



## Overview of the WTO TBT Agreement

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Lusaka, Zambia  
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## Agenda

Overview of the WTO

Overview of the TBT Agreement

Benefits for the Private Sector



## Standards Alliance

- U.S. facility to support developing countries implement commitments under the WTO TBT Agreement
- Partnership between the American National Standards Institute (ANSI) and the U.S. Agency for International Development (USAID)
- Public-private model, leveraging access to expertise in the U.S. private sector and government agencies
- Demand-based and results-oriented, focusing on strategic multi-year engagement
- 2013-2018

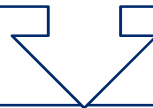


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## Overview of the WTO - Background

Efforts to adopt rules to govern international trade resulted in the adoption of the General Agreement on Tariffs and Trade (GATT) in 1948



World Trade Organization (WTO) came into existence on January 1, 1995 as a result of the GATT Uruguay Round of Trade Negotiations (1986 to 1994)



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## Overview of the WTO - Background

- Responsible for overseeing the multilateral trading system
- The only international organization dealing with the global rules of trade between nations
- Accounts for about 95% of world trade
- Based in Geneva, Switzerland
- Permanent staff of about 640



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## Overview of the WTO - Purpose

The main purpose of the WTO is to ensure that trade flows as smoothly, predictably, and freely as possible.



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## Overview of the WTO - Functions

- Administer WTO trade agreements
- Provide a forum for trade negotiations to liberalize trade in goods and services
- Settle trade disputes
- Monitor national trade policies of Members
- Provide technical assistance and training for developing countries
- Cooperate with other international organizations



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## Overview of the WTO - Members

WTO Members as of July 29, 2016 = **164**

**Over 2/3** of WTO Members are developing countries and countries in transition to market economies



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## WTO Trade Topics

Goods	Services	Intellectual property	Other topics
<ul style="list-style-type: none"> <li>&gt; <a href="#">Agriculture and agriculture negotiations</a></li> <li>&gt; <a href="#">Anti-dumping and rules negotiations</a></li> <li>&gt; <a href="#">Balance of payments</a></li> <li>&gt; <a href="#">Customs valuation</a></li> <li>&gt; <a href="#">GATT and the Goods Council</a></li> <li>&gt; <a href="#">Import licensing</a></li> <li>&gt; <a href="#">Information technology products</a></li> <li>&gt; <a href="#">Market access for goods and related negotiations</a></li> <li>&gt; <a href="#">Pre-shipment inspection</a></li> <li>&gt; <a href="#">Rules of origin</a></li> <li>&gt; <a href="#">Safeguards (contingency trade barriers)</a></li> <li>&gt; <a href="#">Sanitary and phytosanitary measures (food safety, animal and plant health and safety)</a></li> <li>&gt; <a href="#">Schedules of concessions on goods</a></li> <li>&gt; <a href="#">State trading enterprises</a></li> <li>&gt; <a href="#">Subsidies and countervailing measures and rules negotiations</a></li> <li>&gt; <a href="#">Tariffs</a></li> <li>&gt; <a href="#">Technical barriers to trade</a></li> <li>&gt; <a href="#">Textiles</a></li> <li>&gt; <a href="#">Trade facilitation</a></li> </ul>	<p>The General Agreement on Trade in Services (GATS), financial services, telecommunications, etc. Includes analyses of service trade liberalization and day-to-day work on trade in services in the WTO.</p> <ul style="list-style-type: none"> <li>&gt; <a href="#">Services gateway page</a></li> <li>&gt; <a href="#">Services negotiations</a></li> </ul> <p><b>Dispute settlement</b></p> <ul style="list-style-type: none"> <li>&gt; <a href="#">Dispute settlement gateway page</a></li> </ul>	<p>The Agreement on Trade-related Aspects of Intellectual Property Rights (TRIPS Agreement) and related issues in the WTO.</p> <ul style="list-style-type: none"> <li>&gt; <a href="#">Intellectual property gateway page</a></li> <li>&gt; <a href="#">TRIPS and public health and dedicated webpage for notifications</a></li> <li>&gt; <a href="#">Geographical indications</a></li> <li>&gt; <a href="#">Article 27.3(b), protection for plants and animals, traditional knowledge and biodiversity</a></li> <li>&gt; <a href="#">Non-violation complaints (Article 64.2)</a></li> <li>&gt; <a href="#">Technology transfer</a></li> <li>&gt; <a href="#">Least developed countries' priority needs</a></li> </ul> <p><b>Trade monitoring</b></p> <ul style="list-style-type: none"> <li>&gt; <a href="#">Trade monitoring reports</a></li> <li>&gt; <a href="#">Trade policy reviews</a></li> </ul>	<ul style="list-style-type: none"> <li>&gt; <a href="#">Accessions (goes to "The WTO" – institutional information – section of the website)</a></li> <li>&gt; <a href="#">Building trade capacity</a> <ul style="list-style-type: none"> <li>&gt; <a href="#">Aid for Trade</a></li> <li>&gt; <a href="#">Technical assistance and training</a></li> <li>&gt; <a href="#">Integrated Framework</a></li> <li>&gt; <a href="#">Standards and Trade Development Facility (STDF)</a></li> </ul> </li> <li>&gt; <a href="#">Civil aircraft</a></li> <li>&gt; <a href="#">Competition policy</a></li> <li>&gt; <a href="#">Development</a></li> <li>&gt; <a href="#">Electronic commerce</a></li> <li>&gt; <a href="#">Environment</a></li> <li>&gt; <a href="#">Government procurement</a></li> <li>&gt; <a href="#">Investment and trade</a></li> <li>&gt; <a href="#">Regional trade agreements and negotiations on RTAs</a></li> </ul>

[www.wto.org/english/tratop\\_e/tratop\\_e.htm](http://www.wto.org/english/tratop_e/tratop_e.htm)



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## TBT Committee

- TBT-related work in the WTO takes place in the Committee on Technical Barriers to Trade (TBT Committee)
  - open to all members of the WTO
  - other governments with observer status
    - observers must start accession negotiations within 5 years of becoming observers
  - specific international intergovernmental organizations have been granted observer status, e.g.
    - International Electrotechnical Commission (IEC)
    - International Organization for Standardization (ISO)
    - Southern African Development Community (SADC)



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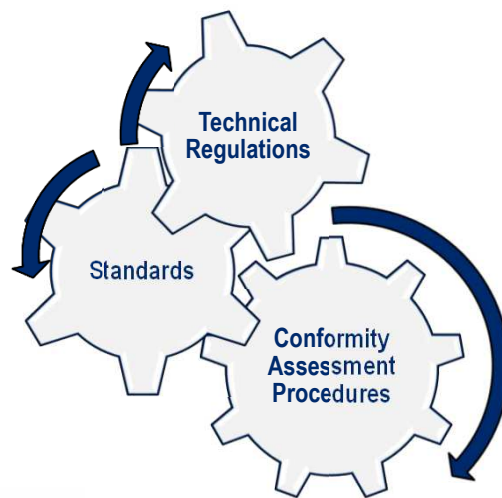
## Overview of the *Agreement on Technical Barriers to Trade* (TBT Agreement)



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## WTO TBT Agreement



The basic aim of the TBT Agreement is to ensure that these do not create unnecessary obstacles to trade



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## Technical Regulation

“Document which lays down product characteristics or their related processes and production methods, including the applicable administrative provisions, with which **compliance is mandatory**. It may also include or deal exclusively with terminology, symbols, packaging, marking or labelling requirements as they apply to a product, process or production method.”

- WTO definition from TBT Agreement Annex 1



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## Standard

“Document approved by a recognized body, that provides, for common and repeated use, rules, guidelines or characteristics for products or related processes and production methods, with which **compliance is not mandatory**. It may also include or deal exclusively with terminology, symbols, packaging, marking or labelling requirements as they apply to a product, process or production method.”

- WTO definition from TBT Agreement Annex 1



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## Conformity Assessment Procedure

“Any procedure used, directly or indirectly, to determine that relevant requirements in technical regulations or standards are fulfilled”

- WTO definition from TBT Agreement Annex 1



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## Global Trade



More than 80% of global product trade is affected by standards and technical regulations that incorporate standards

Source: Organization for Economic Cooperation and Development (OECD),  
*Regulatory Reform and International Standardization*, TD/TC/WP (98) 36, January 1999



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**To be able to sell their products in foreign markets, exporters must have:**

**Up-to-date and complete information** about the technical requirements their products must meet, including:

- standards
  - e.g. quality, compatibility, processes, performance, test methods
- technical regulations
  - e.g. safety, health, environmental protection, packaging and labeling
- testing
- inspection
- certification
  - e.g. products, systems



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A lack of information can itself be a  
**barrier to trade**



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The Problem	The Solution
<p>Often it is difficult for companies to obtain up-to-date and complete information about the technical requirements their products must meet</p>	<p>Recognizing this problem, the TBT Agreement requires the establishment and operation of an <b>Enquiry Point</b></p>

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## WTO TBT Enquiry Point

The obligation for each WTO Member to have an Enquiry Point allows Members to easily obtain information about technical requirements without having to identify and directly contact the agency responsible in another country

- Enquiry Point is the central contact point for handling requests for information
- Enquiry Point is responsible for obtaining the answers from the relevant national bodies and replying to the WTO Member making the enquiry

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## TBT Enquiry Point Responsibilities

Respond to enquiries relating to standards, technical regulations and conformity assessment procedures

Provide documents referenced in notifications

Provide information about membership in international and regional standards and conformity assessment bodies

Provide information about bilateral and multilateral agreements



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## TBT Enquiry Point in Zambia

TBT Enquiry Point is located at the  
Zambia Bureau of Standards

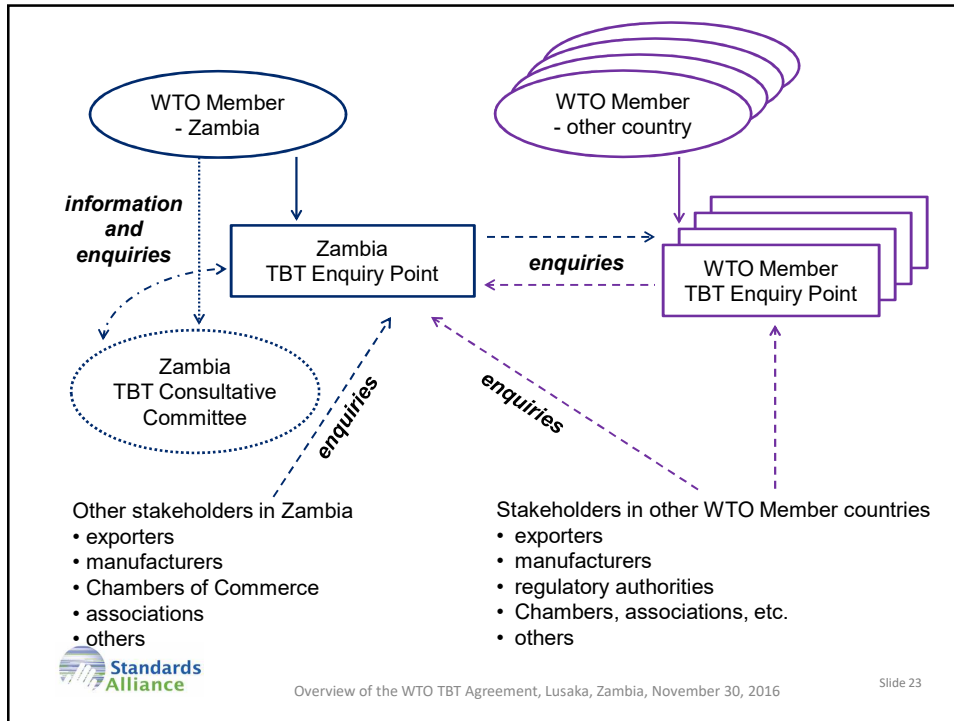


[infozabs@zabs.org.zm](mailto:infozabs@zabs.org.zm)



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## Responsibilities of the Notification Authority

- Monitor proposed and adopted technical regulations and conformity assessment requirements
- Determine if significant effect on trade
- Notify, identifying
  - products covered
  - objective
  - rationale
  - etc.
- Provide copies on request to other WTO members

## What is a Notification?

- 1 to 2 page summary
- Provides WTO members with an opportunity to review and comment
- [sample TBT notification](#)
- [sample TBT notification](#)
- [full text](#)



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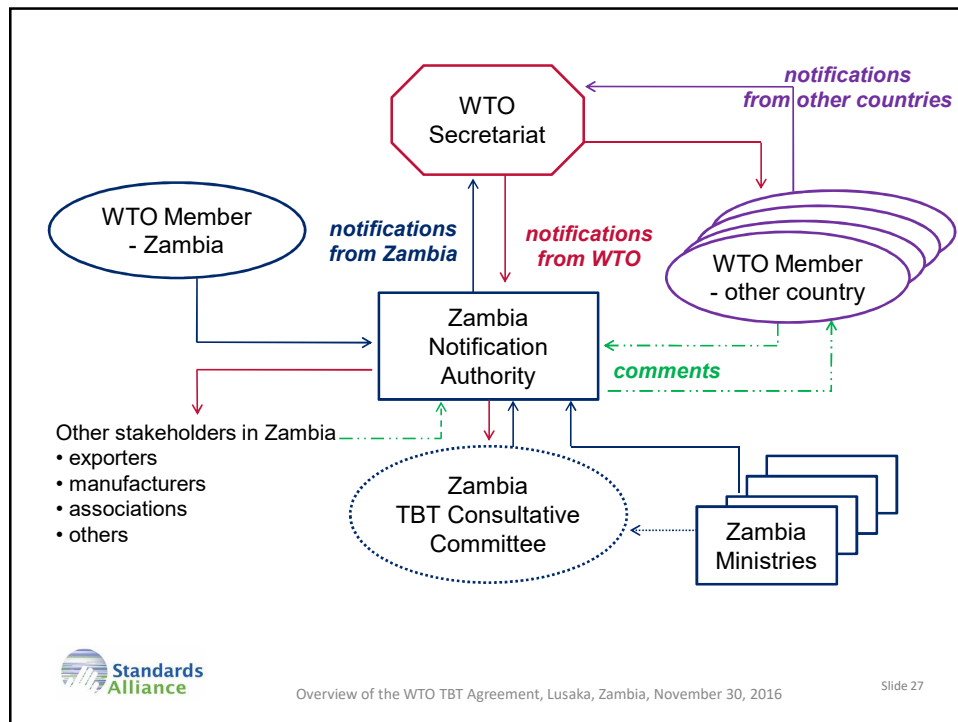
## Zambia TBT Notification Authority

- Notification Authority for Zambia is located at the Ministry of Commerce, Trade and Industry (MCTI)



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## Benefits for the Private Sector - Enquiry Points

- Network of Enquiry Points around the world provides information about (and access to) technical requirements for exporters
  - increases the competitiveness of products from Zambia in overseas markets
- Provides information to companies selling in Zambia (domestic & foreign)
- Consumers benefit from increased availability of products

## Benefits for the Private Sector – Notification System

- Notification process provides early notice of proposed changes to technical requirements
  - benefits exporters
  - benefits companies selling in Zambia
  - benefits consumers in Zambia



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## Questions?



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