

**COMMUNICATION FROM MONGOLIA, NORWAY, SOUTH AFRICA, AND
SWITZERLAND**

Revision

The following communication, dated 13 December 2007, is being circulated at the request of the Delegations of Mongolia, Norway, South Africa, and Switzerland. Mongolia, Norway, South Africa, and Switzerland reserve the right to revise, supplement or withdraw this proposal according to the results of further examinations.

THE USE OF INTERNATIONAL STANDARDS

I. INTRODUCTION

1. Below we suggest an Article setting out the general principles and definitions. This Article should be placed in the Agreement in a way which makes clear that it applies to all obligations covered by the new Agreement. In addition, it would seem appropriate to include a paragraph in the *Preamble* describing the *aim* of using international standards, by stating their positive effect and importance to trade facilitation, and by recognizing the work of those international organizations engaged in developing them (cf. the Mandate in the July-2004 Framework, paragraph 9).

II. TEXTUAL PROPOSAL

Article [Use of International Standards]

1. Members shall use relevant international standards or parts thereof as a basis for their laws, regulations and administrative procedures that lay down requirements for formalities and procedures in connection with importation, exportation or transit.
2. If regional standards are a more efficient means to facilitate international trade, Members of that region are encouraged to use them or relevant parts thereof as a basis for their laws, regulations and administrative procedures as provided for in paragraph 1¹.
3. Members are not required to use relevant international standards or relevant parts thereof which would pose fundamental technological problems in a Member, or where they would be an ineffective or inappropriate means for the fulfilment of the objectives of this Agreement.

¹ In this case, these regional standards prevail over the relevant international standards as provided for in paragraph 1.

4. With a view to facilitating international trade, Members are encouraged to take part, within the limits of their resources, in the preparation and periodic review by appropriate international intergovernmental organization of standards relevant to the operation of this Agreement.

5. For the purposes of this Agreement, the term "international standards" shall be understood to refer to International Conventions or Agreements related to facilitating international trade and administered by relevant international intergovernmental organizations, [*inter alia*]: World Customs Organization (WCO) and United Nations Organisations Centre for Trade Facilitation and Electronic Business. As appropriate, the list of relevant international organizations may be complemented by other relevant international organizations as identified by the Trade Facilitation Committee.

[5. Alternative: For the purposes of this Agreement, the term "international standards" shall be understood to refer to International Conventions or Agreements related to facilitating international trade and administered by relevant international intergovernmental organizations: World Customs Organization (WCO), United Nations Organisations Centre for Trade Facilitation and Electronic Business, International Maritime Organisation (IMO) and International Civil Aviation Organisation (ICAO). In particular, the following conventions shall apply: Convention (2005) on Facilitation of International Maritime Traffic, Convention (2006) on International Civil Aviation, Convention (1990) on the Temporary Admission of Goods (Istanbul Convention), International Convention (1986) on the Harmonized Commodity Description and Coding System (HS Convention), General Annex of the International Convention (1999) on the Simplification and Harmonisation of Customs procedures (Revised Kyoto Convention). As appropriate, the lists of relevant international organizations and conventions may be complemented as identified by the Trade Facilitation Committee.]
