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1 ARTICLE 12 OF THE AGREEMENT ON TECHNICAL BARRIERS TO TRADE

1.1 Text of Article 12

Article 12

Special and Differential Treatment of Developing Country Members

12.1 Members shall provide differential and more favourable treatment to developing country Members to this Agreement, through the following provisions as well as through the relevant provisions of other Articles of this Agreement.

12.2 Members shall give particular attention to the provisions of this Agreement concerning developing country Members' rights and obligations and shall take into account the special development, financial and trade needs of developing country Members in the implementation of this Agreement, both nationally and in the operation of this Agreement's institutional arrangements.

12.3 Members shall, in the preparation and application of technical regulations, standards and conformity assessment procedures, take account of the special development, financial and trade needs of developing country Members, with a view to ensuring that such technical regulations, standards and conformity assessment procedures do not create unnecessary obstacles to exports from developing country Members.

12.4

- (i) to invite Members, on a voluntary basis, to submit specific examples to the Committee addressing the difficulties and problems they encounter in relation to international standards, including those mentioned in paragraph 18 (of [G/TBT/5](#) _____), taking into account Article 12.4. This information exchange process, as well as the indications obtained through the notifications of draft regulations and conformity assessment procedures, would provide relevant information on the national practices of Members, and on the manner in which international standardizing bodies developed standards. In the light of this experience sharing exercise, the Committee may consider the usefulness of communicating its views to relevant international standardizing bodies for their consideration. ²

3. In 2006, with a view to having a more focused exchange of information, the TBT Committee agreed to the following :

- (i) to encourage Members to inform the Committee of special and differential treatment provided to developing country Members, including information on how they have taken into account special and differential treatment provisions in the preparation of technical regulations and conformity assessment procedures; and
- (ii) to encourage developing country Members to undertake their own assessments of the utility and benefits of such special and differential treatment. ³

4. In 2012, with a view to furthering discussion in the area of special and differential treatment, the Committee agreed to the following :

- (i) to exchange views and explore ideas on the implementation of Article 12 of the TBT Agreement with respect to the preparation of technical regulations, standards and conformity assessment procedures, and the enhancement of the effective operation of Article 12, in coordination with the WTO Committee on Trade and Development. ⁴

5. The Committee made a follow - up recommendation in 2015. ⁵

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² [G/TBT/1/Rev.15](#) , p. 21 .

³ [G/TBT/1/Rev.15](#) , p. 5 9-60.

⁴ [G/TBT/1/Rev.15](#) , p. 60 .

⁵ [G/TBT/1/Rev.15](#) , p. 60 .