JOB/TBT/31<br>5 November 2012    | Comments on JOB/TBT/21/Rev.1   |
| Cuba                                    | JOB/TBT/30<br>5 November 2012    | Comments on JOB/TBT/21   |
| Colombia                                | JOB/TBT/19<br>30 October 2012    | Comments on JOB/TBT/21   |
| China                                   | JOB/TBT/27<br>11 October 2012    | Comments on JOB/TBT/21   |
| Mexico                                  | JOB/TBT/24<br>1 October 2012     | Comments on JOB/TBT/21   |
| India                                   | JOB/TBT/23<br>28 September 2012  | Comments on JOB/TBT/21   |
| Japan                                   | JOB/TBT/22<br>28 September 2012  | Comments on JOB/TBT/21   |
| United States                           | G/TBT/W/350<br>16 March 2012     | Good Regulatory Practice   |
| Secretariat                             | G/TBT/W/348<br>14 February 2012  | Summary Report of the TBT Workshop on Regulatory Cooperation Between Members |
| Secretariat                             | G/TBT/W/341<br>13 September 2011 | Compilation of Sources on Good Regulatory Practice                           |
| Secretariat                             | G/TBT/W/340<br>7 September 2011  | Regulatory Cooperation Between Members                                       |
| United States                           | G/TBT/W/333<br>19 November 2010  | Final Reports of APEC Toy Safety Initiative                                  |
| New Zealand                             | JOB/TBT/5<br>17 September 2010   | Trade Facilitation Mechanisms: Guidelines on Choice and Design               |
| <b>Conformity Assessment Procedures</b> |                                  |  |
| India                                   | JOB/TBT/40<br>26 November 2012   | Comments on JOB/TBT/21/Rev.2   |
| European Union                          | JOB/TBT/38<br>20 November 2012   | Comments on JOB/TBT/21/Rev.1   |
| Malaysia                                | JOB/TBT/34<br>7 November 2012    | Comments on JOB/TBT/21/Rev.1   |

<sup>1</sup> The submissions are sorted in reverse chronological order by subject. Should a submission be relevant to more than one topic it will appear more than once.

| <b>Member</b>       | <b>Symbol &amp; Date</b>        | <b>Title / Reference</b>   |
|---------------------|---------------------------------|--|
| United States       | JOB/TBT/32<br>5 November 2012   | Comments on JOB/TBT/21/Rev.1   |
| Cuba                | JOB/TBT/30<br>5 November 2012   | Comments on JOB/TBT/21   |
| China               | JOB/TBT/27<br>11 October 2012   | Comments on JOB/TBT/21   |
| Mexico              | JOB/TBT/24<br>1 October 2012    | Comments on JOB/TBT/21   |
| United States       | G/TBT/W/349<br>13 March 2012    | The Use of the ILC MRA and IAF MLA by Central Government Bodies: The Experience of the United States |
| New Zealand         | JOB/TBT/5<br>17 September 2010  | Trade Facilitation Mechanisms: Guidelines on Choice and Design                                       |
| <b>Standards</b>    |                                 |  |
| Malaysia            | JOB/TBT/34<br>7 November 2012   | Comments on JOB/TBT/21/Rev.1   |
| India               | JOB/TBT/33<br>5 November 2012   | Comments on JOB/TBT/21/Rev.1   |
| United States       | JOB/TBT/32<br>5 November 2012   | Comments on JOB/TBT/21/Rev.1   |
| Cuba                | JOB/TBT/30<br>5 November 2012   | Comments on JOB/TBT/21   |
| Colombia            | JOB/TBT/19<br>30 October 2012   | Comments on JOB/TBT/21   |
| China               | JOB/TBT/27<br>11 October 2012   | Comments on JOB/TBT/21   |
| Mexico              | JOB/TBT/24<br>1 October 2012    | Comments on JOB/TBT/21   |
| India               | JOB/TBT/23<br>28 September 2012 | Comments on JOB/TBT/21   |
| Japan               | JOB/TBT/22<br>28 September 2012 | Comments on JOB/TBT/21   |
| Korea               | G/TBT/W/353<br>4 June 2012      | Sixth Triennial Review of the TBT Agreement  |
| Colombia            | G/TBT/W/351<br>21 March 2012    | Sixth Triennial Review of the Agreement on Technical Barriers to Trade: Standards                    |
| India               | G/TBT/W/345<br>10 November 2011 | Principles of International Standard Setting   |
| <b>Transparency</b> |                                 |  |
| European Union      | JOB/TBT/38<br>20 November 2012  | Comments on JOB/TBT/21/Rev.1   |
| Ukraine             | JOB/TBT/37<br>16 November 2012  | Comments on JOB/TBT/21/Rev.1   |
| Malaysia            | JOB/TBT/34<br>7 November 2012   | Comments on JOB/TBT/21/Rev.1   |
| United States       | JOB/TBT/32<br>5 November 2012   | Comments on JOB/TBT/21/Rev.1   |
| Japan               | JOB/TBT/31<br>5 November 2012   | Comments on JOB/TBT/21/Rev.1   |
| Cuba                | JOB/TBT/30<br>5 November 2012   | Comments on JOB/TBT/21   |
| Colombia            | JOB/TBT/19<br>30 October 2012   | Comments on JOB/TBT/21   |

| <b>Member</b>                             | <b>Symbol &amp; Date</b>        | <b>Title / Reference</b>   |
|---|---------------------------------|--|
| European Union                            | JOB/TBT/28<br>16 October 2012   | Comments on JOB/TBT/21   |
| China                                     | JOB/TBT/27<br>11 October 2012   | Comments on JOB/TBT/21   |
| Korea                                     | JOB/TBT/25<br>5 October 2012    | Comments on JOB/TBT/21   |
| Mexico                                    | JOB/TBT/24<br>1 October 2012    | Comments on JOB/TBT/21   |
| India                                     | JOB/TBT/23<br>28 September 2012 | Comments on JOB/TBT/21   |
| Japan                                     | JOB/TBT/22<br>28 September 2012 | Comments on JOB/TBT/21   |
| European Union                            | G/TBT/W/354<br>12 June 2012     | Sixth Triennial Review of The TBT Agreement: Transparency in the Implementation of the TBT Agreement |
| Korea                                     | G/TBT/W/353<br>4 June 2012      | Sixth Triennial Review of the TBT Agreement  |
| Japan                                     | G/TBT/W/352<br>7 May 2012       | Sixth Triennial Review of the Agreement on Technical Barriers to Trade: Transparency                 |
| <b>Technical Assistance</b>               |                                 |  |
| Ecuador                                   | JOB/TBT/39<br>26 November 2012  | Comments on JOB/TBT/21/Rev.2   |
| European Union                            | JOB/TBT/28<br>16 October 2012   | Comments on JOB/TBT/21   |
| <b>Special and Differential Treatment</b> |                                 |  |
| Ecuador                                   | JOB/TBT/39<br>26 November 2012  | Comments on JOB/TBT/21/Rev.2   |
| <b>Operation of the Committee</b>         |                                 |  |
| United States                             | JOB/TBT/32<br>5 November 2012   | Comments on JOB/TBT/21/Rev.1   |
| Cuba                                      | JOB/TBT/30<br>5 November 2012   | Comments on JOB/TBT/21   |
| European Union                            | JOB/TBT/28<br>16 October 2012   | Comments on JOB/TBT/21   |
| Switzerland                               | JOB/TBT/26<br>11 October 2012   | Comments on JOB/TBT/21   |