
Committee on Technical Barriers to Trade

**SIXTH ANNUAL REVIEW OF THE IMPLEMENTATION AND
OPERATION OF THE AGREEMENT**

Background Document by the Secretariat

The Committee will conduct its sixth annual review under Article 15.3 of the Agreement at its meeting on 30 March 2001. This document contains information on developments in the implementation and operation of the Agreement during the period from 1 January to 31 December 2000.

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I. COMMITTEE ON TECHNICAL BARRIERS TO TRADE

1.1 Composition of the Committee

Chairpersons: Mr. Mohan Kumar (India)
Mr. John Adank (New Zealand)

Members¹

Albania	El Salvador	Malaysia
Angola	Estonia	Maldives
Antigua and Barbuda	Fiji	Mali
Argentina	Finland	Malta
Australia	France	Mauritania
Austria	Gabon	Mauritius
Bahrain	Gambia	Mexico
Bangladesh	Georgia	Mongolia
Barbados	Germany	Morocco
Belgium	Ghana	Mozambique
Belize	Greece	Myanmar
Benin	Grenada	Namibia
Bolivia	Guatemala	Netherlands
Botswana	Guinea Bissau	New Zealand
Brazil	Guinea, Rep.of	Nicaragua
Brunei Darussalam	Guyana	Niger
Bulgaria	Haiti	Nigeria
Burkina Faso	Honduras	Norway
Burundi	Hong Kong, China	Oman
Cameroon	Hungary	Pakistan
Canada	Iceland	Panama
Central African Republic	India	Papua New Guinea
Chad	Indonesia	Paraguay
Chile	Ireland	Peru
Colombia	Israel	Philippines
Congo	Italy	Poland
Congo, Democratic Rep of the	Jamaica	Portugal
Costa Rica	Japan	Qatar
Côte d'Ivoire	Jordan	Romania
Croatia	Kenya	Rwanda
Cuba	Korea, Rep. of	Saint Kitts and Nevis
Cyprus	Kuwait	Saint Lucia
Czech Republic	Kyrgyz Republic	Saint Vincent & Gren.
Denmark	Latvia	Senegal
Djibouti	Lesotho	Sierra Leone
Dominica	Liechtenstein	Singapore
Dominican Republic	Luxembourg	Slovak Republic
EC	Macau, China	Slovenia
Ecuador	Madagascar	Solomon Islands
Egypt	Malawi	South Africa

¹ Members on 31 December 2000.

Spain	Thailand	United Kingdom
Sri Lanka	Togo	United States
Suriname	Trinidad and Tobago	Uruguay
Swaziland	Tunisia	Venezuela
Sweden	Turkey	Zambia
Switzerland	Uganda	Zimbabwe
Tanzania	United Arab Emirates	

Observer Governments²

Algeria	Ethiopia	Saudi Arabia
Andorra	Former Yugoslav Rep. of	Seychelles
Armenia	Macedonia	Sudan
Azerbaijan	Kazakhstan	Chinese Taipei
Bahamas	Lao	Tonga
Belarus	Lebanon	Ukraine
Bhutan	Lithuania	Uzbekistan
Bosnia and Herzegovina	Moldova	Vanuatu
Cambodia	Nepal	Viet Nam
Cape Verde	Russian Federation	Yemen
China	Samoa	

Observer Organizations

ACP³, ALADI,³ EFTA,³ FAO, IEC, IMF, ISO, ITC, OECD, OIE, OIML,³ UNCTAD, UN/ECE, UNIDO,³ WHO, WHO/FAO Codex Alimentarius Commission and the World Bank.

1.2 Main Developments of the Committee during the Current Period

The Committee held its nineteenth, twentieth, twenty-first, twenty-second and twenty-third meetings on 25 February, 17-19 May, 21 July, 6 October and 10 November (G/TBT/M/18-22) respectively. At those meetings, the Committee heard statements concerning the implementation and administration of the Agreement, technical assistance and observer status. A number of Members informed the Committee of measures taken to ensure the implementation and administration of the Agreement. Several measures were brought to the attention of the Committee by Members who raised concerns about the potential adverse trade effects or inconsistency with the Agreement of those measures.

At its nineteenth meeting, the Committee carried out its Fifth Annual Review of the Implementation and Operation of the Agreement under Article 15.3 (G/TBT/8), and its Fifth Annual Review of the Code of Good Practice for the Preparation, Adoption and Application of Standards in Annex 3 (G/TBT/CS/1/Add.4, G/TBT/CS/2/Rev.6 and WTO TBT Standards Code Directory – fifth addition).

²Observers on 31 December 2000.

³Observer status on an ad hoc basis.

In order to promote information exchange and to facilitate discussion on technical assistance in the lead-up to the Second Triennial Review, a Workshop on Technical Assistance and Special and Differential Treatment in the Context of the Agreement was held on 19-20 July.

At its nineteenth, twentieth, twenty-first and twenty-second meetings, the Committee prepared for the Second Triennial Review of the Operation and Implementation of the Agreement under Article 15.4. The Second Triennial Review was concluded at the twenty-third meeting. Elements considered under the Review include the following: (i) Implementation and Administration of the Agreement; (ii) Notifications and Procedures for Information Exchange, (iii) International Standards, Guides and Recommendations; (iv) Conformity Assessment Procedures; (v) Technical Regulations; (vi) Technical Assistance and Special and Differential Treatment; and (vii) Other Elements (G/TBT/9). At that meeting, the Committee also adopted its Report (2000) to the Council for Trade in Goods (G/L/412).

II. IMPLEMENTATION AND ADMINISTRATION

2.1 Statements on Implementation and Administration of the Agreement (Article 15.2)

Table 1 - Statements on Implementation and Administration of the Agreement received in 2000

Members	Date of entry into Force	Documents containing Members' Statements on Implementation and Administration of the Agreement
ESTONIA	13 November 1999	G/TBT/2/Add.58
KYRGYZ REPUBLIC	20 December 1998	G/TBT/2/Add.59
SOUTH AFRICA	1 January 1995	G/TBT/2/Add.60
JORDAN	11 April 2000	G/TBT/2/Add.61

III. NOTIFICATIONS

3.1 Notifications made in the current year and since entry into force of the Agreement by Members and by the relevant Articles of the Agreement

In 2000, Members submitted 611 notifications (G/TBT/Notif.00/1-613⁴). Since the entry into force of the Agreement on 1 January 1995 up to 31 December 2000, 3547 notifications have been made by 60 Members. Articles 2.9, 2.10, 3.2, 5.6, 5.7, and 7.2 were specified in 3144, 131, 3, 252, 49 and 3 notifications respectively. 108 notifications did not refer to any Articles.

⁴ Notifications G/TBT/Notif.00/54 and G/TBT/Notif/575 have been cancelled

Table 2 – Notifications made by Members and by relevant Articles of the Agreement in the current year and since entry into force of the Agreement

Members	Number of notifications made in 2000	Number of notifications made under the relevant Articles in 2000							Total number of notifications made since 1 January 1995
		2.9	2.10	3.2	5.6	5.7	7.2	not specified	
Argentina	37	1	24	0	1	11	0	0	55
Australia ⁵	10	10	1	0	0	0	0	0	98
Austria	0	0	0	0	0	0	0	0	4
Bahrain ⁵	1	1	0	0	1	0	0	0	1
Barbados	1	1	0	0	0	0	0	0	1
Belgium	19	19	0	0	0	0	0	0	167
Benin	0	0	0	0	0	0	0	0	2
Bolivia	0	0	0	0	0	0	0	0	22
Botswana	0	0	0	0	0	0	0	0	1
Brazil	12	10	0	0	2	0	0	0	115
Canada	26	23	0	0	3	0	0	0	135
Chile	30	21	1	0	12	0	0	0	71
Colombia	5	4	0	0	0	0	0	1	42
Costa Rica	2	2	0	0	0	0	0	0	13
Cyprus	0	0	0	0	0	0	0	0	1
Czech Republic	52	49	0	0	0	0	0	3	114
Denmark	25	19	0	0	0	0	0	6	155
El Salvador ⁵	12	12	0	0	2	0	0	0	55
Egypt	0	0	0	0	0	0	0	0	6
Estonia	1	1	0	0	0	0	0	0	1
European Communities	16	9	0	0	3	0	0	4	184
Fiji	0	0	0	0	0	0	0	0	1
Finland	5	5	0	0	0	0	0	0	24
France	7	4	0	0	1	0	0	2	64
Germany	0	0	0	0	0	0	0	0	8
Guatemala	7	7	0	0	0	0	0	0	7

⁵ Member notifying under more than one article.

Members	Number of notifications made in 2000	Number of notifications made under the relevant Articles in 2000							Total number of notifications made since 1 January 1995
		2.9	2.10	3.2	5.6	5.7	7.2	not specified	
Hong Kong, China	7	5	0	0	2	0	0	0	30
Iceland	1	1	0	0	0	0	0	0	2
India	0	0	0	0	0	0	0	0	45
Indonesia	3	3	0	0	0	0	0	0	3
Israel	0	0	0	0	0	0	0	0	55
Jamaica	8	8	0	0	0	0	0	0	30
Japan ⁶	56	40	2	0	19	0	0	0	233
Republic of Korea ⁶	27	25	0	0	13	0	0	0	92
Latvia	14	14	0	0	0	0	0	0	16
Macau, China	1	1	0	0	0	0	0	0	5
Malaysia	3	3	0	0	0	0	0	0	161
Mexico	28	19	4	0	4	0	0	1	182
Netherlands	47	47	0	0	0	0	0	0	530
New Zealand	4	4	0	0	0	0	0	0	28
Norway ⁶	6	6	0	0	1	0	0	0	58
Peru	1	1	0	0	0	0	0	0	2
Philippines	13	13	0	0	0	0	0	0	55
Poland	2	0	1	0	0	0	0	1	3
Senegal	3	2	0	0	1	0	0	0	4
Singapore	1	1	0	0	0	0	0	0	16
Slovak Republic	3	0	0	0	0	0	0	3	33
Slovenia	8	8	0	0	0	0	0	0	10
South Africa	13	13	0	0	0	0	0	0	48
Spain	6	5	0	0	1	0	0	0	40
Sri Lanka	13	13	0	0	0	0	0	0	14
Sweden	15	15	0	0	0	0	0	0	93
Switzerland ⁶	9	9	0	0	1	0	0	0	71
Thailand	9	9	0	0	0	0	0	0	108

⁶ Member notifying under more than one article

Members	Number of notifications made in 2000	Number of notifications made under the relevant Articles in 2000							Total number of notifications made since 1 January 1995
		2.9	2.10	3.2	5.6	5.7	7.2	not specified	
Trinidad and Tobago	1	1	0	0	0	0	0	0	7
Tunisia	0	0	0	0	0	0	0	0	1
Turkey	0	0	0	0	0	0	0	0	4
United Kingdom	9	9	0	0	0	0	0	0	19
United States	32	32	0	0	0	0	0	0	201
Uruguay	0	0	0	0	0	0	0	0	1
TOTAL	611	505	33	0	67	11	0	21	3547

3.1.1 Objectives and Rationales stated in Notifications⁷

Table 3 - Objectives and Rationales stated in Notifications in 2000

Objectives and Rationales	Notifications received in 2000
Consumer Information, Labelling	59
Prevention of Deceptive Practices and consumer protection	55
Protection of Human Health or Safety	254
Protection of Animal or Plant Life or Health	10
Protection of the Environment	58
Quality Requirements	61
Harmonization	74
Adaptation to New Domestic Law and Technology	80
Lowering or Removal of Trade Barriers	13
Trade Facilitation	6
Cost Saving and Increasing Productivity	6
Others	43
Not specified	6
Total	725⁸

⁷The following classification of objectives and rationales is based on the criteria laid down in document G/TBT/W/18.

⁸Among the 611 notifications submitted , 106 of them stated two or more objectives and rationales

3.1.2 Observation of the Recommended Comment Period by Members in the current year⁹

The Committee has recommended 60 days as a minimum length of time to be allowed for the presentation of comments from other Members (G/TBT/1/Rev.7). In 2000, Members allowed an average of 49.6 calendar days for comments. 142 notifications did not specify a comment period, stated as non-applicable or had a lapsed comment period. The table on the following pages gives the relevant data on the observation of the recommended comment period by each Member in 2000.

Table 4 – Observation of the recommended comment period by Members in 2000

Number of notifications made with comment period						
Members	Less than 45 days	45-59 days	60 days or more	Not specified, lapsed, or stated as non-applicable	of which notified under Articles 2.10 and 5.7	Total
Argentina				37	35	37
Australia	5	3	2			10
Bahrain				1		1
Barbados		1				1
Belgium			2	17		19
Brazil	4		1	7		12
Canada	16	6	3	1		26
Chile	14	8	7	1	1	30
Colombia	1	2	1	1		5
Costa Rica			2			2
Czech Republic	27	24		1		52
Denmark	7	1	7	10		25
El Salvador	1	2	9			12
Estonia				1		1
European Communities	1	1	12	2		16
Finland	1		4			5
France			6	1		7
Guatemala	6			1		7
Hong Kong, China,	1	2	4			7
Iceland			1			1
Indonesia	2		1			3

⁹Calculated on the basis that the date of issue of the notification (in English) by the WTO Secretariat is the first day.

Number of notifications made with comment period						
Members	Less than 45 days	45-59 days	60 days or more	Not specified, lapsed, or stated as non-applicable	of which notified under Articles 2.10 and 5.7	Total
Jamaica		7	1			8
Japan	16	10	26	4	1	56
Republic of Korea	17	4	3	3		27
Latvia	4	5		5		14
Macau, China	1					1
Malaysia			2	1		3
Mexico	23			5	4	28
Netherlands	11	5	22	9		47
New Zealand	2	2				4
Norway	1			5		6
Peru				1		1
Philippines	4	7	1	1		13
Poland			1	1	1	2
Senegal				3		3
Singapore			1			1
Slovak Republic				3		3
Slovenia	4	4				8
South Africa	6		1	6		13
Spain	4	1		1		6
Sri Lanka			1	12		13
Sweden		5	10			15
Switzerland		4	5			9
Thailand	1		8			9
Trinidad and Tobago	1					1
United Kingdom		1	8			9
United States	8	8	15	1		32
TOTAL	189	113	167	142	42	611

3.2 Notifications under Article 10.7 - Bilateral or Multilateral Agreements reached by Members on issues related to Technical Regulations, Standards or Conformity Assessment Procedures

In 2000, one notification was made under Article 10.7 (G/TBT/10.7/29), notifying the mutual recognition agreement reached by the European Community and Canada.

IV. PUBLICATIONS AND ENQUIRY POINTS

4.1 Publications used to announce that work is proceeding on draft technical regulations and conformity assessment procedures under Articles 2.9.1 and 5.6.1 of the Agreement

Relevant information is contained in documents G/TBT/2 and addenda.

4.2 Publications in which the final texts of technical regulations and conformity assessment procedures are published under Articles 2.11 and 5.8 of the Agreement

Relevant information is contained in documents G/TBT/2 and addenda.

4.3 Enquiry points under Article 10 of the Agreement

The updated list of WTO TBT Enquiry Points under Articles 10.1 and 10.2 is contained in document G/TBT/ENQ/17.

V. TECHNICAL ASSISTANCE AND SPECIAL AND DIFFERENTIAL TREATMENT

In 2000, the Secretariat held and participated in seminars on the Agreement and its related matters (e.g. standards, conformity assessment and metrology) with the cooperation of the ARSO, IDB, ISO, ITC, OIML, PTB, UNIDO, US Department of Commerce and the World Bank. They were held in Argentina, Bangladesh, Burkina Faso, France, Georgia, Jamaica, Kenya, Kuwait, Panama, Qatar and Thailand for countries from Africa, Asia, Latin America, the Middle East and Mediterranean region as well as economies in transition. Funds were provided by the WTO Hong Kong, China Funds to finance participants attending the Seminar in Thailand.

VI. DISPUTE SETTLEMENT UNDER ARTICLE 14

Dispute	Request for Consultations	Request to Join Consultations	Request for the Establishment of a Panel	Mutually Agreed Solution	Panel Established	Panel Report	Notice of Appeal	Appellate Report Circulated
<i>European Communities- Measures Affecting Asbestos and Products containing Asbestos</i>	3 June 1998 Canada (WT/DS135/1) (G/TBT/D/15)	12 June 1998 Brazil (WT/DS135/2)	9 Oct. 1998 Canada (WT/DS135/3)		25 Nov. 1998 (WT/DSB/M/51)	18 Sep. 2000 (WT/DS135/R and Add.1)	23 Oct. 2000 (WT/DS135/8)	
<i>United States- Measures Affecting Textiles and Apparel Products (II)</i>	25 Nov. 1998 European Communities (WT/DS151/1) (G/TBT/D/19)	3 Dec. 1998 Dominican Republic (WT/DS151/2) 4 Dec. 1998 Hong Kong, China (WT/DS151/3) 4 Dec. 1998 Pakistan (WT/DS151/4) 4 Dec. 1998 Honduras (WT/DS151/5) 7 Dec. 1998 Japan (WT/DS151/6) 7 Dec. 1998 Switzerland (WT/DS151/7) 7 Dec. 1998 El Salvador (WT/DS151/8) 7 Dec. 1998 India (WT/DS151/9)		24 July 2000 (WT/DS151/10) (G/TBT/D/19/Add.1)				
<i>Mexico – Measures Affecting Trade in Live Swine</i>	13 July 2000 United States (WT/DS203/1) (G/TBT/D/20)							
<i>Belgium– Administration of Measures Establishing Customs Duties for Rice</i>	19 Oct. 2000 United States (WT/DS210/1) (G/TBT/D/21)							

VII. CODE OF GOOD PRACTICE FOR THE PREPARATION, ADOPTION AND APPLICATION OF STANDARDS

Since the entry into force of the Agreement, 124 standardizing bodies from 85 Members have adhered to the Code of Good Practice. Notifications of acceptance of the Code by standardizing bodies of Members are contained in documents G/TBT/CS/N/1-125¹⁰. Document G/TBT/CS/2/Rev.7 contains the complete list by Member of standardizing bodies that have accepted the Code since

¹⁰ Notification G/TBT/CS/N/118 duplicates with G/TBT/CS/N/103 and has been cancelled.

1 January 1995. A list of standardizing bodies adhered to the Code in 2000 is contained in document G/TBT/CS/1/Add.5. In 2000, 9 standardizing bodies from 8 Members have accepted the Code.

The sixth edition of the WTO TBT Standards Code Directory will be published by the ISO/IEC Information Centre in February 2001.

VIII. WORKING AND SPECIAL DOCUMENTS ISSUED DURING THE CURRENT PERIOD

Document reference	Date of issue	Title and content of documents	Number of pages
G/TBT/W/125	10 January 2000	ISO/DEVCO Resolution 17/1999 – Communication from the ISO	1
G/TBT/W/126 and Corr.1	25 February and 6 March 2000	Notification - Communication from Ukraine (acceding country)	2 and 1
G/TBT/W/127	13 March 2000	Questionnaire concerning the Workshop on Technical Assistance and Differential Treatment in the context of the TBT Agreement – Note by the Secretariat	2
G/TBT/W/128	22 March 2000	US Proposed Legislation to have the English Name of the Country of Origin indelibly marked in a Conspicuous Place on Imitation Jewellery – Communication from Thailand	3
G/TBT/W/129 and Rev. 1	22 March and 11 May 2000	Project for "a Global Model for Implementing Good Regulatory Practice for the Preparation, Adoption and Application of Technical Regulation via the Use of International Standards" and Project for "an International Model for Implementing Good Regulatory Practice for the Preparation, Adoption and Application of Technical Regulations via the Use of International Standards" – Communication from the UN/ECE	4 and 8
G/TBT/W/130	22 March 2000	Technical Barriers to Trade and Standards – Challenges and Opportunities for Developing Countries – Communication from the World Bank	11
G/TBT/W/131	29 March 2000	WTO/TBT Agreement and International Standards – Communication from the IEC and ISO	2
G/TBT/W/132	29 March 2000	Factual Comparison between the Annex 3 of the WTO/TBT Agreement (Code of Good Practice for the Preparation, Adoption and Application of Standards) and the ISO/IEC Guide 59 (Code of Good Practice for Standardization) – Note by the Secretariat	12
G/TBT/W/133	11 April 2000	Second Triennial Review of the Operation and Implementation of the TBT Agreement – Note from the EC	5
G/TBT/W/134	23 May 2000	The Development of a Voluntary Standard for the Labelling of Foods Derived from Biotechnology – Communication from Canada	2
G/TBT/W/135	15 June 2000	Request for Observer status by the Bureau International des Poids et Mesures (BIPM)	1
G/TBT/W/136	19 June 2000	Implementation of the Transparency Obligations of the Agreement - Note by the Secretariat	5
G/TBT/W/137	27 June 2000	Precautionary Principle – Communication from the EC	25

Document reference	Date of issue	Title and content of documents	Number of pages
G/TBT/W/138	28 July 2000	Good Practice for the Acceptance of Results of Conformity Assessment – Second Triennial Review of the Agreement – Contribution from Australia	5
G/TBT/W/139	28 July 2000	International Standards – Second Triennial Review of the Agreement – Contribution from Australia	2
G/TBT/W/140	28 July 2000	Proposals to the Second Triennial Review of the Agreement – Contribution from Brazil	4
G/TBT/W/141	3 August 2000	Request for Observer Status by the Gulf Organization for Industrial Consulting (GOIC)	2
G/TBT/W/142	4 August 2000	Result of the Workshop on Trade Facilitation, Regulations and Standards: The Development Challenge in Central America – Communication from Panama	2
G/TBT/W/143	22 Sept. 2000	Second Triennial Review of the Agreement – Note from Canada	4
G/TBT/W/144	2 October 2000	Issues concerning International Standards – Submission by Japan	2
G/TBT/W/145	3 October 2000	Equivalency of Standards as an Interim Measure in the Absence of relevant International Standards – Contribution from New Zealand	2
G/TBT/W/146	3 October 2000	Technical Assistance – Communication from Cameroon	2
G/TBT/W/147	3 October 2000	Issues concerning Conformity Assessment – Communication from Japan	2
G/TBT/W/148	1 November 2000	Equivalency – Experience Paper on Toys and Children's Products Safety Ordinance – Communication from Hong Kong, China	5
G/TBT/W/149	1 November 2000	Principles of Coherence and Singularity to be observed by International Standardizing Bodies – Contribution from the EC	2
G/TBT/W/150	2 November 2000	Labelling – Submission from the EC	3
G/TBT/W/151	7 November 2000	Proposal on Technical Cooperation for the Second Triennial Review of the Agreement – Communication from Brazil	2
G/TBT/W/152	15 Nov. 2000	Background on Protocols to the Europe Agreement between the European Community and certain other Countries on Conformity Assessment and Acceptance of Industrial Products (PECAS) – Communication from the US	3
G/TBT/SPEC/14	22 March 2000	Workshop on Technical Assistance and Special and Differential Treatment in the context of the TBT Agreement – Message from the Chairman of the Committee	2
G/TBT/SPEC/15	20 April 2000	Draft Programme - Workshop on Technical Assistance and Special and Differential Treatment in the context of the TBT Agreement – Note by the Secretariat	4
G/TBT/SPEC/16	11 Sept. 2000	Draft – Proposals relating to Notifications and Procedures for Information Exchange – Note by the Secretariat	14
G/TBT/SPEC/17	23 October 2000	Draft – Report (2000) of the TBT Committee – Note by the Secretariat	1