WORLD TRADE ORGANIZATION

RESTRICTED

G/TBT/M/25
21 November 2001

(01-5901)

Committee on Technical Barriers to Trade

MINUTES OF THE MEETING HELD ON 9 OCTOBER 2001

Chairman: Mr. Joshua Phoho Setipa (Lesotho)

1. The Committee on Technical Barriers to Trade held its twenty-sixth meeting on 9 October 2001.

2. The following agenda, contained in WTO/AIR/1628, was adopted:

I. REQUESTS FOR OBSERVER STATUS IN THE COMMITTEE BY THE OFFICE INTERNATIONAL DE LA VIGNE ET DU VIN (OIV), THE BUREAU INTERNATIONAL DES POIDS ET MESURES (BIPM) AND THE GULF ORGANIZATION FOR INDUSTRIAL CONSULTING (GOIC)

3. The Chairman said that further consultations among WTO Members on observer status in the context of the General Council were still needed, and proposed to come back to these requests at the next meeting.

4. The Committee took note of the statement made.

II. STATEMENTS ON IMPLEMENTATION AND ADMINISTRATION OF THE AGREEMENT

5. The representative of Canada drew attention to notifications G/TBT/N/EEC/6 and 7, notified by the European Communities (EC) on 30 August 2001, regarding draft regulations on the traceability and labelling of food and feed containing genetically modified organisms (GMOs). His government was reviewing the drafts from a stakeholder as well as legal perspectives, and would submit comments to the EC. He was particularly concerned about the lack of scientific basis of the regulations as well as their discrimination against imported products based on methods of production (i.e. biotechnology) rather than on products' characteristics and risks. He noted that the regulations would require the traceability and labelling of highly processed products such as oils derived from GMOs even though there was no detectable DNA protein. He raised concerns about the inability to verify labels through testing as well as to implement the regulation effectively. He believed there could be the risk of fraud and misrepresentation of products. He was also concerned about the discriminatory nature of the regulation that labelling requirements would applied to food or feed which consisted of or were produced from GMOs, but not to food produced with genetically modified enzymes (i.e. in the case of cheese). He introduced an alternate approach in Canada (G/TBT/W/134 and Add.1) using voluntary labelling standards prepared by the Canadian General Standards Board with input from producers, consumers, industry, the research community and government.

6. The representative of the United States (US) informed the Committee that intensive discussions had been held between the US and the EC on EC draft regulations on GMOs. Her delegation had sought substantiation of the EC approach in light of the stated objectives and raised questions about the feasibility of the implementation of the measures and their potential trade-restrictiveness. She believed the proposal lacked an effective verification mechanism. It called for labelling on food, such as vegetable oil, irrespective of the detectability of GMOs in the final products. Such measures would open the way to fraud and could further undermine consumers' confidence. The draft was unclear with regard to how exporters could comply with the requirements at a reasonable cost. Her delegation would provide further comments to the EC, and she invited other Members who wished to receive a copy of the comments to contact the US enquiry point.

7. The representative of Australia associated her delegation with the comments made by Canada and the US. Australia believed that any regulation on GM foods should be based on science and should be enforceable as well as commercially feasible (i.e. not prohibitively costly). She was particularly concerned about the enforceability of labelling requirements on highly refined oils and sugars that contain non-detectable GMO DNA or protein as well as the discriminatory nature of the proposal which exempted the labelling of products produced with genetically modified enzymes commonly used in European products.

8. The representative of the European Communities (EC) would convey the comments to his authorities and verify the EC's commitments under the WTO and the TBT Agreement. He informed the Committee that the two draft regulations would be adopted through a co-decision mechanism with

two readings at the Parliament and two discussions in the Council. At present, it was the early stage of the process, and the notified drafts would probably be modified before they were adopted.

9. The representative of Canada reiterated his delegation's concerns over the lack of a scientific basis for the EC draft Directives on waste from electric and electronic equipment (WEEE) and the restriction on the use of certain hazardous substances in electrical and electronic equipment (ROHS). The same applied to another draft Directive concerning a ban on the use of cadmium batteries. This draft, if adopted, could create unnecessary barriers to trade for many electronic products relying on nickel-cadmium batteries as a power source. He was particularly concerned about the lack of transparency in the development of the proposed ban. He requested the EC to make available to the public its rationale for the ban, including the scientific evidence. In Canada's view, risk management strategies must be based on comprehensive and scientifically sound assessment of risks posed to humans and the environment. He called on the EC to work closely with stakeholders and to examine alternatives to a ban (e.g. recycling) that would achieve the same environmental and health objectives while being less trade restrictive.

10. The representatives of Japan and Korea shared the concerns expressed by Canada. Korea had great interests in the sector of electronic and electrical products, and requested the EC to provide detailed information on the scope and development of the draft Directives.

11. The representative of Australia reiterated her delegation's concerns about the EC draft WEEE and ROHS Directives with respect to their contents as well as transparency procedures (i.e. to notify and provide opportunity for comments). She recalled that in June 2001, Australia had joined the US, Canada and a number of other Members to make representations to the EC in Brussels as well as in other capitals of its Member States expressing concerns and seeking the EC's cooperation to ensure that the provisions of the draft legislations did not adversely affect trade.

12. The representative of the United States reiterated her delegation's concerns with regard to the EC proposed Directives.

13. The representative of the European Communities, referring to the draft legislation on batteries, informed the Committee that the draft was at present being discussed in the Commission, and no draft text had been finalized for a proposal. Concerning the WEEE and the ROHS, the draft texts of the proposals had been made for the consideration of the Parliament and the Council. The second reading of the draft would take place in the autumn, when a number of modifications were expected to be proposed and discussed. The text would then be discussed again in the Council, and perhaps further changes would be made. He would convey the comments made to his authorities. He recalled that experts from his capital had been in the Committee to answer relevant questions and had made available the references of the scientific survey made. If the scientific information provided was not sufficient, the EC was willing to provide further information.

14. The representative of the United States recalled that on 15 November 2000, her delegation had circulated a communication which raised concerns about Protocols to the Europe Agreements on Conformity Assessment (PECAs). She noted that the European Union (EU) had concluded PECAs with Hungary, the Czech Republic, Latvia and Lithuania, and that negotiations with other EU candidate countries were under way. She was concerned that the harmonization of regulatory requirements in EU accession countries would result in unjustifiable discrimination or unnecessary obstacles to international trade. She noted that these agreements included a provision on rules of origin whereby products must be of EU origin to qualify for PECA benefits. Products of non-EU origin complied with applicable EU requirements could be subject to redundant, time consuming and costly testing before entering PECA country markets. She saw no justification for additional tests when a product had already been issued a CE mark from an approved laboratory in conformance with EU requirements. She believed the PECA's rule of origin established a two-tiered CE mark, i.e. with non-EU origin products receiving an unwarranted "second-class" mark. She requested answers from

the EC and its PECAs partner on the purpose of the "origin" provision in the PECAs, if it was not intended to result in discrimination against non-PECA party products. If it was the case, how did the EC justify discriminating between like products on the basis of their origin?

15. In her view, this origin provision raised questions about the WTO compatibility of these agreements. The provision was contrary to the concept of mutual recognition and the principles of the US-EU Mutual Recognition Agreement (MRA). She would expect that US products (in sectors covered by both the PECAs and the US-EU MRA) carrying a CE mark from an approved laboratory, whether issued in the US or EU, would be accepted in PECA countries without further conformity assessment. She called upon the EU and its PECA partners to notify these agreements, and requested the EU to work with candidate countries to remove the PECA origin provision to ensure that U.S. and other non-EU products did not face discriminatory treatment.

16. The representative of Canada associated his delegation with the US statement. He added that the introduction of rules of origin in conformity assessment agreements negated some of the benefits under the Canada-EC MRA, and appeared to be a step backwards from the concept of the EU Common Market. He expected the access for Canadian products gained under the Canada-EC MRA to be extended to the EU applicant countries. He found no logical rationale for additional testing requirements. There were no safety or technical reasons to deny access of Canadian products to the expanded territory of the EU, since those products had been tested and accepted by EU authorities.

17. The representative of Korea shared concerns expressed about the PECAs. He was confused by the system introduced by the EU and its applicant countries, and sought further information. He believed there was a need for multilateral discussions and to clarify the situation. He opposed the introduction of rules of origin as barriers to trade. Rules of origin should be used only to decide the origin of a specific product.

18. The representative of the European Communities confirmed that the EC had concluded MRAs with Hungary as well as the Czech republic, and was close to conclusion with Latvia and Lithuania. Negotiations were underway with the third Baltic State and some other applicant countries. There was provision on rules of origin in those agreements applied to products subject to third party certifications. However, most other products would be accepted with the CE mark affixed on them. He reiterated that the overall result of those agreements could enhance trade, and did not find the rules of origin a step backwards. He explained that the PECAs were interim agreements that probably would last for two or three years. They were needed to create certain conditions for the regional integration process. The rules of origin would be repealed on the day of enlargement of the EU. Notifications of those agreements had been prepared and would be circulated after verifying with partner countries. He was willing to provide detailed information to Korea and to submit written submissions, if needed.

19. The representative of Canada recalled that in previous meetings, his delegation had raised concerns about the import ban of New Zealand on trout. Canada had raised the issue bilaterally with New Zealand several times since the ban was first introduced in December 1998 as an interim measure scheduled to expire in July 2000. In June 2000, the measure had been extended to April 2001, in April to July 2001, and in July to November 2001. With the extensions, this temporary ban would have been in place for almost three years. He understood that the New Zealand authorities described the ban as a conservation measure, and would announce further extension for another three years. He drew attention to Article 2.5 of the Agreement which stated that "a Member preparing, adopting or applying a technical regulation which may have significant effect on the trade of other Members shall, upon the request of another Member, explain the justification for that technical regulation…" Given that New Zealand had failed to provide such justification and no explanation had been provided on why a ban on imports was necessary, he considered the ban

inconsistent with its WTO obligations. He requested New Zealand to fulfil its obligations and not to pursue the ban.

20. The representative of New Zealand would convey the concerns to her authorities. She confirmed that the import ban on trout had been extended in July 2001 to 7 November 2001 in order to allow further consideration of the conservation of trout under a non-commercial species amendment Bill. The Trout Bill had raised complex and politically sensitive issues in New Zealand and additional time was needed to address them. Her government was committed to take decisions before 7 November, and the New Zealand Cabinet was due to consider these issues. No announcement had been made on the outcome of those considerations. She reiterated that the key objective of the Bill was to protect the cultural recreation and values of the trout resource based on its historical usage as a sport. New Zealand was fully aware of its international obligations. Since there was no commercial market for trout and as trout was not a traded good in New Zealand, there could be no discrimination against the Canadian products.

21. The representative of the United States drew attention to notification G/TBT/N/EEC/2 made by the EC (on 6 February 2001) concerning a draft regulation relating to import requirements and certification of organic products. Her delegation had provided comments on 18 July to the EC and subsequently had been informed that due to procedural constraints, the comments would not be taken into account. She understood that the regulation would be adopted or had been adopted in September, and that the new rules would come into force at the beginning of July 2002. Her concerns related to the new certification requirements for countries which did not have an equivalency agreement with the EU. Their products would have to be approved by competent authorities of individual Member States. Each Member State could decide which border authorities be assigned this task. However, in the Member States, there was no procedure established for border authorities to communicate with the competent authorities that issued the import authorization. She was concerned about the potential delays and the unclear procedures that would be implemented, though the EC had responded that its Member States would inform it on how the new regulations were to be implemented. In view that the regulations were to be implemented in July 2002, she requested the EC to provide clear information on the procedures in Member States.

22. Her delegation had requested the EC for information on the criteria used to establish equivalency agreements for the access of organic products to the EU market. She understood that currently, Switzerland, Australia, Argentina, the Czech Republic, Hungary and Israel had been listed as countries being recognized as equivalent. On 30 July, the US Enquiry Point had requested enquiry points of those countries as well as that of the EC for information on the relevant process, criteria and how these countries had been recognized as equivalent. Up to the present, responses had been received only from Switzerland and Australia. She requested the others to provide information and that those equivalency agreements be notified under Article 10.7 to the Committee.

23. The representative of the European Communities promised to convey the US comments to his experts in capital and would provide additional information before the next meeting, if needed.

24. The representative of Korea raised concerns about the Japanese Enactment of the Cabinet Order and the Ministerial Ordinance of Law for Promotion of Effective Use of Resources. He believed the regulations adversely impacted on trade of small and medium sized producers which constituted the majority of Korean exports to Japan. The recycling system provisions in these regulations discriminated against foreign products by imposing higher recycling costs on them than Japanese ones. Furthermore, the regulations did not differentiate the recycling cost in light of the size of the product. He sought clarity on that, and requested for consultation with the Japanese authorities.

25. The representative of Japan believed that the Japanese regulations on recycling of electrical products was non-discriminatory and that considerations had been made regarding small and medium sized firms. He would convey the concerns raised back to his capital.

26. The representative of the United States recalled that in October 1999, her delegation had raised concerns about the EU Regulation 881/98 on "Traditional Expressions" (G/TBT/W/119). At that meeting (G/TBT/M/17), Argentina, Australia, Canada, Chile, Mexico, New Zealand and Uruguay had spoken in support of the US. In its response, the EC had asserted that the measure was necessary to "avoid misleading consumers and unfair competition" and that the measure would not have a significant impact on trade and therefore had not been notified. The EC had informed the Committee that it had proposed to postpone application of the regulation until August 2000 "in order to bring all wine legislation in line with the new EC Common Market organization for wines which enter into force on that day". Ultimately, no implementation date had been set and it appeared that the EC had decided to abandon its efforts to protect "traditional expressions". Due to the objections of the US and other EC wine trading partners (e.g. Australia, Canada and South Africa), the EC had twice postponed the implementation of EC Regulation 881/98. To her regret, the regulation was at present reconsidered as part of another draft regulation (EC) No. 1493/1999 on the Common Organization of the Market in Wine. The draft required the protection of enumerated "traditional expressions". It restricted import of wines with labels bearing descriptive or generic matter, if considered as "traditional expressions" by the EC. Most of those terms, in her view, were adjectives used with certain other terms to identify attributes such as the colour or the age of wines (e.g. "vintage" and "ruby"). They had no specific connection with a geographical source or a given class of goods. She believed the prohibition of their use in connection with imported goods could constitute unnecessary obstacles to trade and contribute to consumer deception.

27. In addition to "traditional expressions", the new 1493/99 draft included an article to reserve certain types of bottles exclusively for EU use. She believed that to prohibit others from using certain containers raised the same trade-barrier issues as "traditional expressions". It provided special favourable treatment to products of European origin and raised questions of creating unnecessary obstacles to trade. She believed the EC proposal might violate GATT 1994 Article III (National treatment) or Article XI (Import Restrictions), and no reason had been provided for exceptions which would justify GATT inconsistencies. The proposal might also violate the national treatment requirement of the TBT Agreement, as well as Article 2.2 requiring that technical regulations "shall not be more trade-restrictive than necessary to fulfil a legitimate objective". It appeared to be an attempt to gain a competitive advantage for EC-produced wines and spirits by imposing an unnecessary restriction on trade of imported ones. There was no factual basis to assert that the use of certain descriptive or generic terms identified by the EC would deceive or confuse consumers. Even if the potential for consumer confusion existed, the objective could be achieved in a less-trade-restrictive manner, e.g. by using country-of-origin requirements. She noted that the EU's definition of labelling appeared to cover packaging as well. In her view, this draft regulation should have been notified (as foreseen under the Agreement) so that interested Members could provide comments for the consideration of the EC before its final adoption. She sought information on the status of the draft and on EC's plans to submit the notification to the Committee.

28. The representative of Canada associated his delegation with the comments made by the US.

29. The representative of Australia shared the concerns raised by the US, and believed that the EC proposal to protect traditional expressions had significant impact on trade. It restricted the ability of wine producers from other countries to use common descriptive words in the presentation of wine products and posed restrictions on the use of certain bottle shapes. She asked if such measures were the least trade-restrictive means to achieve the objective of preventing consumers from deception. She also raised concerns about the potential impact of seeking exclusive rights to use certain terms, including the impact on other product sectors, such as cheese and other food products. She agreed that the proposed EC regulation should be notified to the Committee to allow comments from interested Members before it was adopted.

30. The representative of Chile said that wine export was important for Chile, and supported the comments made by the US, Canada and Australia.

31. The representative of New Zealand shared the concerns raised by the US, Canada, Australia and Chile. She recalled that her delegation had expressed concerns on the draft EC regulation (881/98). She noted that the new draft 1493/99 incorporated provisions belonging to the earlier draft. Therefore, her delegation's concerns remained. She believed the prohibition of use by imported wine products of certain descriptive and genetic terms (which were not geographical specific) went beyond current intellectual property protections provided in the TRIPs Agreement (i.e. geographical indications). She could not understand why certain words, which were not geographical or in some cases were not product specific in nature, should be for the exclusive use of European producers. She questioned how necessary the proposed draft regulation was in order to avoid deception of consumers. She believed that there were other less trade-restrictive means available for fulfilling this objective. She also raised concern on the proposal to reserve certain bottle shapes for restricted EC use. She believed that legitimate intellectual property interests in this area were already well covered by existing forms of intellectual property right protection (e.g. trade marks and passing off). She questioned the necessity of this potentially trade restrictive proposal.

32. The representatives of Argentina and Uruguay shared the concerns expressed by the previous speakers, and requested the notification of the draft regulation 1493/99, so that the text could be studied and comments made.

33. The representative of the European Communities explained that it was not possible to notify the proposal at the moment, since the proposal was under discussion within the Commission as well as between Member states at the expert level, and no draft text had been prepared. He assured the Committee that it would be notified when a formal draft text exist, in time before it was adopted.

34. The representative of Canada raised concerns about the Chilean regulation on a labelling system for transgenic foods notified on 15 June 2001 (G/TBT/N/CHL/18). His authorities had been in contact with Chilean officials. He reiterated his concerns with this type of mandatory labelling requirement, including the need for scientific justification, the practicability of the measures, their enforceability and the question of creating unnecessary barriers to trade.

35. The representative of Chile took note of the concerns made by Canada and would transmit them to his authorities. She informed the Committee that since the issuance of the notification, Chile had received comments from one Member. This measure would come into effect one year after its publication in the Official Journal.

36. The representative of the United States raised concerns about the Brazilian decree published on 19 July 2001, establishing labelling disciplines at a 4 per cent tolerance level for food products containing GMOs. It had not been notified to the Committee, and she sought clarification on whether it was a final decree. She indicated her delegation's intention to update document G/TBT/W/115 which compiled all GMOs labelling notifications under the SPS and TBT Agreements.

37. The representative of Brazil informed the Committee that the draft decree was at the beginning of a public consultations process. Brazil would notify it as soon as possible.

38. The representative of Switzerland sought clarification on notification G/TBT/10.7/N/33 regarding an MRA reached between Colombia and Bolivia, Equator, Peru as well as Venezuela on technical regulations and conformity assessment. She requested information on its criteria, the bodies involved and how it applied to non-Members (e.g. if certificates from third countries were accepted).

39. The representative of Colombia would contact his authorities and reply to Switzerland.

40. The representative of the United States, referring to the question raised by the EC at the last meeting on a US proposal on textile fibre products (G/TBT/Notif.00/580), informed the Committee that a final decision on that proposal had not been reached. The EC comments would be taken into

account, and once the final rule was adopted, a copy of the text, including the response to the EU comments would be provided to the EC.

41. She recalled that at the previous meeting, her delegation had expressed concerns on the lack of notification of a EC Proposed Directive on measuring instruments. She welcomed the notification made subsequently (G/TBT/N/EEC/5). Her delegation had provided comments on that draft.

42. She recalled that at the March 2001 meeting, she had raised concerns about the Indian mandatory labelling requirements on pre-packaged retail goods and the revisions of the Indian 1955 Prevention of Food Adulteration Rules. She regretted that no response had been received and no relevant notifications had been made. She reiterated her concerns and sought responses from India.

43. The representative of the European Communities associated his delegation with the US concerns on the new Indian mandatory certification and registration requirements for products, including steel and steel products. He sought clarification on the following: (i) the objective of the regulations; (ii) the relevant role of the Bureau of Indian Standards (BIS), the justification of a requirement to register with BIS and the registration fees; (iii) whether relevant international standards, guides or recommendations have been considered; (iv) whether India has considered accepting existing international or national certification that are equivalent; (v) whether other less burdensome and trade-restrictive means have been considered; and (vi) when the new regulations would be notified to the WTO.

44. The representative of Canada associated his delegation with the comments made by the US and EC. He sought replies from India on the questions posed by the EC.

45. The representative of Australia supported the view that India should observe the transparency requirements of the Agreement (e.g. to notify and provide opportunities for comments).

46. The representative of Japan supported the comments made by US, EC, Canada and Australia. He expressed concerns on the mandatory certification requirements with the Bureau of Indian Standards for such a broad range of products as well as the mandatory labelling requirements for all packaged imports. He noted that the regulations had entered into force since 2 January 2001. However, the compliance procedures were not clear nor transparent, and had not been notified. He requested India to provide an explanation on the necessity of the regulations and its compliance with the TBT Agreement as well as information on the compliance procedures.

47. The representative of Switzerland sought clarification on two notifications made by Thailand (G/TBT/N/THA/42 and 43) related to mandatory standards prepared by the Thai Industrial Standards Institute. She sought clarification on why Thailand converted voluntary standards into mandatory.

48. The representative of Thailand would convey the question to her authorities and reply to the Swiss delegation as soon as possible.

49. The Chairman recalled that at the last meeting, a question had been raised by the representative of the EC on the interpretation of the transparency provisions under Article 2.9 and Annex 3 of the Agreement concerning mandatory technical regulations and voluntary standards. He invited Members to share views on that.

50. The representative of the United States recalled that the question was posed by the EC in response to the notification made by Belgium on the draft law related to social responsibility. The EC explained that the law was a proposal for voluntary labelling and should not be notified under Article 2.9 of the Agreement as a mandatory regulation. She suggested that the EC could either withdraw the notification (as her delegation had done for one of the US notifications), or to provide information to the Committee by submitting a working document. She noted that there were no

procedures for withdrawing a notification. However, she did not think it was necessary for the Committee to agree on developing such procedures.

51. The representative of Canada supported the US view. He thought it was useful for Members to notify more than less, so as to provide other Members opportunities for comments, disregarding their voluntary nature. He welcomed the notification made by Belgium, though he was not clear about the voluntary nature of the draft law as a whole.

52. The representative of the European Communities confirmed that the purpose of notification procedures was to provide information to other Members. He believed that the Belgium draft law could have been notified as a voluntary standard under Annex 3 of the Agreement. However, it was difficult for the Belgian Parliament to consider itself as a standardizing body and to follow the notification procedures under Annex 3 (to transmit in advance a work programme to the ISOIEC Information Centre). For that, Belgium had been faced with two procedures which did not exactly fit. He found it difficult to withdraw the notification made under Article 2.9, because the procedures under Annex 3 would then have to be chosen. He informed the Committee that the text of the draft law was under debate in Belgium taking into account the comments made by Members.

53. The representative of Malaysia appreciated the information transmitted by the EC and the notification made. She believed a labelling scheme was an TBT issue, disregard its voluntary nature.

54. The Committee took note of the statements made.

III. UPDATING BY OBSERVERS (IEC, OIML AND WORLD BANK)

55. The Chairman recalled that at the Second Triennial Review, the Committee had agreed to invite its observers to provide regular updates on their activities and the ways they sought to ensure effective participation of Members, particularly developing country Members, in their activities.

56. The representative of the International Electrotechnical Commission (IEC) said that the IEC was founded in 1906 when the world needed standardization in the area of electrification. It was comprised of 61 national committees, representing electrotechnical interests in each country (e.g. government, industry, consumers, testing laboratories and academia). It prepared globally recognized standards in the fields of electricity, electronics and associated technologies driven by market needs. IEC standards could be used as the basis for regulations, when needed, and as voluntary standards by industry. New deliverables (e.g. pre-standards, publicly available specifications and industry technical agreements) were developed recently, to respond to the needs of fast evolving technology and hi-tech products. IEC also provided conformity assessment-related services (based on peer assessment) in areas such as household electrical goods and explosives. These schemes were open to non-members. Lately, IEC had adopted the approach of conducting its works (i.e. consolidation of comments, voting procedures and correspondence) electronically. He believed the use of IT tools (e.g. web site, electronic library, web store, online standards, Internet meetings and discussions) could be further stretched to facilitate and shorten standard development processes, to facilitate consultations and bringing together new ideas.

57. The IEC training programme covered issues such as the use of IT tools, participation in the standardization work and the use of IEC standards. In the last three years, the programme had covered 19 countries and provided workshops for around 500 experts from over 40 countries. Africa, the Far East and Latin America had been targeted for the purpose of promoting their participation in IEC work. An IEC Asia-Pacific Regional Centre (IEC-APRC) had been established to promote awareness of IEC standards and enhance participation in the region. The Centre would serve as a focal point for government and industry to obtain and exchange information, as well as a focal point for networking, consulting and better influencing IEC work. A web site would be dedicated for a Discussion Forum aimed at identifying regional needs. The result of this Centre would be evaluated

at the end of year 2002. In light of that, IEC would consider whether to create similar centre in other regions.

58. IEC was aiming at bringing in as many non-member countries to participate in its work as possible, taking into account that certain countries might not have sufficient funds to participate as full IEC Members. An IEC Affiliate Country Programme was launched in June 2001. Fifty countries had been invited and up until the present, 32 countries had accepted to participate. The Programme aimed at providing affiliate members with standards (free of charge) for their adoption, and establishing an electronic mechanism for them to involve in IEC work according to their needs. These countries could trace existing standards and technical work of relevance, have access to working documents and drafts, as well as comment on selected technical committees' work where there was an interest. They could participate in the IEC conformity assessment schemes and would have the possibility to be matched for "twinning" experience with IEC members. An Affiliate Country Forum would be created, aimed at identifying works relevant to and needed by newly industrializing nations. A web site would be created to promote common positions, discussions and exchange of information among affiliate members. A leader of the Forum would be elected representing affiliate members at IEC management meetings. The Forum Secretariat would be based in the IEC Central Office to support the work of the Forum. He stressed the importance of raising awareness and to participate in international standardization work, if identified as of interest, whether or not actually participating at meetings. Regional cooperation could contribute. He invited developing countries to fully participate and benefit from the IEC Affiliate Country Programme.

59. The representative of the International Organization of Legal Metrology (OIML) said that OIML was an intergovernmental organization established in 1955, aimed at developing mutual confidence among nations on legal metrology services, harmonizing regulations and developing guidance documents in the field of legal metrology. There were 111 OIML international recommendations to be used by its Members as far as possible, 26 international documents of an informative nature and 20 vocabularies and guides. Almost half of its 57 Members states and more than 30 of its 52 corresponding members were from developing countries. He emphasized the importance of correct measurement in society (for areas such as: imported products, retail trade, utilities, pre-packaged products, medical analysis, the environment and safety). This related to legal metrology whereby regulations were developed to ensure an appropriate level of credibility and confidence in measurement results.

60. The OIML Development Council met every year to discuss development matters, to identify fields of special concern to developing countries and possible technical assistance activities and training programmes provided by OIML and other organizations. Its object was to provide means and recommendations for the development of mutual information and equipment. Important activities of the Council included working groups (on training, information and equipment), participation in technical committees of particular relevance to developing countries, a database of training courses, a database of experts for technical assistance, as well as liaisons with other organizations, such as the ISO, WTO and UNIDO. Its web site was http://www.oiml.org/dev_council/index_english.htm. Within its limited budget, the OIML supported the participation of a number of developing countries in meetings each year.

61. Most of the technical work of OIML was carried out by correspondence. Electronic means were used to facilitate its work. Documents were available for its members as well as corresponding members on the web site and specific web pages and forums had been established to facilitate discussions in technical committees. The possibility of using web conferencing was under consideration to allow a lowering of the cost of participation. However, a number of developing countries still encountered difficulties in accessing electronic mail and Internet due to the absence of efficient telephone connections, and for this, in the coming years, paper copies of documents and postal exchange would remain necessary. Regional offices of legal metrology in the Asia Pacific region and the Americas were established to facilitate discussions and work in the regions.

62. The representative of the World Bank said that the Bank mission was focused on poverty reduction and economic development as well as loans. Loan guarantees and technical assistance were prioritised to assist least-developed countries (LDCs) as well as to middle-income developing countries. Lendings of the Bank were US$28.9 billion in 1999, US$15.2 billion in 2000 and US$17.3 billion in 2001 with a peak in 1999 due to the Asian financial crisis. The Bank's lending related to standards was around US$ 100 million over the last three years ($150 million in 1999 - direct lending to Turkey, Ghana and Cape Verde; $100 million in 2000 to Poland, Russia and Mozambique; and $83.3 million in 2000 to Guatemala and Nicaragua). Plans had been made for a loan to Panama in 2002 which would include components related to standards. The Bank also provided technical assistance and research, including the following: (i) a project through funding of the US Agency for International Development in five sub-Saharan Africa countries; (ii) training modules on standards and survey to gather information on needs assessment; and (iii) a project in cooperation with the government of Canada on trade facilitation in APEC involving standards and regulations.

63. The Integrated Framework (IF) for trade-related technical assistance in LDCs was an inter-agency effort, including the Bank and the WTO. The first three pilot projects (in Cambodia, Madagascar and Mauritania) were in their final stage of completion. Discussions were held to look into the possibility of extending it to Bangladesh, Burundi, Guinea, Lesotho, Nepal and Senegal. Component of the IF related to technical assistance needs in the area of standards which provided an example of the importance of inter-agency coordination in the delivery of technical assistance. It showed that demand driven, high-level ownership, tailored assistance as well as long term coordination were among the elements of success. The work of bilateral donors, i.e. developed countries' trade-related technical assistance in this area was also important.

64. The representative of Panama welcomed the information provided by the Work Bank and sought further information on the Bank's programme in Panama.

65. The representative of the World Bank clarified that the programme was a three-year project under preparation, with the possibility of implementation at the beginning of year 2002.

66. The representative of Japan thanked IEC, OIML and the World Bank for their presentations. He welcomed the efforts of the IEC and OIML to undertake their standardization activities taking into account the importance of transparency, openness and market relevancy. He appreciated the efforts made by IEC to expand its affiliate members and assist developing countries participation in the international standardization activities. He informed the Committee that JISC (Japan National Standardization Body) had endorsed its standardization strategy and would support IEC's efforts to assist developing countries' participation, particularly with regard to the Asia-Pacific Regional Centre.

67. The representative of Egypt sought clarification on whether the IEC would expand the number of countries to be covered under its affiliate country programme.

68. The representative of the IEC confirmed that the programme was opened to countries that had an interest in IEC's work and IEC planned to expand the coverage of the programme to more countries.

69. The representative of Guatemala sought clarification on whether the World Bank's programme in Guatemala related to the UNIDO project in Central America.

70. The Chairman asked if the World Bank had developed tool kits while providing assistance to set up an enquiry point in Russia, or if the experience had been used as a basis for modelling an assistance package to assist other countries, such as within the IF.

71. The representative of the World Bank, referring to the question of Guatemala, confirmed that the Bank was actively consulting with other organizations such as the UNIDO and Inter-American Development Bank to ensure better coordination and cooperation in technical assistance activities. He also gave an example of consultations with the Asian Development Bank for activities in Asia. Concerning the Chair's question, he said that the Bank had learned a great deal through its lending activities to Russia and discussions had been held on providing assistance to China. Tool kits and learning modules were being developed. With respect to the IF, he expected that more inter-agency discussions, in particular in the area of standards, would be held next year.

72. The representative of the European Communities appreciated the efforts of IEC and ISO on the development of international standards, addressing issues such as market needs and effective participation. He noted the reliance of IEC on IT facilities in its activities, and asked if the IEC provided support to set up these facilities in its Affiliate Members.

73. The representative of the IEC confirmed that the IEC addressed the hardware, software and training issues regarding IT facilities in developing country Members, and some countries had benefited from that. He believed that the main issue was the technical training needed for those countries to use the facilities for the purpose of using and developing standards as well as to communicate with other countries having similar problems.

74. The Committee took note of the statements made.

IV. FOLLOW-UP OF THE MEETING ON PROCEDURES FOR INFORMATION EXCHANGE

75. The Chairman recalled that at the Meeting on Procedures for Information Exchange held on 28 June 2001, a number of proposals had been made. A number of delegations had made comments on those proposals at the last meeting (G/TBT/M/24). He refered to the proposal on the creation of a central depository of notifications on the WTO web site and invited further comments.

76. The representative of Chile supported that proposal, and believed that it would facilitate the process and reduce the time needed for disseminating notifications.

77. The representative of Australia agreed in principal with the proposal. However, she felt that more clarification on the operation of such a system would be needed, particularly because it could have implications on other WTO notifications. Considerations should be taken into account of the restrictiveness to access such a depository (since many national bodies were involved in notifications, including enquiry points) and on how this related to the Secretariat's document distribution process. To post notifications on the WTO web site would not reduce the time needed for translation. This proposed system should not weaken the existing notification procedures on draft regulations and standards.

78. The representative of Malaysia shared the comments made by Australia. She sought clarification on the difference between this proposed system and the existing WTO Central Registry for Notifications (CRN) and how this related to filling up notification forms on the Internet, or if the proposal contained two parts, i.e. filling in notification forms and a central depository.

79. The representative of Canada recalled that the proposal had been made by his delegation. He suggested that it would be useful to demonstrate to relevant WTO divisions and the Committee a similar approach developed by the Canadian government whereby business could be done online.

80. The Chairman suggested that the representative of Canada contacted relevant WTO technical divisions to study the proposal before the next meeting, so that the Committee could be advised on how practical this approach could be and on its implications on the work of other WTO divisions. He

invited Members to consider the proposal to request the Secretariat to prepare a booklet on transparency provisions of the Agreement along the lines of the one that had been developed under the SPS Agreement.

81. The representative of Australia supported the proposal.

82. The representative of the United States suggested that, if the proposal was to be agreed by the Committee, the booklet should simply be comprised of the relevant provisions of the Agreement and the Committee's Decisions and Recommendations. The draft booklet should be studied by the Committee before its publication.

83. The representatives of Switzerland and New Zealand supported the proposal.

84. The Chairman concluded that based on the comments made, the Secretariat was requested to prepare a draft booklet on transparency provisions for the consideration of the Committee at its next meeting. He invited comments on the proposal to place the list of TBT enquiry points on line whereby members could update it themselves.

85. The representative of Australia supported the proposal and found it useful.

86. The representative of Malaysia noted that this proposal was similar to the first one to the extent that both involved computerization of the systems.

87. The Chairman suggested inviting experts from the relevant WTO divisions to provide guidance to the Committee on these two proposals. He invited reflection on the proposal on languages to be used for requests and replies concerning enquiry points. He noted that in some cases, replies were provided in native languages which might not be understandable by demanders. The Committee might wish to consider how best to address this, i.e. to recommend replies to be made in one of the WTO official languages.

88. The representative of Australia found that further reflection was needed on this proposal. She noted that while Members were required to submit documents in one of the three WTO languages, explanations on draft regulations could be made in Members' national languages. Translation could impose cost and delays, and it might not be practicable or acceptable to require notifying Members to provide translated material.

89. The representative of Japan believed this proposal needed further examination, in particular to the extend that it did not require changes of Members' obligations under the Agreement.

90. The Chairman proposed to come back to this proposal at the next meeting.

91. The representative of Chile recalled at the Special Meeting, his delegation had proposed that when a Member sent a notification to the WTO Secretariat, it could be sent at the same time to other Members. This would provide more time for other Members to study the notification.

92. The Chairman believed that, in principle, Members were free to do so, if they so wished. However, not all Members had the necessary capacity or resources.

93. The representative of Canada believed that this could be done if a system was to be established whereby Members filled out notifications online and instantly and automatically made them available to a list of designations (e.g. national enquiry points). This was similar to the "export alert system" in the Standards Council of Canada. The limitation would be whether the necessary electronic capacity was available.

94. The representative of Chile recalled his authorities' recent experience in receiving comments on a Chilean notification. The comments had been sent to Chile from different agencies of the same Member. He raised the following questions and concerns: (i) if the replies to the comments were to be sent centrally to the enquiry point, the embassy of that Member or to those different agencies separately; (ii) if answers were to be given to each of the questions raised or if a summary on the measure would be sufficient; (iii) in the case of Chile, if the comments made were not in Spanish, it would require translations and would delay the replies. He invited other Members to share their experiences on how to handle the above situations (i.e. the internal coordination needed to reply to comments on notifications).

95. The Chairman invited Members to reflect on the requests made by Chile. The Committee would come back to these questions at its next meeting.

96. The Committee took note of the statements made.

V. FOLLOW-UP OF THE SECOND TRIENNIAL REVIEW OF THE OPERATION AND IMPLEMENTATION OF THE TBT AGREEMENT UNDER ARTICLE 15.4

97. The representative of Switzerland drew attention to the Swiss paper on Marking and Labelling Requirements (G/TBT/W/162), and reiterated her delegation's wish to continue the discussion on the subject in a more structural way.

98. The representative of the European Communities found the informal discussion on labelling held the day before useful. He was encouraged that more Members were engaged in the discussion and started to exchange experiences. He felt that with the increase of trade impediment cases brought to the attention of the Committee relating to labelling (as indicated in the US paper G/TBT/W/165), the Agreement had not been able to resolve all those problems. The Agreement might have prevented some problems. However, there was no guidance in it to allow removal of those trade barriers. He recalled that the EC had, in November 2000, invited Members to exchange information on problems they encountered in labelling (G/TBT/W/150) and had proposed that the Committee examine the ongoing work in other international organizations (e.g. Codex Alimentarius and ISO). The EC would continue to draw attention to a list of issues it considered were left open or unclear in the Agreement. He invited other Members to submit to the Committee their experience on labelling issues to provide a basis for discussions. He recalled the announcement of Canada on a submission. He believed the discussions in the Committee could guide legislators on what should be and should not be done when preparing legislations concerning labelling. He would not wish to leave these issues to the dispute settlement mechanism, because this would require changes in legislations, if they were proven to be violating the Agreement. In addition, it did not ensure a sufficient predictability in this area and did not allow for the consideration of political needs in developed and developing countries.

99. The representative of Australia welcomed the informal discussions on labelling. However, she reiterated her delegation's opposition to the Committee undertaking a formal work programme aimed at clarifying the TBT rules on labelling or developing guidelines. The debate on labelling in the Committee so far had not revealed any substantive case for the need to examine the relevant provisions. She was cautious about agreeing to proceed with a formal work programme without any clearly defined parameters. She believed the provisions in the Agreement relating to labelling were adequate to address various possibilities. The Agreement provided scope for Members to apply voluntary or mandatory labelling requirements for all product categories consistent to the Agreement (i.e. national treatment, non-discrimination, transparency and least trade restrictive measures to meet legitimate objectives).

100. The representative of the United States shared the Australian view that there had not been a substantive case made which showed the need for new rules, guidelines or clarification of the Agreement. She reiterated the US view on the issue (G/TBT/W/165) that the TBT agreement was

relevant to the issues of labelling and all provisions applied. She believed the disciplines were adequate, and that the problem had been a failure of Members to comply with the rules. She noted that the various problems illustrated in the EC paper on labelling (G/TBT/W/150) reflected complaints received by the EC concerning trade barriers arising from labelling requirements. She believed that more could be done domestically to ensure the knowledge of and adherence to the disciplines of the Agreement in an effective and ongoing basis. However, she did not see how much of this could be accomplished through more discussions in the Committee. She welcomed the Swiss paper and the view that marking and labelling requirements were covered by the Agreement (i.e. in all provisions regarding standards, technical regulations and conformity assessment procedures). However, she did not agree with a number of questions raised in the paper, and believed that neither the paper nor the subsequent discussions had demonstrated the need for clarification of rules or the development of guidelines. She welcomed continued discussion on labelling. She noted the extensive discussions of the Committee at each meeting under agenda item "Statements on Implementation and administration of the Agreement" on specific alleged trade barriers relating to labelling measures.

101. The representative of Canada agreed with the views of Australia and the US. He believed that it was important to have full debate on a number of issues in informal meetings, aimed at obtaining a better understanding of the application of the Agreement to labelling issues. He was not convinced that there were a lot of issues left open by the Agreement, and believed that under the WTO rules there was no absolute legal certainty. Future discussions did not have to be limited to labelling, since it was a subset of the issue of good regulatory practice. He expected more structured and substantive discussions at the next meetings, and indicated that a Canadian paper could be made ready in advance of the meeting.

102. The representative of Mexico supported the US and Australian position, and was not convinced of the need for developing guidelines. He believed that the Agreement was clear and applicable to labelling requirements as well as to the other matters under its limit.

103. The representative of Egypt associated himself with the views expressed by Australia, the US, Canada and Mexico. He was convinced that the Agreement was clear with respect to labelling and there was no need for a structured work programme on the issue. He could go along with the idea of informal discussions.

104. The representative of New Zealand reiterated her delegation's view that labelling was well covered by the provisions of the Agreement, and there was no need for its reopening. She agreed with Canada that there was a need for a full discussion on labelling issues. It should be structured in such a way that it did not prejudice its outcome.

105. The representative of Japan recognized the mounting importance of labelling requirements responding to the interests of civil society (e.g. consumers' needs for product information). He saw the value of deepening the discussion on labelling in the context of the Agreement, while taking into account existing discussions in other organizations (e.g. ISO).

106. The representative of Chile shared the comments made by most previous speakers, in particular the one made by Canada. He looked forward to a more structured informal discussion and to receiving the Canadian paper.

107. The representative of Guatemala supported the view that there was no need for a programme of work on labelling, but agreed on a more structured informal discussion.

108. The representative of Canada drew attention to a Canadian paper (G/TBT/W167) "A Policy Framework for Mutual Recognition Activity". He believed that the document, though developed domestically, could provide the Committee with interesting concepts and considerations with respect

to MRAs. He noted that significant domestic resources and implications were involved in full fledged MRAs - whether they be multi- or single sector, legally binding or not binding, between one or more countries. They involved the interests of industry, standards developers, regulatory and trade authorities, and in the case of Canada, federal as well as provincial regulatory authorities.

109. The representative of the United States welcomed the Canadian paper and believed that it could contribute to the Committee's discussions in this area. The US shared Canada's experiences. She confirmed that the negotiation and implementation of MRAs could be resource intensive, and they could be more complicated and costly if key stake holders (i.e. regulators and industry) did not perceive benefits in the process. She found MRAs had been successful in limited circumstances and did not see them as desirable nor necessary for securing access to the US market.

110. The representative of the European Communities informed the Committee that the EC had concluded, or was close to concluding, seven MRAs in the area of conformity assessment in more than fifty sectors with trade partners. There was no EC defined criteria for MRA negotiations. Though MRAs had been perceived by a number of countries as a tool to resolve trade problems, there were difficulties in their negotiations and implementation, especially if technical regulations or standards were different in the two partners. There was a need for specific mechanisms in terms of confidence building. The process could be sophisticated and lengthy, in particular if conformity assessment systems were different (i.e. the role of public authorities versus private assessment bodies, the designation of conformity assessment bodies and the role of accreditation bodies). However, if the systems of two potential partners were well aligned, and there was political will, MRAs should not be too difficult to negotiate (e.g. the MRA between the EC and Switzerland). He also had great expectations that the MRA with Japan would work well. The EC had developed a document on tool box of instruments in order to facilitate trade in the area of standards and certification. It could be presented to the Committee at its next meeting. He believed the instruments (including those which could be used immediately and MRAs which came at the end of the process, if necessary) could bring trade benefits.

111. The representative of New Zealand thanked Canada for its paper on MRAs and thought that it reflected her country's experience. She confirmed the problems that could be encountered in MRAs and the need for cost benefit analysis when considering their negotiations. It was particularly relevant at the moment, when the enthusiasm for bilateral negotiations on free trade agreements often incorporated MRA elements. She agreed that MRAs were not the only tool that regulators had in their tool box. Equivalence would be another possible tool to be used, in particular in situations where there were resource constraints for the negotiation of MRAs, or where there was no significant difference in regulatory approaches needed to be overcome through negotiations. She recalled the New Zealand papers submitted to the Committee on good regulatory practice and the concept of equivalence. The point that her delegation had tried to convey was reflected in the Canadian submission, i.e. where there was no particular area of trade interests and where trade volume was small, the benefits of a MRA might not warrant the intensive negotiations required.

112. The representative of Japan welcomed the Canadian paper and the EC's views on MRAs. Japan had negotiated two MRAs, i.e. with the EC and Singapore. He found that MRAs could be resource intensive and the confidence building process could be difficult.

113. The representative of the European Communities drew attention to document G/TBT/W/170. The paper was prepared by the EC as a result of Second Triennial Review in relation to the principles on international standards development. It explained the EC's policy in the field of international standards and how the EC put the criteria agreed into its policy.

114. The Chairman thanked Members for their contributions and concluded that the Committee would continue informal discussions on labelling in a more structured way at its next meeting.

115. The Committee took note of the statements made.

VI. TECHNICAL ASSISTANCE

116. The Chairman recalled that at the previous meeting, the Committee had held discussions on the development of a demand-driven TBT-related Technical Cooperation Programme. It had been suggested that he consult with the Chairmen of the General Council and the Committee on Trade and Development to ensure coordination and avoid duplication of work in this area. Subsequently, he had met with the Chairman of the CTD and informed him of the ongoing work relating to technical assistance in the Committee. Following the request provided to the Committee by the General Council relating to "implementation issues", and as a result of a request from the Chairman of the General Council, he had presented a report to the General Council on 3 September 2001 (G/L/471). In that report, he explained how the Committee, in the context of the Second Triennial Review, examined the problems faced by developing countries in international standards and conformity assessment. He also provided information on how progress had been made with respect to the Committee's effort in developing the Technical Cooperation Programme. The Chairman of the General Council was fully aware of the approach to technical assistance developed by the Committee.

117. He drew attention to paper JOB (01)/123, a draft questionnaire prepared by the Secretariat to assist developing country Members to identify their technical assistance needs in the TBT area. The Committee had held informal discussions on the draft, and constructive comments had been made. He invited delegations who wished to provide further comments on the draft to do so before 15 December 2001, so that a revision could be prepared for the consideration of the Committee at an informal meeting he planned to hold at the beginning of 2002. He drew attention to paper JOB (01)/128 and Add.1, a compilation of submissions made by Members since 2001 providing information on their technical assistance needs or assistance activities they provide.

118. The representative of the European Communities recognized that the survey was the first step in developing the Technical Cooperation Programme. He hoped that the questionnaire would be finalized at the beginning of year 2002 and that the results of the survey would be available before September 2002. He proposed that in the mean time, the Committee should move forward with other elements of the Programme (e.g. aspects contained in JOB (01)/128, the relevant papers contributed by Brazil, Japan, Indonesia and the Philippines) at the coming meetings, aiming at obtaining results before the next triennial review. He drew attention to a General Council document WT/GC/48, a report of the Director-General on actions of a number of international organizations to increase participation of developing countries in the work of relevant international standard setting organizations. He found the information useful and believed that it should be circulated as a TBT paper.

119. The Chairman supported the view expressed by the EC that it was important to expedite the process, i.e. to consider the draft questionnaire at the January 2002 informal meeting, to have the revised draft adopted by March for the circulation to developing countries, and to start receiving feedback by the June meeting. It was also important to consider other elements of the Programme in parallel to this process.

120. The representative of the United States supported the usefulness of first identifying technical assistance needs by means of a survey, and at the same time, looking at the assistance activities that had been provided bilaterally. She informed the Committee that her delegation was preparing a paper on the US assistance to developing and transition countries in the compliance with the Agreement. The information might not be as detailed as some other submissions that referred to specific projects. She believed that with the information on the needs identified and assistance provided, the Committee could evaluate and respond accordingly.

121. The representative of Canada emphasised the importance of the Programme to focus on trade-related technical assistance with respect to the Agreement and needs identified by developing countries themselves. The Canadian TBT-related technical assistance activities relied on requests made by developing countries to the Canadian International Development Agency. It would be difficult to provide assistance if planning authorities of developing countries did not make such requests.

122. The representative of Japan supported the Canadian view and pointed to document G/TBT/W/160 – Japan's Experience on Technical Assistance in the Area of TBT. He echoed that it was important for developing countries to give high priority to TBT-related activities in their national technical assistance requests, since most assistance programmes, in particular bilateral ones, were demand driven.

123. The representative of Turkey noted that developing countries might encounter difficulties in the formulation and application of technical regulations, standards and conformity assessment procedures. Technical assistance in a wide range of areas (e.g. standardization, conformity assessment and metrology) was needed, taking into account the dynamic and sophisticated nature of technical regulations and standards. He pointed to the lack of properly trained human resources in some relevant public institutions of developing countries and the conformity assessment institutions and quality infrastructures which needed to be established or strengthened (e.g. accreditation bodies). Technical assistance programmes could not achieve results in isolation, and substantial input (i.e. financial investment) was needed, since financial resources in most of developing countries were limited.

124. The Chairman recalled that the Committee on Trade and Development had considered a new strategy for WTO technical cooperation and capacity building activities. One of the issues highlighted was the need for coherence at the national level in terms of needs identification to ensure that requests made to the WTO were made in a more coordinated approach. It was also important for donors to ensure that their technical assistance programmes were developed in a comprehensive way. He believed it important for developing and least developing country Members to complete the questionnaire to be circulated so that they could identify and prioritise their needs. The information would assist the Committee to develop an effective and comprehensive technical cooperation programme.

125. The representative of UNIDO drew attention to document G/TBT/W168, which summarised UNIDO's efforts in technical assistance and capacity building in TBT areas. He informed the Committee that the EU/UEMOA and UNIDO initiative in accreditation, standardization and quality promotion had been started. It provided assistance to eight West African countries, most of them classified as LDCs. A regional workshop to identify and prioritise the needs to strengthen the SADC regional structure in standardization, quality assurance, accreditation and metrology had been held in Pretoria in August 2001. A summary of the results would be available soon. In Central America, UNIDO was designing an integrated programme for the region with a view to eliminating non-tariff trade barriers related to the TBT and SPS Agreements, and multilateral organizations were invited to participate in the programme. A cooperation agreement between the ITC and UNIDO had been signed for six joint activities in the field of facilitating access to markets.

126. The representative of the ISO reported that the cooperation of the ISO with WTO had been on the agenda of the ISO General Assembly held in September 2001. He noted that out of the 140 members of ISO, more than 100 were from developing countries and economies in transition which did not have fully developed infrastructures in the area of standard related matter. It called for special attention within the ISO. The General Assembly had noted the problems faced by developing countries and requested the ISO to continue its efforts to assist them. The ISO Committee on developing countries matters (DEVCO) and the ISO Technical Management Board (responsible for coordinating programmes of the ISO technical committees) had met in September, and the need for an

increased cooperation between the two ISO bodies had been recognised. A task force on "Increasing Participation of Developing Countries in ISO Work" had been established to develop a programme to facilitate the active participation of developing countries in ISO technical work, and a survey on the obstacles encountered by the developing countries would be carried out. This would be followed by a series of regional workshops to study the survey results and to draw recommendations for action by ISO. A close cooperation with the WTO on this was foreseen (e.g. in holding and financing the workshops). A joint DEVCO/CASCO group on strategies for conformity assessment had been established, acting as a channel to provide information and feedback in this area. At the DEVCO meeting, a number of delegations had raised concerns about the difficulties in liasing with national trade representatives to provide inputs on WTO issues.

127. The Committee took note of the statements made.

VII. REPORT (2001) OF THE COMMITTEE ON TECHNICAL BARRIERS TO TRADE

128. The Chairman drew attention to document G/TBT/SPEC/19, the draft report of the Committee (2001). He informed the Committee that since no comments had been received on the draft, the report as contained in G/TBT/SPEC/19 had been submitted to the Council for Trade in Goods (G/L/487) at its meeting on 5 October 2001.

129. The Committee took note of the statement made.

VIII. OTHER BUSINESS

130. The representative of Canada requested information on the plan for meetings in 2002.

131. The Chairman informed the Committee that three meetings had been planned, for 14-15 March, 20-21 June and 2-3 October 2002.