Multi-Agency Support Team (MAST) Meeting on Non-Tariff Measures (NTMs) Classification 5-6 October 2016, UNCTAD

Working Group on Existing Chapters: A to I and P

Chairs: Narmin Khalilova and Samuel Munyaneza (UNCTAD)

The current NTMs classification was briefly introduced by the Chairs of the WG. It was noted that the Classification, which was last revised in 2012, has been used for data collection since then. The existing chapters from A to I have proved to be effective though there are still some points that need revisions and improvements. Since last MAST meeting in September 2015, the proposals for revision of the existing chapter have been discussed among MAST members and interested experts. The proposal for revision of Chapters from A to I and P, a result of technical discussions between the experts, were distributed to the meeting participants.

The proposed revisions in the current chapters from A to I, are mainly the following:

- Broadening the scope of the SPS measure category A11 to include also permanent prohibitions
- Clarification of titles and definitions of some SPS and TBT measures categories: A14/B14 Special Authorization requirement for SPS/TBT reasons, A15/B15 Registration requirement for importers and A81/B81 Product registration requirement codes.
- Alignment of the definition of SPS measure category A15: Marking requirement with the equivalent TBT measure category B15
- Include recordkeeping requirements in the definition of traceability requirements under SPS and TBT chapters: measures under A85 and B85
- Clarification of the definition of SPS measure category A42 on Hygienic practices during production
- Revising the definition of SPS measure category A84: Inspection requirement, to include also inspections conducted not outside the importing country
- Adding a new measure under the TBT measure categoryB12: Quantitative restrictions for TBT reasons
- Revising the TBT measure category B7 title and definition so as to include safety requirement on final products
- Change the title of measure C4 to Import-monitoring, surveillance and automatic licensing measures
- Deleting the measure category E315: Prohibition of products infringing patents or other intellectual property rights under chapter E as a specific chapter on Intellectual Property exists in the classification (chapter N)

The MAST members and experts participating in the discussions agreed generally with the proposed revisions.

There was an additional suggestion by ITC to broaden the scope and definition of A4 measure category, by including hygienic requirements on non-food products. This new suggestion will be discussed further.

Regarding the Chapter P on Export-related measures, the agreement was reached to disaggregate the Chapter further, to be more in line with import measures. Disadvantages of mirror approach were pointed out, and experts agreed that the chapter shall be more disaggregated, in particular, sub-chapter on Export technical measures.

The new revised proposal taking into account the new comments will be distributed to members of the Working Group and other MAST members. It was noted that the WGs are open, and any interested expert can be part of the WG and provide inputs and contribute to the discussions.