

# **KENYA'S EXPERIENCE IN MANAGING NOTIFICATIONS AND COMMENTS**

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**WTO TBT COMMITTEE MEETING  
JUNE 2019**

# Outline of Presentation



- ❖ TBT National Committee
- ❖ Domestic Notifications
- ❖ Handling of Comments
- ❖ Handling of Specific Trade Concerns
- ❖ Challenges

# TBT National Committee - 1

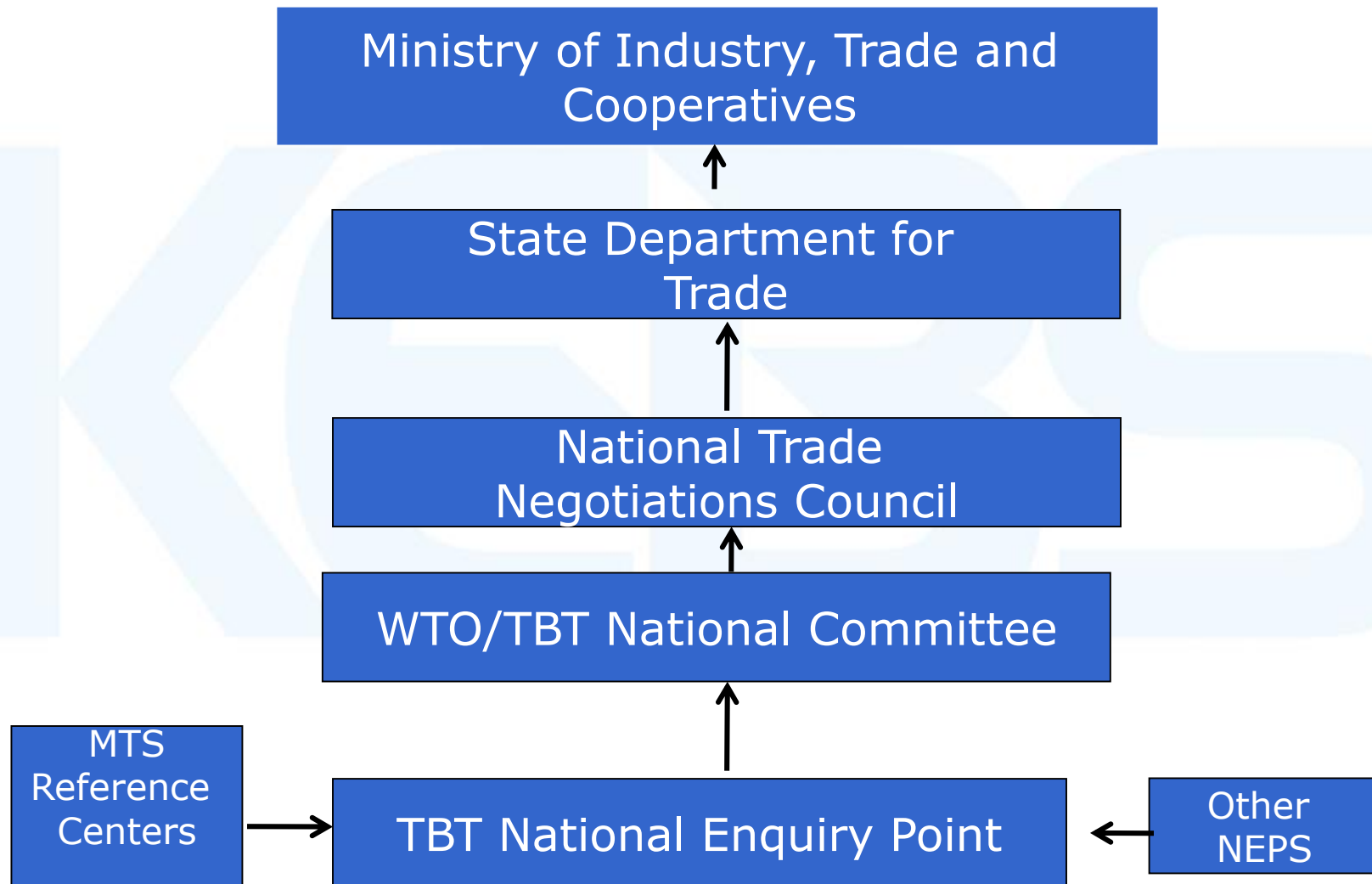


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- ❖ Consultations in Kenya are carried out through the TBT National Consultative Committee
- ❖ The TBT National Notification Authority(NNA) is based at the State Department for Trade, under the Ministry of Trade, Industry & Cooperatives
- ❖ The TBT National Enquiry Point(NEP) is based at the Kenya Bureau of Standards

## Institutional Framework



# TBT National Committee - 3

## Membership: 18

- ❖ State Department responsible for Trade
- ❖ Representatives of relevant technical regulatory agencies
- ❖ Officials responsible for economic policy
- ❖ Representatives of major industry groups
- ❖ Officials of major trade associations
- ❖ Officials of relevant ministries
- ❖ Representatives of national standardization and conformity assessment organizations
- ❖ Consumer Bodies
- ❖ Institutions of higher learning

# Typical Agenda



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- ❖ Review of the report of operations of the NEP, notifications made, enquiries received
- ❖ Review of the notifications made by other members and comments submitted
- ❖ Developments in the TBT Committee, including triennial reviews and decisions taken
- ❖ Developments on technical regulations, standards and conformity assessment at national level.
- ❖ Domestic developments in trade and regulatory policy.
- ❖ National Position paper covering ongoing discussions including STCs raised at TBT meetings
- ❖ Follow up on resolution of STCs raised through bilateral means
- ❖ Discussions on implementation of EAC Regional TBT Workplan
- ❖ Confirmation of minutes of the previous meeting and matters arising

## NEP:

- ❖ Obtains the summarized version and full text of the proposed technical regulation from the regulator/relevant officer.
- ❖ Drafts the notification using the standard WTO format for notification as defined in the WTO TBT Agreement.
- ❖ Sends the draft form for review to relevant officers (source)
- ❖ Upload the approved notifications to the WTO Notification Submission System.
- ❖ Alerts the relevant officer at the NNA to submit to the WTO Secretariat
- ❖ Alerts the officer (source) once the notification is circulated by WTO

- ❖ NEP coordinates responses to comments on notifications.
- ❖ If in relation to full texts, NEP forwards the documents
- ❖ If further information is required, the NEP communicates with the agency/technical officers
- ❖ NEP assists to formulate replies in consultation with responsible parties
- ❖ The comments are discussed by the National Committee then forwarded to the NEP where the enquiry came from



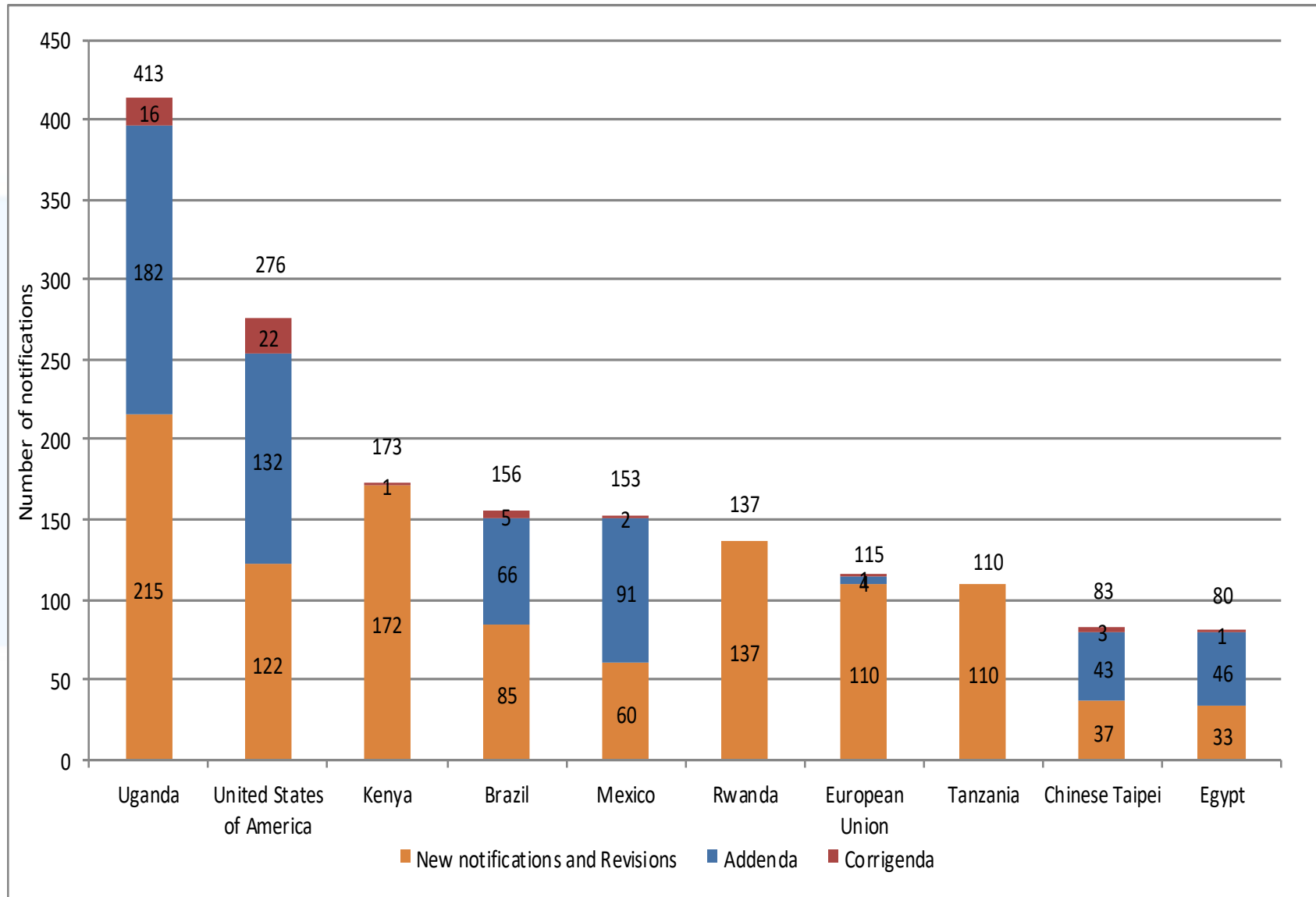
- ❖ Handled by the National Committee.
- ❖ If technical in nature they are forwarded to the Technical Committee responsible for the text.
- ❖ If it is related to a regional text, consultations are done within the region
- ❖ A response is drafted and agreed on by the National Committee.
- ❖ The same is forwarded to the NEP of the enquiring country
- ❖ Bilateral discussions can be held through the diplomatic channels (embassies and Geneva Missions)

# TOP TEN WTO MEMBERS WHO PRODUCED MOST NOTIFICATIONS IN 2018



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# TBT MEETING GENEVA, MARCH 2019



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# TBT MEETING GENEVA, MARCH 2019



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# Challenges

- ❖ There is limited feedback from the business community on foreign notifications
- ❖ Delayed communication from regulatory authorities concerning proposed/revised technical regulations
- ❖ Inadequate resources both human and capital



**THANK  
YOU**

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