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CHAPTER IV

TECHNICAL BARRIERS TO TRADE

Article 13

Technical Barriers to Trade

1. The rights and obligations of the Parties relating to the application of technical barriers to trade, shall be governed by the WTO Agreement on Technical Barriers to Trade, except as otherwise provided for in this Article.
2. The Parties undertake to identify and eliminate unnecessary existing technical barriers to trade within the meaning of the WTO Agreement on Technical Barriers to Trade. The Joint Committee, or a special committee on technical barriers to trade issues, that may be established according to Article 41, paragraph 5, shall oversee the process of elimination of unnecessary technical barriers to trade.
3.
 - a. The Parties undertake not to introduce new unnecessary technical barriers to trade. They shall co-operate, in the Joint Committee, or in a special committee on technical barriers to trade issues, to facilitate and harmonise technical regulations, standards and mandatory conformity assessment procedures with the aim of eliminating technical barriers to trade.
 - b. The Parties shall inform the Joint Committee, or a special committee on technical barriers to trade issues, of any draft text for a new technical regulation (including any mandatory conformity assessment procedures) or standard, at least ninety days prior to its adoption except in case of urgency as referred to in the WTO Agreement on Technical Barriers to Trade. If a Party proposes to transpose a European or international technical regulation or standard, the respective period is thirty days.



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- c. The Parties are strongly encouraged, without prejudice to the WTO Agreement on Technical Barriers to Trade, to harmonize their technical regulations, standards, and procedures for assessment of conformity with those in the European Community unless their use would be an ineffective or inappropriate means for the fulfilment of the legitimate objective pursued by the Parties.
4. The Parties undertake to enter into negotiations to conclude plurilateral agreements on harmonization of their technical regulations and standards, and the mutual recognition of conformity assessment procedures in accordance with the relevant provisions of the WTO Agreement on Technical Barriers to Trade and other relevant international agreements before 31 December 2010.
 5. If a Party considers that any other Party has adopted or is in the process of adopting a measure constituting an unnecessary technical barrier to trade, the Party concerned shall notify the Joint Committee, or a special committee on technical barriers to trade issues, which shall decide on the action to be taken.
 6. Any issue arising in the application of this Article shall be dealt with in accordance with the provisions of Article 42 of this Agreement.