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## **1 ARTICLE 6 OF THE AGREEMENT ON TECHNICAL BARRIERS TO TRADE**

### **1.1 Text of Article 6**

#### **Article 6**

##### *Recognition of Conformity Assessment by Central Government Bodies*

With respect to their central government bodies:

6.1 Without prejudice to the provisions of paragraphs 3 and 4, Members shall ensure, whenever possible, that results of conformity assessment procedures in other Members are accepted, even when those procedures differ from their own, provided they are satisfied that those procedures offer an assurance of conformity with applicable technical regulations or standards equivalent to their own procedures. It is recognized that prior consultations may be necessary in order to arrive at a mutually satisfactory understanding regarding, in particular:

- 6.1.1 adequate and enduring technical competence of the relevant conformity assessment bodies in the exporting Member, so that confidence in the continued reliability of their conformity assessment results can exist; in this regard, verified compliance, for instance through accreditation, with relevant guides or recommendations issued by international standardizing bodies shall be taken into account as an indication of adequate technical competence;
- 6.1.2 limitation of the acceptance of conformity assessment results to those produced by designated bodies in the exporting Member.

6.2 Members shall ensure that their conformity assessment procedures permit, as far as practicable, the implementation of the provisions in paragraph 1.

6.3 Members are encouraged, at the request of other Members, to be willing to enter into negotiations for the conclusion of agreements for the mutual recognition of results of each other's conformity assessment procedures. Members may require that such agreements fulfil the criteria of paragraph 1 and give mutual satisfaction regarding their potential for facilitating trade in the products concerned.

6.4 Members are encouraged to permit participation of conformity assessment bodies located in the territories of other Members in their conformity assessment procedures under conditions no less favourable than those accorded to bodies located within their territory or the territory of any other country.

### **1.2 Related decisions and recommendations of the Committee on Technical Barriers to Trade**

#### **1.2.1 General**

##### **1.2.1.1 Information Exchange**

1. At its meeting in November 1997, to further the objectives of Articles 5 and 6, including in particular the need to avoid the creation of unnecessary obstacles to international trade due to

conformity assessment procedures, and with a view to making recommendations to remove any unnecessary duplication of conformity assessment, the Committee on Technical Barriers to Trade (TBT Committee) agreed to the following:

- (i) Members are invited, on a voluntary basis, to exchange information on their experience in the various types of conformity assessment procedures and their conditions of application. In light of this exercise, the TBT Committee will consider making recommendations aimed at ensuring that procedures for the assessment of conformity avoid the creation of unnecessary obstacles to international trade; and
- (ii) in regard to the review of the operation of Articles 6 and 10.7 of the Agreement on Technical Barriers to Trade (TBT Agreement) and other relevant provisions which contain disciplines with respect to recognition of the results of conformity assessment procedures, Members were invited, on a voluntary basis, to exchange information.

2. The TBT Committee made follow-up recommendations on information exchange in 2000, 2003, 2006, 2009, 2012, 2015 and 2018.<sup>1</sup>

3. At its meeting in November 2000, the TBT Committee developed an indicative list describing different approaches to facilitate acceptance of results of conformity assessment, including, among others, mutual recognition agreements (MRAs) for conformity assessment to specific regulations and unilateral recognition of results of foreign conformity assessment.<sup>2</sup>

#### **1.2.2 Article 6.1 of the TBT Agreement**

4. See the Decision of the TBT Committee on principles for the development of international standards, guides and recommendations with relation to Articles 2 and 5 of and Annex 3 to the TBT Agreement.<sup>3</sup>

Current as of: July 2024

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<sup>1</sup> [G/TBT/1/Rev.15](#), pp. 14-18.

<sup>2</sup> [G/TBT/1/Rev.15](#), pp. 14 and 66-67. See also The WTO Agreement Series, Technical Barriers to Trade, pp. 154-155, at [https://www.wto.org/english/res\\_e/booksp\\_e/tbt3rd\\_e.pdf](https://www.wto.org/english/res_e/booksp_e/tbt3rd_e.pdf).

<sup>3</sup> The text of the decision is contained in [G/TBT/1/Rev.15](#), pp. 68-70.