



**Asia-Pacific
Economic Cooperation**

2022/SOM3/CTI/DIA/005

Session 3

**Initiative on Promoting Transparency of Technical
Barriers to Trade WTO Notifications: Improving
Completeness and Clearness of Information**

Submitted by: Peru



**Public-Private Dialogue on Promoting
Transparency of Technical Barriers to Trade
WTO Notifications: Improving Completeness
and Clearness of Information
Chiang Mai, Thailand
21-22 August 2022**

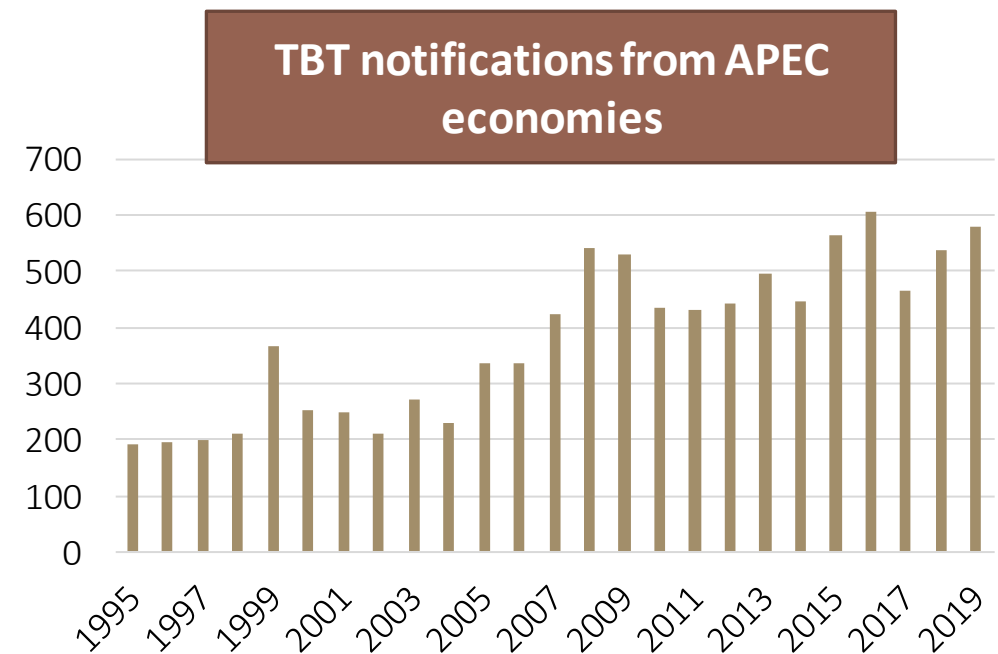
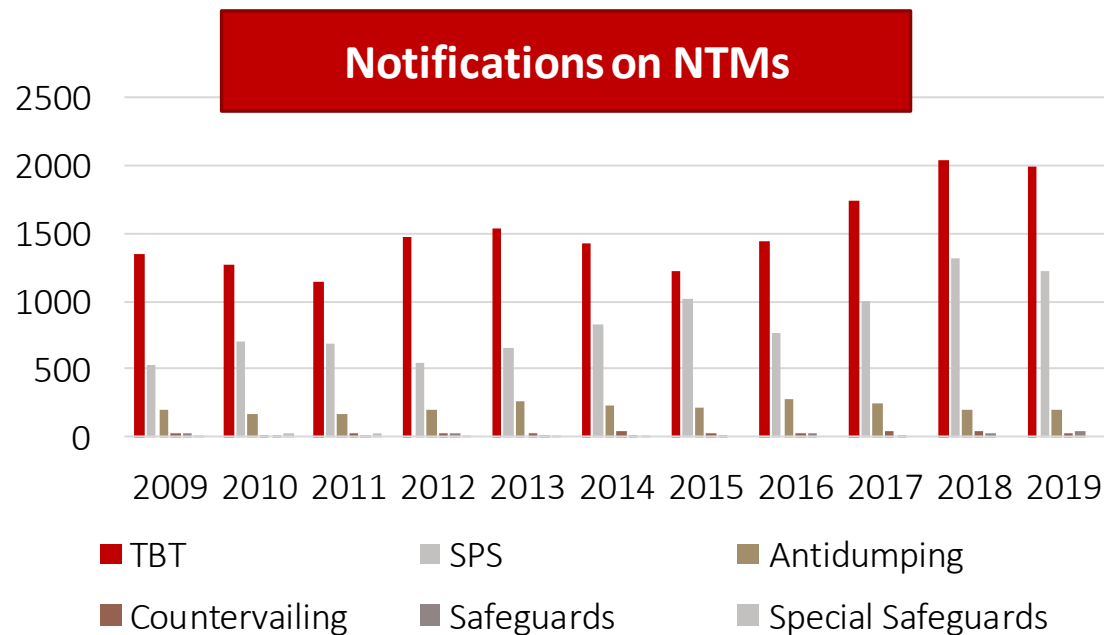


INITIATIVE ON PROMOTING TRANSPARENCY OF TECHNICAL BARRIERS
TO TRADE (TBT) WORLD TRADE ORGANIZATION (WTO) NOTIFICATIONS:
IMPROVING COMPLETENESS AND CLARNESS OF INFORMATION
(2020/CT12/IS06)

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Trends on NTMs

- Lower tariffs, but NTMs are increasing in number and complexity
- Technical measures, such as TBT and SPS are the most employed NTMs



TBT Agreement: Transparency

TBT Agreement

- Obligation of notification:
 - Technical regulations (Articles 2.9 and 2.11)
 - Conformity assessment procedures (Articles 5.6 and 5.8)

WTO TBT Committee

- Decisions and recommendations
 - G/TBT/1/Rev.14
- TBT Triennial Review
 - G/TBT/46

Identification of the problem

Final Review of APEC's Progress Towards the Bogor Goals (2020)

- TBT and SPS are by far **the most used** NTMs by APEC economies.

ABAC's Study on Non-Tariff Barriers in Agriculture and Food Trade in APEC (2016)

- **TBT measures as the most challenging** NTMs due to a perceived lack of transparency

Study of APEC Economies' TBT and SPS Specific Trade Concerns(2020):

- The predominant type of STC expressed by Members concerned the **lack of transparency** related to technical measures.
- Members raising or supporting a transparency-related STC **often requested more detailed information** regarding the scope of the measure, its technical requirements, and related timelines.
- In 77.00% of cases where an APEC economy was subject to a TBT STC, **the WTO member that raised or supported the STC was another APEC economy.**

Identification of the problem

Lack of information and transparency is a disadvantage to businesses across the APEC region

MSMEs find a lack of transparency and **poor dissemination of information** about the requirements and how to comply with these.

TBT measures are the **most burdensomeness** in comparison with other NTMs since they have the greatest negative impact in terms of time and cost

Obligation to notify according to WTO TBT Agreement

Peru's initiative

2020: CTI approved Peru's Initiative that included a self-funded study and a PPD

2021: self-funded study was carried out with the support of Peruvian academia sector and APEC private sector

June 2022: Peru's Study on Transparency of Technical Barriers to Trade Notifications in the APEC Region was published

August 2022: PPD on Promoting Transparency of TBT WTO Notifications

September 2022: Best Practices on Transparency of TBT Notifications

Peru's initiative



Evaluate a randomly selected representative sample of TBT notifications by APEC economies between 2015 and 2019

Discuss the findings of the study and collect contributions from other stakeholders, including private sector and academia.

- Complement WTO guidelines on TBT Notifications.
- Explore capacity building opportunities

Study

Objectives

- To identify **key items** from TBT notifications that should be clearly written to improve the completeness and clearness of the information.
- To identify **private sector perceptions** on WTO TBT notifications and main challenges related to completeness and clearness of the information.

Results

- Regular notifications: **acceptable level of compatibility** by APEC Economies with WTO recommendations.
- APEC economies can improve upon their responses to specific items when completing their TBT notifications, in accordance with WTO's TBT Guidelines on Transparency
- **Private sector experiences support these findings.**

PPD

Discuss the results of the study

Improve the understanding of the **private and academia sector perceptions** on the quality of information submitted in TBT notifications

Exchange and learn from APEC economies experiences on transparency of TBT notifications

Draft a set of **best practices** that could complement and enhance the work being done in the framework of WTO Committee



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