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Committee on Technical Barriers to Trade

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**REPORT BY THE CHAIRMAN ON THE SEVENTH
SPECIAL MEETING ON PROCEDURES FOR INFORMATION EXCHANGE
UNDER THE WTO TBT AGREEMENT**

18 JUNE 2013

Chairman's Report¹

This Report was delivered by the Chairman of the WTO TBT Committee at the meeting of 19-20 June 2013.

1. Pursuant to its 1995 decision to convene, on a biennial basis, "regular meetings of persons responsible for information exchange, including persons responsible for Enquiry Points and notifications"², the TBT Committee held its Seventh Special Meeting on Procedures for Information Exchange on 18 June 2013.

2. This Special Meeting provided Members with an opportunity to discuss technical issues related to notification procedures and the operation of enquiry points. Discussions were held in three panel sessions covering: (i) online notification and the TBT Notification Submission System (TBT NSS); (ii) good practices in notification and the use of notification formats; and, (iii) function of enquiry points. The final programme of the meeting is contained in document G/TBT/GEN/150.

3. The first session addressed developments in the new TBT NSS. The Secretariat presented an overview of the TBT NSS and provided an update on its status. The system is currently live and three Members – the European Union, United States and Canada – are testing it by submitting actual notifications. These three Members shared their experiences in this regard. They said that while the TBT NSS is user friendly and a good step forward, a number of significant bugs need to be resolved. In its current state, it is time-consuming to use – and does not improve efficiency. Improvements, such as the ability to create new notifications from a template (e.g. on the basis of an old notification), an email alert system, and a dashboard homepage should be implemented prior to the official launch of the TBT NSS. The Secretariat is committed to address these issues and welcomed other interested Members to participate in live testing of the TBT NSS.

4. In the second session, Members discussed the use of notification formats. The European Union presented its proposal, circulated in JOB/TBT/48, for common criteria to guide Members' use of different notification formats. Differences in how Members notify, whether under a new notification, revision, addendum or corrigendum have important implications for transparency and the ability of Members to track a measure through its regulatory lifecycle. It was noted that the SPS Committee had developed guidelines on the use of SPS notification formats and I have asked the Secretariat to explore whether we could hear their experiences. South Africa explained their use of notification templates and identified some challenges that they continue to encounter, such as accurately identifying HS codes, and that Members often did not identify a clear objective or rationale for the notified measure.

5. The third and final session concerned the Functioning of Enquiry Points. During this session we heard six presentations from Members. This session provided a good overview of the different

¹ Mr. Jingo Kikukawa (Japan). This Report is provided on the Chairman's own responsibility.

² G/TBT/1/Rev.10, page 35.

ways and means that Members operate their enquiry points, coordinate internally, and reach out to stakeholders. Brazil underlined efforts to inform Brazilian exporters about requirements in export markets and other services available to industry through its Enquiry Point. In particular, Brazil was seeking to better engage with small and medium sized enterprises (SMEs). The United States explained that their national Enquiry Point provides information regarding US measures proposed at the federal and state-levels to a wide range of domestic stakeholders, as well as other WTO Members. The benefits of cooperation between Members' Enquiry Points were emphasized, especially for business. Japan explained that its two (separate) Enquiry Points had a range of functions including responding to enquiries from Members, internal coordination with relevant government ministries for the purposes of notification and making comments on other Members' notifications – as well as providing advice on TBT matters. China described the functioning of its national TBT Enquiry Point, and it was noted that it undertook significant efforts to translate notifications into Chinese for domestic stakeholders. China explained that language obstacles constituted a serious barrier to engagement of domestic stakeholders; to address this matter, specialized branches of the Enquiry Point reached out to stakeholders directly to provide additional assistance. The European Union gave a brief overview of the functioning of its Enquiry Point and its recent technical cooperation with other Members' enquiry points. We also saw a video targeting stakeholders and the public at large, which shows how an exporter might make use of the EU TBT Enquiry Point. Malaysia presented the role of its TBT Enquiry Point within national coordination efforts to administer the TBT Agreement, including in respect of their TBT National Mirror Committee. One common theme of this session was the means by which national enquiry points served to facilitate a more effective coordination on TBT issues, including by engaging stakeholders – domestic as well as foreign.

6. Let me conclude by noting that the discussions at the Special Meeting were informative. The meeting provided opportunity for a useful exchange on Members' experiences. We learned about the new TBT NSS, and Members showed interest in its further development. Clearly, even though enquiry points have been around for some time now – big challenges remain, such as: how to enhance domestic consultation and coordination with regulators, including ensuring the timely notification of national measures; and, how to encourage stakeholders and enterprises to take advantage of information and opportunities available to them through TBT Enquiry Points. The discussions have provided us with a solid basis for future work and I look forward to a continued exchange of information between Members on the implementation of the TBT Agreement's transparency obligations. I believe that this technical discussion can and should help us move closer to the full implementation of the numerous TBT Committee recommendations on transparency.

7. A summary report of the Seventh Special Meeting on Procedures for Information Exchange will be prepared by the Secretariat and presentations used during this event will be made publically available on the WTO TBT Webpage.
