

ANQ Congress 2008, New Delhi, India:

**To overcome some Technical Barriers to Trade –TBT
of GATT/WTO in order to Integrate into the Global Economy**

Nguyen Quang Toan, Ngo Van Nhon*

Institute for Quality Assessment and Development, VQAH (Vietnam)

vqa.hcm@gmail.com

Summary

The WTO Agreement on Technical Barriers to Trade (TBT Agreement), signed by the GATT (General Agreement on Tariffs and Trade) of validity 01 January 1980. The developing countries may encounter special difficulties in the formulation and application of technical regulations and standards and procedures for assessment of conformity with technical regulations and standard.

Keywords

Technical Barriers to Trade, Technical regulations and standards, To ensure the quality of exports, To integrate into the global economy.

1. Introduction

Over three-quarters of WTO members are developing or least-developed countries. Special provisions for these members are included in all the WTO agreements as follows:

- Longer time periods for implementing agreements and comments,
- Measures to increase trading opportunities for these countries,
- Provisions requiring all WTO members to safeguard the trade interests of developing countries,
- And support to help developing countries build the infrastructure for WTO work, handle disputes and implement technical standards.

The WTO Agreement on Technical Barriers to Trade (TBT Agreement), signed by the GATT (General Agreement on Tariffs and Trade) of validity 01 January 1980.

In the first section, “Desiring therefore to encourage the development of such international standards and conformity assessment systems; ...or for the protection of human, animal or plant life or health, of the environment, or for the prevention of deceptive practices...”.

Alternatively, it is set down: “The developing countries may encounter special difficulties in the formulation and application of technical regulations and standards and procedures for assessment of conformity with technical regulations and standards...”

The Vietnam became a member of WTO. The economy of Vietnam is oriented the exports. Desiring to ensure the quality of its exports, enterprises of Vietnam for the all provisions of this TBT Agreement. Our goals present in this Congress refers to consider some aspects of the TBT Agreement were implement and deploy in the Vietnam's of this Agreement.

2. TBT Agreement

Technical regulations and product standards may vary from country to country. Having many different regulations and standards makes life difficult for producers and exporters. If regulations are set arbitrarily, they could be used as an excuse for protectionism. The Agreement on Technical Barriers to Trade tries to ensure that regulations, standards, testing and certification procedures do not create unnecessary obstacles.

2.1. Three main barriers

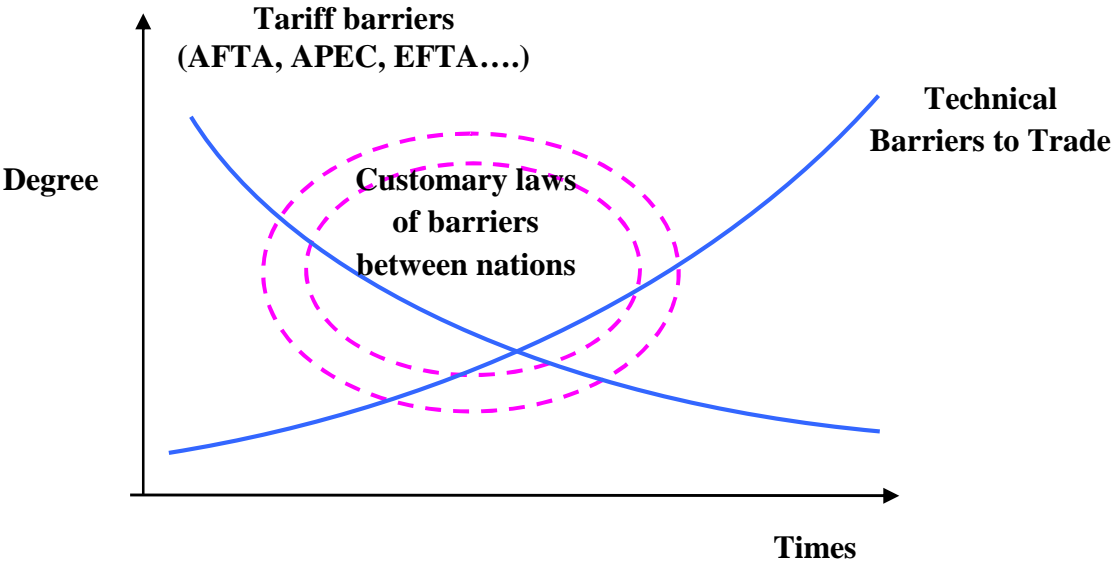


Figure 1 - Tariff barriers is decrease, TBT shall increase for the Consumer protection and solidity

2.2. Technical Regulations and Standards

Article 2.2 TBT “.....technical regulations shall not be more trade-restrictive than necessary to fulfill a legitimate objective, taking account of the risks non-fulfillment would create. Such legitimate objectives are, *inter alias*: national security requirements; the prevention of deceptive practices; protection of human health or safety, animal or plant life or health, or the environment....”

Technical regulations, standards and certified conformity assessment say that “ A personal of certified for peoples recognized Annex I.3 TBT “.....Conformity assessment procedures include, *inter alias*, procedures for sampling, testing and inspection; evaluation, verification and assurance of conformity; registration, accreditation and approval as well as their combinations.”

The challenge and opportunities for the developing countries in international standards applies

- ❖ Opportunity :
 - Integrate into the international
 - Decreasing costs invest in infrastructures for the standards nations
 - Modern technologies access

- ❖ Challenge :
 - Must be costs building standards
 - Technical inexperienced
 - The developing countries of benefits are not reflection in the international standards

3. TBT Agreement in Vietnam situation

3.1 Harmonization of technical regulations and standards in the Vietnam with global.

Since 1995 until now, Application of technical regulations and standards by TBT in the Vietnam. However, it's slow application of regulations and low effect ion.

In accordance with us statistical, The Vietnam having application 10,000 organizations about the ISO 9001, ISO 14001, GMP, HACCP and other standards. In fact, which achieve effective of 30 percent. In 5.600 Vietnam technical standards have to 24 percent of harmonization standards regulation of regional.

Nowadays, Directorate for standards and quality (STAMEQ) has participate in harmonization programs of APEC, ASEAN and Global. The Vietnam having harmonization programs of standards as Electrical Equipment , Consumer Products and to produce goods for export articles which are competitive.

The Vietnam Standards Harmonization to International Standards to raise of above 50% in 2010 ; shall formulate and implement positive measures which require or encourage central government body or local government body with respect to compliance of the provisions of

the “Code of Good Practice”, as well as regional standards harmonization and International standards.

3.2.What the enterprises do overcome of the TBT

Management in the integrate into the globalization of the world economy; changes in the Management By Objectives(MBO) via Management By Process(MBP). It’s compare the two model of management as follows:

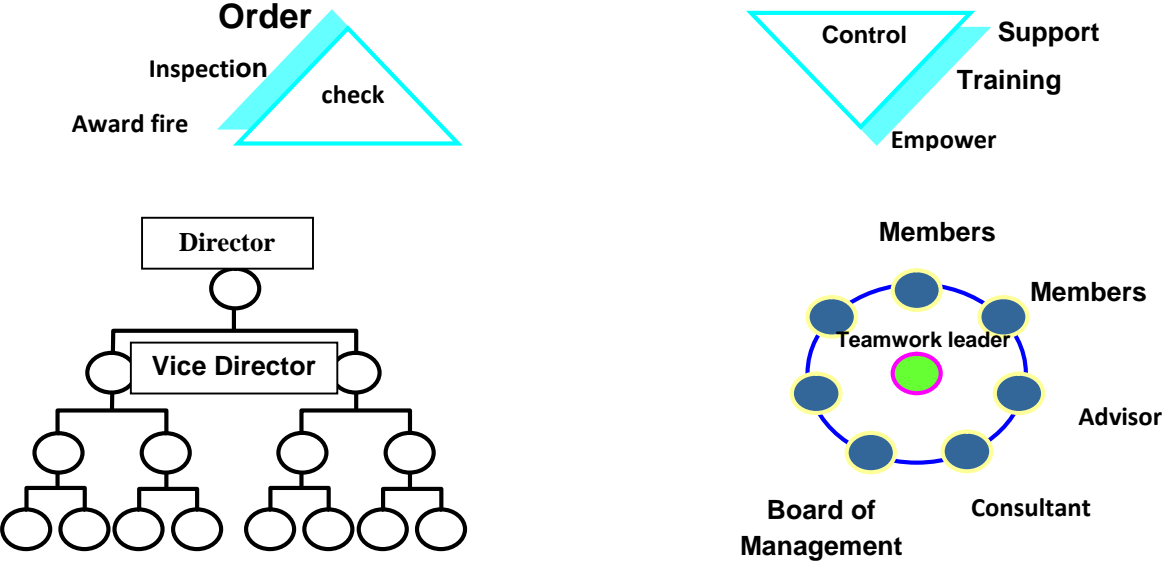


Figure 3 – Two models of management MBO and MBP

The MBP models has empower by management of peoples and work control. Alternatively in MBP model, rules of three parties towards the interests harmonization; contribution to develop a strong enterprises, society.

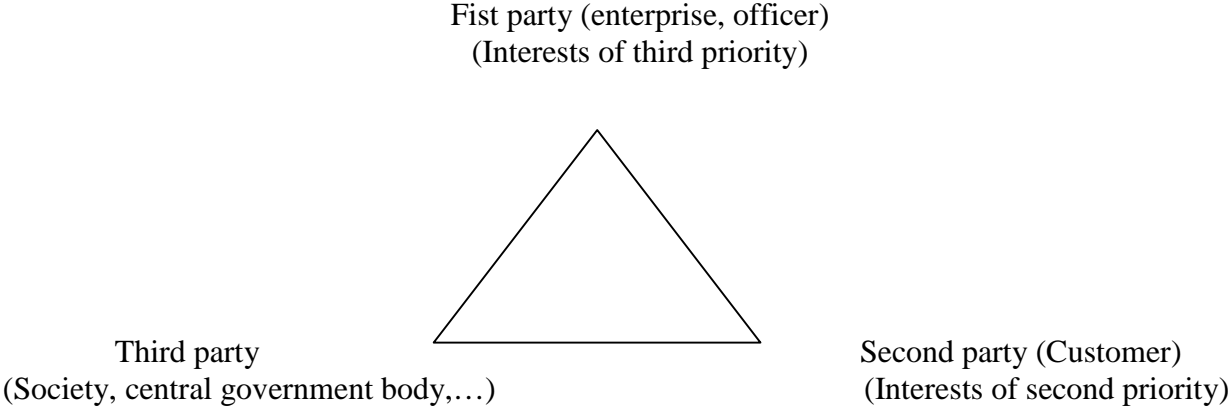


Figure 4 – Rules of three parties

According to rules of three parties, when certified must be ensure unprejudiced and honest a management model.

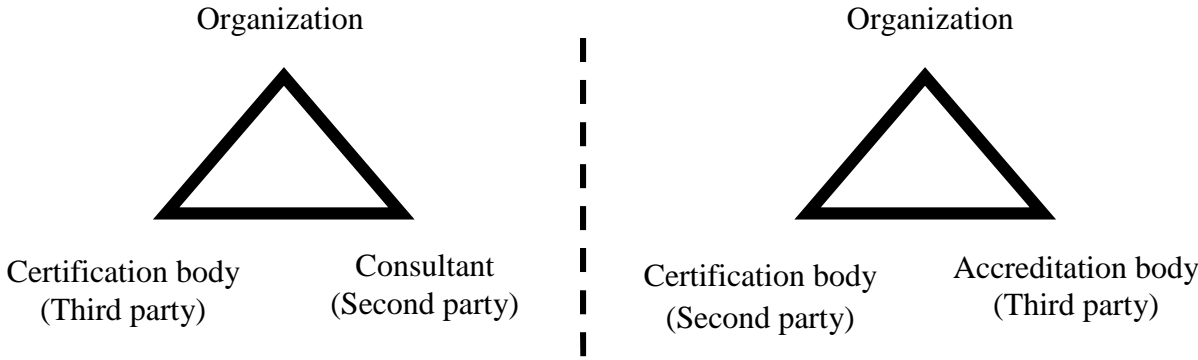


Figure 5 - Non-Certified consultant, Non-recognized certified party, Non- Consultant certified of recognized party

The WTO Agreement on Technical Barriers to Trade (TBT Agreement), signed by the GATT (General Agreement on Tariffs and Trade) of validity 01 January 1980. The developing countries may encounter special difficulties in the formulation and application of technical regulations and standards and procedures for assessment of conformity with technical regulations and standard.

The economy of Vietnam is oriented the exports. The Vietnam became a member of WTO. Desiring to ensure the quality of its exports, enterprises of Vietnam for the all provisions of this TBT Agreement. Since 1995 until now, application of technical regulations and standards by TBT in the Vietnam. However, it's slow application of regulations and low effect. In accordance with us statistical, The Vietnam having application 10,000 organizations about the ISO 9001, ISO 14001, SA 8000 and other standards. In fact, which achieve effective of 50 percent. In 5.600 Vietnam standards have to 24 percent of harmonization standards regulation of regional.

4. Conclusion

Vietnam government has participate in harmonization programs of APEC, ASEAN and World. The Vietnam having harmonization programs of standards as Electrical Equipment, Consumer Products and to produce goods for export articles which are competitive. Vietnam needs to overcome some Technical Barriers to Trade -TBT of GATT/WTO in order to integrate into the global economy. To succeed in the integrate into the economy global, we must be changed awareness of management and application of quality management, enterprises is voiced a transparency according to customs of world as: We are certified, we are accredited, we are recognized.