



PROPOSAL ON THE OPERATION OF THE COMMITTEE

SEVENTH TRIENNIAL REVIEW

Submission from Switzerland

The following submission, dated 12 March 2015, is being circulated at the request of the delegation of Switzerland

On the occasion of the Seventh Triennial Review of the Agreement on Technical Barriers to Trade (TBT Agreement), Switzerland proposes, as part of the review of the Operation of the Committee, to extend to new thematic topics the practice of the Committee to hold thematic discussions.

Pursuant to Article 13 of the TBT Agreement, the TBT Committee was established with the purpose of "affording Members the opportunity of consulting on any matters relating to the operation of this Agreement or the furtherance of its objectives, and shall carry out such responsibilities as assigned to it under this Agreement or by the Members". By reviewing measures and allowing Members to exchange information on their experiences on the implementation of the Agreement, the Committee plays an important role in building expertise among Members to ensure that technical regulations, standards and conformity assessment procedures do not create unnecessary obstacles to trade.¹

1 OPERATION OF THE COMMITTEE: PREVIOUS TRIENNIAL REVIEWS

1.1. In the section on the *Operation of the Committee*, the 6th triennial review noted that most of the Committee's time was dedicated to the review of STCs and the number of STCs discussed remained high. Whilst reiterating the value of the Committee's multilateral review of specific trade concerns (STCs) and noting the procedures agreed in the previous review to streamline the consideration of STCs², the Committee agreed to further reflect on ways to streamline the work of the Committee in the consideration of STCs.³

1.2. In 2012, as part of the 6th triennial review, the Committee decided to hold half-day thematic discussions in order to exchange experience. Members agreed on the need to focus and deepen their work. Holding thematic discussions was an attempt to press for greater progress on certain issues (see the programme for such discussions in the review).

2 OPERATION OF THE COMMITTEE: CURRENT SITUATION

2.1. The latest annual review notes that in 2014 a record of 47 new STCs were raised, the most in any given year since 1995. Also, the Committee discussed more than 70 STCs each year during the last 4 years.⁴ The figures suggest that the Committee constantly needs to find new efficiency gains.

¹ G/TBT/32, para. 23

² G/TBT/1/Rev. 12, p.43

³ G/TBT/32, para. 24 and 26

⁴ G/TBT/36, para. 2.16

2.2. Thematic discussions have been held at each meeting of the Committee during the last three years, on topics such as good regulatory practices and transparency. They have proven a useful tool for Members to deepen their exchange of information. The thematic session format successfully focused the work of the Committee on deliverables.

2.3. Switzerland proposes that the Committee continue holding thematic discussions under as a separate agenda item, as a way to streamline its work. A new list of topics or specific areas should be identified.

3 NEW TOPICS FOR THEMATIC DISCUSSIONS

3.1. An example of a current topic where focused discussions would be useful can be found in a number of recurrent measures related to *food labelling* that the Committee considered during the years under review. Such regulatory projects are part of members' responses to legitimate global policy objectives mentioned in resolutions of the United Nation General Assembly, of the World Health Assembly, and in regional initiatives, in particular those related to nutrition and non-communicable diseases. The Committee's records show that regulations and standards in this area may have significant effect on trade. An in-depth discussion on this topic with experts from relevant international organisations, Member States and standardisation bodies would enhance the understanding of the situation among members and build expertise in the Committee. A well-defined thematic session on food labelling regulations and standards would allow to share experiences and best practices.

3.2. In-depth discussions on topical areas would be valuable in at least two circumstances. First, when a new regulatory objective is identified at the multilateral level, members may want to reflect on ways to implement it while avoiding unnecessary barriers to trade to arise. Discussions on new topics, with the aim of informing members ahead of their regulatory process, could facilitate the sharing of factual information and provide a space for a dialogue on how to ensure that technical regulations are not prepared with a view or the effect of creating unnecessary obstacles to trade. Secondly, the review of STCs is a key mechanism that identifies specific issues with a potentially significant effect on trade. When many STCs pertain to a similar issue or product sector or to a specific international regulatory or standardization challenge, an in-depth discussion may enhance the value added of the work of the Committee. Such sessions may help legislators and standard-setters to identify best practices, ensuring that technical regulations, standards and conformity assessment procedures do not create unnecessary obstacles to trade. Attendance by experts from capitals would foster focused discussions, and efficiency gains can be expected in the Committee's review of STCs in the area at stake.

4 PROPOSALS

4.1. An exchange of views should take place during the triennial review processes on the operation of the Committee. Based on the above, thematic discussions could be dedicated to current topics pertaining to the work of the Committee identified by the membership in order to identify best practices. It is proposed to extend to new specific topics the list of thematic sessions.

4.2. As part of the 7th triennial review, Switzerland proposes to organize a thematic discussion on issues related to food labelling. Such discussion shall explore legitimate global policy objectives, international standards, regional and national approaches. Members willing to contribute to the preparation of an outline and to propose speakers are invited to contact the Swiss delegation.
