

WORLD TRADE ORGANIZATION

G/TBT/W/75
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Committee on Technical Barriers to Trade

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TRANSPARENCY IN INTERNATIONAL STANDARDS DRAFT U.S. PROPOSAL FOR A DECISION

Contribution from the United States

BACKGROUND AND PURPOSE

In the first Triennial Review of the Operation and Implementation of the Agreement (G/TBT/5), the Committee reiterated the important contribution that international standards can make to improve efficiency of production, to facilitate the conduct of international trade, and to the transfer of technology from developed to developing countries. The Committee noted that in order for international standards to make a maximum contribution to the achievement of the objectives of the Agreement, it was important that the interested parties of all Members have adequate notice, time and opportunity to participate in the discussions, elaboration and adoption of international standards. With a view to ensuring a common approach to Members' responsibilities with respect to the development and use of international standards, the Committee agreed upon the following:

DECISION

1. Members shall ensure that their central government bodies use international standards only to the extent that these standards comply with the provisions of Article 2, as applicable.
2. Members shall take such reasonable measures as may be available to them to ensure that international bodies developing standards in which Members or relevant bodies within their territories are members or participants have an established process that seeks to take into account the views of all parties concerned and to reconcile any conflicting arguments. It is the sense of the Committee that when developing standards, the procedures of the international body should, at a minimum, include:
 - (a) the publication of a notice at an early appropriate stage, in such a manner as to enable interested parties within the territory of a WTO Member to become acquainted with it, that the international body proposes to introduce a particular standard;
 - (b) the notification or other communication through established mechanisms to its members providing a brief description of the scope of the proposed standard, including its objective and rationale. Such communications shall take place at an early appropriate stage, when amendments can still be introduced and comments taken into account;
 - (c) upon request, the prompt provision, through electronic means whenever possible, to its members of copies of the proposed standard;

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- (d) without discrimination, the provision of a reasonable period of time for interested parties in the territory of its members to make comments in writing and take these written comments into account in the further consideration of the standard; and,
- (e) the prompt publication of a standard upon adoption.

The international body developing standards should publish periodically a work programme containing information on the standards it is currently preparing and the standards which it has adopted in a specified period. Any fees charged shall, apart from the real cost of delivery, be the same for foreign and domestic parties.
