

CHAPTER NINE
TECHNICAL BARRIERS TO TRADE

ARTICLE 9.1: AFFIRMATION OF TBT AGREEMENT

Further to Article 1.2 (Relation to Other Agreements), the Parties affirm their existing rights and obligations with respect to each other under the TBT Agreement.

ARTICLE 9.2: SCOPE AND COVERAGE

1. This Chapter applies to the preparation, adoption, and application of all standards, technical regulations, and conformity assessment procedures of central government bodies, unless otherwise specified, that may, directly or indirectly, affect trade in goods between the Parties,¹ including any amendment² thereto and any addition to their rules or the product coverage thereof, except amendments and additions of an insignificant nature.

2. Notwithstanding paragraph 1, this Chapter does not apply to:

- (a) technical specifications prepared by a governmental body for its production or consumption requirements; or
- (b) sanitary or phytosanitary measures.

ARTICLE 9.3: INTERNATIONAL STANDARDS

In determining whether an international standard, guide, or recommendation within the meaning of Articles 2 and 5 and Annex 3 of the TBT Agreement exists, each Party shall base its determination on the principles set out in *Decisions and Recommendations adopted by the Committee since 1 January 1995*, G/TBT/1/Rev.8, 23 May 2002, Section IX (*Decision of the Committee on Principles for the Development of International Standards, Guides and Recommendations with relation to Articles 2, 5 and Annex 3 of the Agreement*), issued by the WTO Committee on Technical Barriers to Trade.

¹ For greater certainty, the Parties understand that any reference in this Chapter to a standard, technical regulation, or conformity assessment procedure includes those related to metrology.

² “Any amendment” includes the elimination of a technical regulation.

第九章 技术性贸易壁垒

第9.1条：对《技术性贸易壁垒协定》的确认

根据第1.2条（与其他协议的关系），缔约方确认其在《技术性贸易壁垒协定》下对彼此现有的权利和义务。

第9.2条：范围和覆盖领域

1. 本章适用于中央政府机构制定、采用和实施的所有标准、技术法规和合格评定程序，除非另有规定，这些措施可能直接或间接影响缔约方之间的货物贸易，¹ 包括任何修正案² 及其规则的任何补充或产品覆盖范围的扩展，但性质不重要的修正和补充除外。

2. 尽管有第1款的规定，本章不适用于：

- (a) 政府机构为其生产或消费要求制定的技术规格；或 (b) 卫生或植物检疫措施。

第9.3条：国际标准

在确定是否存在《技术性贸易壁垒协定》第2条、第5条及附件3所指的国际标准、指南或建议时，每一缔约方应依据技术性贸易壁垒委员会自1995年1月1日以来通过的决定和建议中规定的原则作出判定，即世界贸易组织技术性贸易壁垒委员会发布的G/TBT/1/Rev.8（2002年5月23日）第九节（委员会关于与《协定》第2条、第5条及附件3相关的国际标准、指南和建议制定原则的决定）。

¹ 为进一步明确，缔约方理解本章中任何对标准、技术法规或合格评定程序的引用均包括与计量学相关的部分。² “任何修正案”包括技术法规的废止。

ARTICLE 9.4: JOINT COOPERATION

- 1. The Parties shall strengthen their cooperation in the field of standards, technical regulations, and conformity assessment procedures with a view to increasing the mutual understanding of their respective systems and facilitating access to their respective markets. In particular, the Parties shall seek to identify, develop, and promote trade facilitating initiatives regarding standards, technical regulations, and conformity assessment procedures that are appropriate for particular issues or sectors. These initiatives may include cooperation on regulatory issues, such as transparency, the promotion of good regulatory practices, alignment with international standards, and use of accreditation to qualify conformity assessment bodies.
- 2. On request, a Party shall give favorable consideration to a sector-specific proposal that the requesting Party makes for further cooperation under this Chapter.

ARTICLE 9.5: CONFORMITY ASSESSMENT PROCEDURES

- 1. The Parties recognize that a broad range of mechanisms exists to facilitate the acceptance of the results of conformity assessment procedures conducted in the other Party’s territory. For example:
 - (a) a Party may agree with the other Party to accept the results of conformity assessment procedures that bodies located in the other Party’s territory conduct with respect to specific technical regulations;
 - (b) a Party may adopt accreditation procedures for qualifying conformity assessment bodies located in the other Party’s territory;
 - (c) a Party may designate conformity assessment bodies located in the other Party’s territory;
 - (d) a Party may recognize the results of conformity assessment procedures conducted in the other Party’s territory;
 - (e) conformity assessment bodies located in each of the Parties’ territories may enter into voluntary arrangements to accept the results of each other’s assessment procedures; and
 - (f) the importing Party may rely on a supplier’s declaration of conformity.

The Parties shall intensify their exchange of information on these and similar mechanisms with a view to facilitating the acceptance of conformity assessment results.

- 2. Where a Party does not accept the results of a conformity assessment procedure conducted in the territory of the other Party, it shall, on request of the other Party, explain the reasons for its decision.

第9.4条：联合合作

- 1. 缔约方应加强在标准、技术法规和合格评定程序领域的合作，以增进对彼此制度的相互理解并促进进入各自市场。特别是，缔约方应寻求针对特定问题或领域，确定、制定并促进与标准、技术法规和合格评定程序相关的贸易便利化倡议。此类倡议可包括在监管问题上的合作，例如透明度、促进良好监管实践、与国际标准保持一致以及利用认证对合格评定机构进行资质认定。
- 2. 应请求，一缔约方应积极考虑另一缔约方就本章项下进一步合作提出的特定行业提案。

第9.5条：合格评定程序

- 1. 缔约方认识到存在多种机制可促进对另一缔约方领土内实施的合格评定程序结果的接受。例如：
 - (a) 一缔约方可与另一缔约方达成协议，接受位于另一缔约方领土内的机构就特定技术法规实施的合格评定程序结果；(b) 一缔约方可采用认证程序对位于另一缔约方领土内的合格评定机构进行资质认定；(c) 一缔约方可指定位于另一缔约方领土内的合格评定机构；(d) 一缔约方可承认在另一缔约方领土内实施的合格评定程序结果；(e) 位于各缔约方领土内的合格评定机构可签订自愿安排以相互接受对方的评定程序结果；及(f) 进口缔约方可采信供应商符合性声明。

缔约方应加强在这些及类似机制上的信息交流，以促进对合格评定结果的接受。

- 2. 如一缔约方不接受在另一缔约方领土内进行的合格评定程序的结果，应另一缔约方请求，该缔约方应解释其决定的理由。

3. Each Party shall accredit, approve, license, or otherwise recognize conformity assessment bodies in the territory of the other Party on terms no less favorable than those it accords to conformity assessment bodies in its territory. Where a Party accredits, approves, licenses, or otherwise recognizes a body assessing conformity with a specific technical regulation or standard in its territory and it refuses to accredit, approve, license, or otherwise recognize a body assessing conformity with that technical regulation or standard in the territory of the other Party, it shall, on request of the other Party, explain the reasons for its decision.

4. A Party that accredits, approves, licenses, or otherwise recognizes conformity assessment bodies shall do so on the basis of criteria published by the Party for determining whether a conformity assessment body is competent to receive accreditation, approval, licensing or other recognition.

5. Each Party shall take steps to implement Phase II of the *APEC Mutual Recognition Arrangement for Conformity Assessment of Telecommunications Equipment* (1998) with respect to the other Party as soon as possible. No later than one year after the date this Agreement enters into force, Korea will publish notice of the changes in its legislation that it proposes to make to implement Phase II.

ARTICLE 9.6: TRANSPARENCY

1. Each Party shall allow persons of the other Party to participate in the development of standards, technical regulations, and conformity assessment procedures.³ Each Party shall permit persons of the other Party to participate in the development of these measures on terms no less favorable than those it accords to its own persons.

2. Each Party shall recommend that non-governmental bodies in its territory observe paragraph 1 in developing standards and voluntary conformity assessment procedures.

3. In order to enhance the opportunity for persons and the other Party to be aware of, and to understand, proposed technical regulations and conformity assessment procedures, and to be able to provide meaningful comments on these regulations and procedures, a Party publishing a notice and filing a notification in accordance with Article 2.9, 3.2, 5.6, or 7.2 of the TBT Agreement shall:

- (a) include an explanation of the objectives the proposed technical regulation or conformity assessment procedure is meant to serve and how it addresses those objectives;

³ For purposes of the first sentence of paragraph 1 and for greater certainty, a Party allows persons of the other Party to participate in the development of standards, technical regulations, and conformity assessment procedures if it maintains a process for participation that is open to the public, including persons of the other Party.

3. 每一方应以不低于给予其领土内合格评定机构的待遇，对另一缔约方领土内的合格评定机构进行认可、批准、许可或以其他方式承认。如一缔约方认可、批准、许可或以其他方式承认其领土内对特定技术法规或标准进行合格评定的机构，而拒绝认可、批准、许可或以其他方式承认另一缔约方领土内对该技术法规或标准进行合格评定的机构，应另一缔约方请求，该缔约方应解释其决定的理由。

4. 缔约方对合格评定机构进行认证、批准、许可或以其他方式承认时，应依据该缔约方公布的准则，以确定合格评定机构是否有能力获得认证、批准、许可或其他承认。

5. 每一方应采取措施，尽快就另一方实施亚太经合组织电信设备合格评定相互认可安排（1998年）的第二阶段。本协议生效之日起不超过一年，韩国将公布其为实施第二阶段拟对其立法作出的修改通知。

第9.6条：透明度

1. 每一方应允许另一方的人员参与标准、技术法规和合格评定程序的制定。³ 每一方应允许另一方的人员在参与制定这些措施时，所享有的待遇不低于其给予本国人员的待遇。

2. 每一方应建议其领土内的非政府机构在制定标准和自愿性合格评定程序时遵守第1款的规定。

3. 为增强另一方的人员和缔约方了解并理解拟议技术法规和合格评定程序的机会，并能够对这些法规和程序提出有意义的意见，根据《技术性贸易壁垒协定》第2.9条、3.2条、5.6条或7.2条发布通知并提交通报的缔约方应：

- (a) 包括对拟议技术法规或合格评定程序旨在实现的目标的解释，以及其如何解决这些目标；

³ 就第1款第一句而言且为进一步明确，如果缔约方保持一个向公众（包括另一方的人员）开放的参与程序，则该缔约方应允许另一方的人员参与标准、技术法规和合格评定程序的制定。

- (b) transmit the proposal electronically to the other Party through, in the case of a Korean proposal, the U.S. inquiry point established in accordance with Article 10 of the TBT Agreement or, in the case of a U.S. proposal, the Korean coordinator established in accordance with Annex 9-A, at the same time as it notifies WTO Members of the proposal in accordance with the TBT Agreement; and
- (c) make available to the public, preferably by electronic means, comments it receives from persons or the other Party on the proposed technical regulation or conformity assessment procedure.

Each Party shall also publish and notify new technical regulations and amendments to existing technical regulations that are in accordance with the technical content of any relevant international standards. Each Party shall also take such reasonable measures as may be available to it to ensure that new technical regulations and amendments to existing technical regulations of local governments on the level directly below that of the central government that are in accordance with the technical content of any relevant international standards are published and notified through the inquiry point referenced in subparagraph (b).

Each Party should allow at least 60 days after it transmits a proposal under subparagraph (b) for persons and the other Party to provide comments in writing on the proposal. A Party shall give favorable consideration to reasonable requests from persons or the other Party for extending the comment period.

- 4. Where a Party makes a notification under Article 2.10, 3.2, 5.7, or 7.2 of the TBT Agreement, it shall at the same time transmit the notification and text of the proposal electronically to the other Party through the inquiry point referenced in paragraph 3(b). Each Party shall also notify new technical regulations and amendments to existing technical regulations that are in accordance with the technical content of any relevant international standards. Each Party shall also take such reasonable measures as may be available to it to ensure that new technical regulations and amendments to existing technical regulations of local governments on the level directly below that of the central government that are in accordance with the technical content of any relevant international standards are published and notified through the inquiry point referenced in paragraph 3(b).
- 5. Each Party shall publish, preferably by electronic means, notices of proposed and final technical regulations and conformity assessment procedures required under Articles 2.9, 2.11, 5.6, and 5.8 of the TBT Agreement in a single official journal and shall encourage the government bodies that issue them to disseminate them through additional channels. With respect to notices of proposed and final technical regulations and conformity assessment procedures notified under Articles 3.2 and 7.2 of the TBT Agreement, each Party shall ensure to the extent practicable, that all such notices are accessible through a single Internet site or other information source.
- 6. Each Party shall include in the notice of a final technical regulation or conformity assessment procedure that it publishes in its official journal:

- (b) 在根据技术性贸易壁垒协定通知WTO成员提案的同时，通过电子方式将提案传送给另一缔约方：对于韩国提案，通过根据TBT协定第10条设立的美国咨询点；对于美国提案，则通过根据附件9-A设立的韩国协调员；
- (c) 向公众公开其收到的个人或另一缔约方对拟议技术法规或合格评定程序的评论，最好以电子方式公开。

每一方还应公布并通知 符合任何相关国际标准技术内容的新技术法规及对现有技术法规的修正案。每一方还应采取其可获得的合理措施，确保直接低于中央政府层级的地方政府制定的、符合任何相关国际标准技术内容的新技术法规及对现有技术法规的修正案，通过第(b)项所述咨询点予以公布和通知。

每一方应至少允许60天的期限，自其根据第(b)项传送提案之日起，供个人及另一缔约方就该提案提交书面评论。对于个人或另一缔约方提出的延长评论期的合理请求，缔约方应予以积极考虑。

- 4. 当一方根据《技术性贸易壁垒协定》第2.10条、3.2条、5.7条或7.2条作出通知时，应同时通过第3款(b)项所述咨询点以电子方式将通知及提案文本传送给另一方。每一方还应通知符合任何相关国际标准技术内容的新技术法规及对现有技术法规的修正案。每一方还应采取其可获得的合理措施，确保直接低于中央政府层级的地方政府制定的、符合任何相关国际标准技术内容的新技术法规及对现有技术法规的修正案，通过第3款(b)项所述咨询点予以公布和通知。
- 5. 每一方应以电子方式（优选）发布根据《技术性贸易壁垒协定》第2.9条、第2.11条、第5.6条和第5.8条要求的拟议及最终技术法规和合格评定程序的通知，并应将其集中刊登于一份官方公报，同时鼓励发布这些文件的政府机构通过其他渠道予以传播。对于根据《技术性贸易壁垒协定》第3.2条和第7.2条通报的拟议及最终技术法规和合格评定程序的通知，每一方应在可行范围内确保所有此类通知均可通过单一网站或其他信息源获取。
- 6. 每一方应在其官方公报公布的最终技术法规和合格评定程序的通知中包括：

- (a) an explanation of the objectives of the technical regulation or conformity assessment procedure and how it addresses those objectives; and
- (b) responses to significant comments that it received during the comment period and an explanation of substantive revisions that it made to the proposed technical regulation or conformity assessment procedure.

7. On request, each Party shall provide the other Party with additional available information regarding the objective of, and rationale for, a standard, technical regulation, or conformity assessment procedure that the Party has adopted or is proposing to adopt. Such requests may include requests for information regarding the matter the technical regulation or conformity assessment procedure is designed to address, alternative approaches the Party considered, and the merits of the particular approach the Party chose.

ARTICLE 9.7: AUTOMOTIVE STANDARDS AND TECHNICAL REGULATIONS

- 1. The Parties shall cooperate bilaterally, including in the World Forum for Harmonization of Vehicle Regulations of the United Nations Economic Commission for Europe (WP.29), to harmonize standards for motor vehicle environmental performance and safety.
- 2. Each Party shall ensure that technical regulations related to motor vehicles are not prepared, adopted, or applied with a view to or with the effect of creating unnecessary obstacles to international trade, to the extent provided in Article 2.2 of the TBT Agreement. For this purpose, technical regulations related to motor vehicles 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 alia*: national security requirements; the prevention of deceptive practices; and protection of human health or safety, animal or plant life or health, or the environment. In assessing such risks, relevant elements of consideration are, *inter alia*: available scientific and technical information, related processing technology, or intended end-uses of products.

ARTICLE 9.8: COMMITTEE ON TECHNICAL BARRIERS TO TRADE

- 1. The Parties hereby establish a Committee on Technical Barriers to Trade, comprising representatives of each Party, as set out in Annex 9-A.
- 2. The Committee’s functions shall include:
 - (a) monitoring the implementation and administration of this Chapter;
 - (b) promptly addressing any issue that a Party raises related to the development, adoption, application, or enforcement of standards, technical regulations, or conformity assessment procedures;

- (a) 对技术法规或合格评定程序目标的解释， 以及其如何实现这些目标； 以及
- (b) 对评论期内收到的重要评论的回应， 以及对拟议技术法规或合格评定程序所作实质性修订的解释。

7. 应请求， 每一方应向另一方提供关于其已采用或拟采用的标准、 技术法规或合格评定程序的目标及理由的额外可用信息。 此类请求可包括关于技术法规或合格评定程序旨在处理的事项、 该方考虑过的替代方法以及该方选择的特定方法的优点的信息请求。

第9.7条： 汽车标准与技术法规

- 1. 缔约方应在双边层面开展合作， 包括在联合国欧洲经济委员会车辆法规协调世界论坛（WP.29）内， 以协调机动车环境性能与安全标准。
- 2. 每一方应确保与机动车辆相关的技术法规的制定、 采用或实施， 不以对国际贸易造成不必要障碍为目的或产生此类效果， 其程度应符合《技术性贸易壁垒协定》第2.2条的规定。 为此目的， 考虑到未实现目标可能带来的风险， 与机动车辆相关的技术法规对贸易的限制不得超过实现合法目标所必需的限度。 此类合法目标尤其包括： 国家安全要求； 防止欺诈行为； 以及保护人类健康或安全、 动植物生命或健康或环境。 在评估此类风险时， 需特别考虑的相关因素包括： 可获得的科学技术信息、 相关加工技术或产品的最终用途。

ARTICLE 9.8: 技术性贸易壁垒委员会

- 1. 缔约方特此设立技术性贸易壁垒委员会， 由每一方的代表组成， 如附件9-A所述。
- 2. 委员会的职能应包括：
 - (a) 监督本章的实施和管理； (b) 及时处理缔约方提出的与标准、 技术法规或合格评定程序的制定、 采用、 应用或执行相关的任何问题；

- (c) enhancing cooperation in the development and improvement of standards, technical regulations, and conformity assessment procedures;
- (d) facilitating the consideration of any sector-specific proposal a Party makes for further cooperation between conformity assessment bodies, including, where appropriate, between governmental and non-governmental conformity assessment bodies in the Parties’ territories;
- (e) facilitating the consideration of a request that a Party recognize the results of conformity assessment procedures conducted by bodies in the other Party’s territory, including a request for the negotiation of an agreement, in a sector nominated by that other Party;
- (f) exchanging information on developments in non-governmental, regional, and multilateral fora engaged in activities related to standards, technical regulations, and conformity assessment procedures;
- (g) at a Party’s request, consulting on any matter arising under this Chapter;
- (h) reviewing this Chapter in light of any developments under the TBT Agreement, and developing recommendations for amendments to this Chapter in light of those developments;
- (i) taking any other steps that the Parties consider will assist them in implementing this Chapter;
- (j) exchanging information, at a Party’s request, on the Parties’ respective views regarding third party issues concerning standards, technical regulations, and conformity assessment procedures so as to foster a common approach to their resolution; and
- (k) as it considers appropriate, reporting to the Joint Committee on the implementation of this Chapter.

3. Where the Parties have had recourse to consultations under paragraph 2(g), the consultations shall, if the Parties agree, constitute consultations under Article 22.7 (Consultations).

4. The Committee shall meet at least once a year unless the Parties otherwise agree.

5. The Committee may, as it considers appropriate, establish and determine the scope and mandate of working groups, including *ad hoc* working groups, comprising representatives of each Party. Subject to decisions of the Committee and as the Parties may agree, each working group, including an *ad hoc* working group, may:

(c) 加强在标准和合格评定程序的制定和改进方面的合作；(d) 促进审议缔约方提出的关于合格评定机构之间进一步合作的任何特定行业提案，包括在适当情况下，缔约方领土内政府和非政府合格评定机构之间的合作；(e) 促进审议缔约方提出的请求，即承认另一缔约方领土内机构进行的合格评定程序结果的请求，包括在该另一缔约方指定的行业内进行协议谈判的请求；(f) 交流参与标准、技术法规和合格评定程序相关活动的非政府、区域和多边论坛的最新动态信息；(g) 应缔约方请求，就本章产生的任何事项进行磋商；(h) 根据技术性贸易壁垒协定的发展情况审查本章，并根据这些发展情况提出本章修正案的建议；(i) 采取缔约方认为有助于实施本章的任何其他步骤；(j) 应缔约方请求，交流缔约方关于涉及标准、技术法规和合格评定程序的第三方问题的各自观点，以促成共同的解决途径；以及(k) 在认为适当时，向联合委员会报告本章的实施情况。

3. 如缔约方已根据第2(g)款进行磋商，且缔约方同意，则该磋商应构成第22.7条（磋商）项下的磋商。

4. 委员会应每年至少召开一次会议，除非缔约方另有约定。

5. 委员会可酌情设立并确定工作组（包括特设工作组）的职责范围和任务授权，这些工作组由每一方的代表组成。根据委员会的决定并经缔约方同意，每个工作组（包括特设工作组）可：

- (a) as it considers necessary and appropriate, include or consult with non-governmental experts and stakeholders; and
- (b) determine its work program, taking into account relevant international activities.

6. Within 30 days after the date this Agreement enters into force, each Party shall notify the Committee of the criteria it uses to accredit, approve, license, or otherwise recognize conformity assessment bodies with respect to cosmetics, household electrical appliances, motor vehicles, and noise and emissions, and with respect to any other areas identified by a Party. Thereafter, each Party shall notify the Committee of the criteria it uses for this purpose with respect to other areas that the other Party requests. The Committee shall review this information in order to improve mutual understanding of each Party’s conformity assessment system and to discuss possible reforms to facilitate trade between the Parties.

ARTICLE 9.9: INFORMATION EXCHANGE

Any information or explanation that a Party provides on request of the other Party pursuant to this Chapter shall be provided in print or electronically within a reasonable period. A Party shall endeavor to respond to each such request within 60 days.

ARTICLE 9.10: DEFINITIONS

For purposes of this Chapter:

central government body,⁴ **local government body**, **conformity assessment procedures**, **standard**, and **technical regulation** have the meanings assigned to those terms in Annex 1 of the TBT Agreement; and

good regulatory practice means a practice that: (i) serves clearly identified policy goals, and is effective in achieving those goals; (ii) has a sound legal and empirical basis; (iii) takes into consideration the distribution of a regulation’s effects across society, taking economic, environmental, and social effects into account; (iv) minimizes costs and market distortions; (v) promotes innovation through market incentives and goal-based approaches; (vi) is clear, simple, and practical for users; (vii) is consistent with the Party’s other regulations and policies; and (viii) is compatible as far as possible with domestic and international competition, trade, and investment principles.

⁴ For greater certainty, a non-governmental entity that a Party’s central government has authorized to prepare, adopt, or apply standards, technical regulations, or conformity assessment procedures on its behalf shall be considered a central government body for purposes of this Chapter in respect of such activity.

- (a) 在认为必要和适当时，吸纳非政府专家和利益相关方参与或与其磋商；以及 (b) 在考虑相关国际活动的基础上，确定其工作计划。

6. 本协议生效之日起30天内，每一方应向委员会通报其在化妆品、家用电器、机动车辆、噪音和排放领域以及缔约方确定的其他领域用于认可、批准、许可或以其他方式承认合格评定机构的标准。此后，每一方应就另一方请求的其他领域向委员会通报其用于此目的的标准。委员会应审查该信息，以增进对每一方合格评定体系的相互理解，并讨论可能的改革以促进缔约方之间的贸易。

第9.9条：信息交换

缔约方根据本章应另一方请求提供的任何信息或解释，应以印刷或电子形式在合理期限内提供。缔约方应尽力在60天内对每项此类请求作出回应。

第9.10条：定义

就本章而言：

中央政府机构、⁴ 地方政府机构、合格评定程序、标准和技术法规具有TBT协定附件1中赋予这些术语的含义；且

良好监管实践是指以下实践：(i)服务于明确识别的政策目标，并有效实现这些目标；(ii)具有健全的法律和经验基础；(iii)考虑法规影响的分布，兼顾经济、环境和社会影响；(iv)最小化成本和市场扭曲；(v)通过市场激励和基于目标的方法促进创新；(vi)对用户而言清晰、简单且实用；(vii)与缔约方的其他法规和政策保持一致；(viii)尽可能与国内和国际竞争、贸易及投资原则相兼容。

⁴ 为进一步明确，一缔约方的中央政府授权代表其制定、采用或实施标准、技术法规或合格评定程序的非政府实体，就该活动而言，应视为本章目的下的中央政府机构。

ANNEX 9-A
COMMITTEE ON TECHNICAL BARRIERS TO TRADE

The Committee on Technical Barriers to Trade shall be coordinated by:

- (a) in the case of Korea, the Korean Agency for Technology and Standards, or its successor; and
- (b) in the case of the United States, the Office of the United States Trade Representative, or its successor.

附件9-A 技术性贸易壁垒委员会

技术性贸易壁垒委员会应由以下机构协调：

- (a) 就韩国而言，指韩国技术标准院或其继任机构；以及
- (b) 就美国而言，指美国贸易代表办公室或其继任机构。

ANNEX 9-B
AUTOMOTIVE WORKING GROUP

1. The Parties hereby establish an Automotive Working Group under Article 9.8.5 comprising representatives of each Party. Representatives of the Office of the United States Trade Representative, in the case of the United States, and the Ministry of Foreign Affairs and Trade, in the case of Korea, shall serve as coordinators. The Working Group shall include or consult as appropriate with the United States Department of Transportation, through its National Highway Traffic Safety Administration, the United States Environmental Protection Agency, the Ministry of Information and Communications of Korea, the Ministry of Commerce, Industry and Energy of Korea, the Ministry of Environment of Korea, the Ministry of Construction and Transportation of Korea, and other relevant government regulatory agencies. The Working Group may include or consult with other experts and stakeholders as the Parties deem necessary and appropriate.

2. The Working Group shall:
- (a) consult to resolve issues that a Party raises with respect to developing, implementing, and enforcing relevant standards, technical regulations, and conformity assessment procedures;
 - (b) facilitate increased cooperation between the Parties and stakeholders in their territories with respect to issues that arise in developing, implementing, and enforcing relevant standards, technical regulations, and conformity assessment procedures;
 - (c) work to enhance cooperation between the Parties in multilateral fora addressing automotive regulatory issues; and
 - (d) monitor the development, implementation, and enforcement of each Party’s relevant standards, technical regulations, and conformity assessment procedures to promote the development of good regulatory practices with respect to regulation of motor vehicles.

3. The Working Group shall convene at least once each year, unless the coordinators otherwise agree. Its meetings shall normally be held in conjunction with meetings of WP.29 or other bilateral or multilateral fora in which both Parties participate that address automotive regulatory issues. The Working Group shall also carry out its work through electronic mail, videoconferences, and such other means of communication as the Working Group may agree.

附件9-B 汽车工作组

1. 缔约方特此根据第9.8.5条设立汽车工作组，由每一方的代表组成。美国贸易代表办公室（就美国而言）和外交贸易部（就韩国而言）的代表应担任协调员。该工作组应酌情纳入或咨询美国交通部（通过其国家公路交通安全管理局）、美国环境保护署、韩国信息通信部、韩国产业通商资源部、韩国环境部、韩国建设交通部以及其他相关政府监管机构。缔约方认为必要且适当时，工作组可纳入或咨询其他专家及利益相关方。

2. 工作组应：
- (a) 就缔约方提出的关于制定、实施和执行相关标准、技术法规和合格评定程序的问题进行磋商以解决问题；(b) 促进缔约方与其领土内的利益相关方之间在制定、实施和执行相关标准、技术法规和合格评定程序过程中出现的问题上加强合作；(c) 努力加强缔约方在解决汽车监管问题的多边论坛中的合作；(d) 监督每一方相关标准、技术法规和合格评定程序的制定、实施和执行，以促进在机动车辆监管方面发展良好监管实践。

3. 工作组每年应至少召开一次会议，除非协调员另有约定。其会议通常应与WP.29会议或双方缔约方参与的、涉及汽车监管问题的其他双边或多边论坛同期举行。工作组还应通过电子邮件、视频会议及工作组可能商定的其他通讯方式开展工作。

4. (a) Unless the Working Group otherwise agrees, no later than the date on which a Party first supplies information in writing to a non-governmental expert or stakeholder for comment⁵ regarding:

- (i) a relevant standard, technical regulation, or conformity assessment procedure; or
- (ii) an amendment to a relevant standard, technical regulation, or conformity assessment procedure

it is developing, it shall provide the information to the Working Group. When a Party transmits a proposal to the other Party pursuant to Article 9.6.3 or 9.6.4, the Party shall at the same time provide the proposal to the Working Group.

- (b) As soon as it is available, a Party shall provide to the Working Group a draft of the relevant standard, technical regulation, or conformity assessment procedure or amendment it is developing.
- (c) On request of the other Party, a Party shall provide additional available information with respect to a relevant standard, technical regulation, or conformity assessment procedure or amendment it is developing, such as information regarding other regulatory approaches under consideration and analysis of regulatory impact.

On request of either Party, the Working Group should evaluate the information a Party provides it and provide views to the Party that provided the information, consistent with the Working Group’s mandate described in paragraph 2.

5. If a Party carries out a post-implementation review of a relevant standard, technical regulation, or conformity assessment procedure it has adopted:

- (a) the Party should provide a summary of the results of the review to the Working Group; and
- (b) on request of a Party, the Working Group should analyze the results of, and methods and assumptions used in, the review.

For purposes of this paragraph, **post-implementation review** means a comprehensive and systematic examination of the effectiveness of a standard, technical regulation, or conformity assessment procedure after it has been implemented, including an assessment of whether it achieves its stated objectives, the burden it imposes, and its compatibility with other standards, technical regulations, or conformity assessment procedures the Party has adopted.

⁵ The United States first supplies information to a non-governmental expert or stakeholder for comment when it publishes a notice in the *Federal Register* requesting comment on a proposed regulation or amendment.

4. (a) 除非工作组另有约定，否则不迟于一缔约方首次向非政府专家或利益相关方提交书面信息以征求⁵ 关于以下事项的意见之日期：

- (i) 相关标准、技术法规或合格评定程序；或 (ii) 对相关标准、技术法规或合格评定程序的修正案

缔约方在制定过程中，应向工作组提供该信息。当缔约方根据第9.6.3条或第9.6.4条向另一缔约方提交提案时，应同时将该提案提供给工作组。

- (b) 缔约方应在相关标准、技术法规或合格评定程序或其修正案的草案制定完成后立即提供给工作组。
- (c) 应另一缔约方请求，缔约方应提供可获得的额外关于正在制定的相关标准、技术法规或合格评定程序或其修正案的信息，例如关于正在考虑的其他监管方法的信息及监管影响分析。

应任一缔约方请求，工作组应评估该缔约方提供的信息，并根据第2段所述工作组职权范围向提供信息的缔约方提出意见。

5. 若缔约方对其采用的相关标准、技术法规或合格评定程序进行实施后审查：

- (a) 该缔约方应向工作组提供审查结果的摘要；(b) 应缔约方请求，工作组应分析审查结果及审查中使用的方法和假设。

就本款而言，实施后审查系指对标准、技术法规或合格评定程序实施后的有效性进行全面系统的检查，包括评估其是否实现既定目标、施加的负担以及与缔约方已采用的其他标准、技术法规或合格评定程序的兼容性。

⁵ 美国在《联邦公报》发布关于拟议法规或修正案征求意见的通知时，会首先将信息提供给非政府专家或利益相关方征求意见。

6. For purposes of this Annex:

relevant standard, technical regulation, and conformity assessment procedure means a standard, technical regulation, or conformity assessment procedure affecting motor vehicles.

6. 就本附件而言：

相关标准、技术法规和合格评定程序指影响机动车辆的标准、技术法规或合格评定程序。

[TRANSLATION]

June 30, 2007

The Honorable Susan C. Schwab
United States Trade Representative
Washington, D.C.

Dear Ambassador Schwab:

I have the honor to confirm the following understanding reached between the delegations of the Republic of Korea and the United States of America during the course of negotiations regarding Chapter Nine (Technical Barriers to Trade) of the Free Trade Agreement between our two Governments signed this day:

K-ULEV

Korea shall provide that:

- (1) a gasoline-powered motor vehicle produced by a manufacturer that sells no more than 4500 of these vehicles in the territory of Korea complies with the requirements contained in Attachment 20 of the Ministerial Regulation adopted pursuant to the *Air Quality Conservation Act* (K-ULEV) if the vehicle meets the Low Emission Vehicle Standard (LEV);
- (2) a gasoline-powered motor vehicle produced by a manufacturer that sells between 4501 and 10,000 of these vehicles in the territory of Korea complies with the requirements contained in K-ULEV if the fleet average non-methane organic gas (NMOG) value of the manufacturer’s fleet sold in the territory of Korea meets the LEV/Ultra Low Emission Vehicle Standard (LEV/ULEV); and
- (3) a gasoline-powered motor vehicle produced by a manufacturer that sells over 10,000 of these vehicles in the territory of Korea complies with K-ULEV if the fleet average NMOG value of the manufacturer’s fleet sold in the territory of Korea meets the Ultra Low Emission Vehicle Standard (ULEV).

Korea shall use the methodology applied by the State of California under California LEV II Regulations, Cal. Code Regs. tit. 13, § 1961, and any amendments thereto, to calculate the number of motor vehicles sold by a manufacturer in the territory of Korea and the fleet average NMOG value for these purposes.

In determining whether a gasoline-powered motor vehicle produced by a manufacturer complies with K-ULEV, Korea shall apply the following LEV, LEV/ULEV, and ULEV standards:

[翻译]

2007年6月30日

尊敬的苏珊·C·施瓦布 美国贸易
代表 华盛顿特区

尊敬的施瓦布大使：

我荣幸地确认，大韩民国与美利坚合众国代表团在关于今日签署的两国政府间《自由贸易协定》第九章（技术性贸易壁垒）的谈判过程中达成如下谅解：

韩国超低排
放车辆标准

韩国应确保：

- (1) 制造商生产的汽油动力机动车，若在韩国领土内销售不超过**4500**辆，且符合低排放车辆标准（LEV），则视为满足根据《大气质量保护法》通过的部级法规附件**20**中所载要求（韩国超低排放车辆标准）；
- (2) 制造商生产的汽油动力机动车，若在韩国领土内销售**4501**至**10,000**辆，且该制造商在韩国领土内销售车队的平均非甲烷有机气体（NMOG）值符合低排放车辆/超低排放车辆标准（LEV/ULEV），则视为满足韩国超低排放车辆标准要求；以及
- (3) 制造商生产的汽油动力机动车，若在韩国领土内销售超过**10,000**辆，且该制造商在韩国领土内销售车队的平均非甲烷有机气体（NMOG）值符合超低排放车辆标准（ULEV），则视为满足韩国超低排放车辆标准。

韩国应采用加利福尼亚州根据加利福尼亚LEV II法规（加利福尼亚法规第**13**编第**1961**条）及其任何修正案所采用的方法，计算制造商在韩国领土内销售的机动车辆数量及为此目的的车队平均非甲烷有机气体值。

在判定某制造商生产的汽油动力机动车是否符合韩国超低排放车辆标准时，韩国应适用以下低排放车辆、低排放车辆/超低排放车辆及超低排放车辆标准：

	Fleet Average NMOG Value (gram per mile of NMOG) 50,000 miles/five years		
Model Year	2009	2010	2011 and thereafter
LEV	0.075	0.075	NMOG value for motor vehicle type of relevant model year, specified in Cal. Code Regs. tit. 13, § 1961(b)(1)(C)
LEV/ULEV	0.060	0.060	NMOG value for motor vehicle type of relevant model year, specified in Cal. Code Regs. tit. 13, § 1961(b)(1)(D)
ULEV	0.040	≥0.038	NMOG value for motor vehicle type of relevant model year will not be more stringent than that specified in Cal. Code Regs. tit. 13, § 1961(b)(1)(A)

OBD-II:

Before December 31, 2008, Korea may not apply the requirements contained in the Ministerial Notice adopted pursuant to the *Air Quality Conservation Act*, and any amendments thereto, to motor vehicles produced by an automotive manufacturer that sells 10,000 or fewer vehicles per year in the territory of Korea.

Self-certification:

- (1) Korea may not apply new or amended regulations relating to self-certification for Korean Motor Vehicle Safety Standards (KMVSS) to imported motor vehicles for at least two years after the date the regulations are issued; and
- (2) Korea shall provide that:

(a) the regulations only apply to an imported motor vehicle model if it is subject to a recall that Korea has mandated;

(b) a motor vehicle produced by a manufacturer that sold no more than 6500 vehicles in the territory of Korea during the previous calendar year

	车队平均NMOG值 (每英里NMOG克数) 5万英里/五年		
车型年份	2009	2010	2011年及以后
LEV	0.075	0.075	非甲烷有机气体值 机动车型 相关车型年 的规定，详见 加州法规第13编 第1961(b)(1)(C)条
低排放车辆/超低 排放车辆	0.060	0.060	非甲烷有机气体值 机动车型 相关车型年 年份，具体规定见 Cal. Code Regs. tit. 13, § 1961(b)(1)(D)
ULEV	0.040	≥0.038	非甲烷有机气体值 机动车型 相关车型年 将不予 比...更严格 加利福尼亚法规第13编第 《法规汇编》第13编第§章 1961(b)(1)(A)节

车载诊断系
统II:

2008年12月31日前，韩国不得将根据《大气质量保护法》通过的部级通知及其任何修正案中所载要求，适用于在韩国领土内年销量不超过10,000辆的汽车制造商所生产的机动车辆。

自我认证:

- (1) 韩国不得在有关韩国机动车辆安全标准(KMVSS)自我认证的新法规或修订法规发布后至少两年内，将其适用于进口机动车辆；且
- (2) 韩国应规定：

(a) 该法规仅适用于进口机动车辆型号，前提是该型号属于韩国已强制要求的召回范围；

(b) 由上一日历年内在韩国领土内销售不超过6500辆机动车的制造商生产的机
动车

complies with the regulations if it is in compliance with either the 42 items contained in KMOVSS and identified in the attached Annex or the corresponding U.S. Federal Motor Vehicle Safety Standards; and

(c) a motor vehicle produced by a manufacturer that sold more than 6500 vehicles in the territory of Korea during the previous calendar year complies with the regulations if it is in compliance with the 42 KMOVSS items identified in the Annex.

I have the honor to propose that this letter and your letter in reply confirming that your Government shares this understanding shall constitute an integral part of the Free Trade Agreement.

Sincerely,

[SGN/]
Hyun Chong Kim

Attachment

若符合所附附件中列出的42项韩国机动车安全标准或对应的美国联邦机动车安全标准，则视为合规；且

(c) 制造商在上一个日历年在韩国领土内销售超过6500辆的机动车，若符合附件中列出的42项韩国机动车安全标准（KMOVSS）规定，则视为合规。

我谨提议，本函及贵方复函确认贵国政府认同此理解，将构成自由贸易协定的组成部分。

此致，

[SGN/] 金玄忠

附件

Annex

- 1. Occupant crash protection (front and side)
- 2. Steering control rearward displacement
- 3. Fuel leakage in collision
- 4. Windshield mounting
- 5. Windshield zone intrusion
- 6. Head restraints
- 7. Seat belt assembly anchorages
- 8. Towing hook
- 9. Lighting and signaling system
- 10. Driver’s visibility
- 11. Engine power
- 12. Device for securing driver’s visibility
- 13. Accelerator control
- 14. Silencer
- 15. Fuel economy
- 16. Passenger car brake
- 17. Anti-lock brake system, except trailer
- 18. Rapid loss of inflation pressure
- 19. Steering effort
- 20. Speedometer
- 21. Electro-magnetic compatibility
- 22. Horn
- 23. Seating systems
- 24. Door locks and door retention components
- 25. Instrument panel impact
- 26. Seat back impact
- 27. Armrest impact
- 28. Sun visor impact
- 29. Bumper impact
- 30. Inside rearview mirror impact
- 31. Impact protection for the driver from the steering control system
- 32. Side door strength
- 33. Roof crush resistance
- 34. Flammability of interior materials
- 35. Interior compartment door
- 36. Child seat anchorage
- 37. Rear underrun protection
- 38. Brake system except passenger car and trailer
- 39. Trailer brake system
- 40. Trailer anti-lock brake system
- 41. Braking efficiency of tractor-trailer in turning
- 42. Speed limiter

附件

1. 乘员碰撞保护（正面和侧面） 2. 转向控制后移 3. 碰撞中的燃油泄漏 4. 挡风玻璃安装 5. 挡风玻璃区域侵入 6. 头枕 7. 安全带总成锚固点 8. 牵引钩 9. 照明和信号系统 10. 驾驶员视野 11. 发动机功率 12. 确保驾驶员视野的装置 13. 加速器控制 14. 消音器 15. 燃油经济性 16. 乘用车制动系统 17. 防抱死制动系统（拖车除外） 18. 快速失压 19. 转向力 20. 车速表 21. 电磁兼容性 22. 喇叭 23. 座椅系统 24. 门锁和门保持组件 25. 仪表板碰撞 26. 座椅靠背碰撞 27. 扶手碰撞 28. 遮阳板碰撞 29. 保险杠碰撞 30. 内后视镜碰撞 31. 转向控制系统对驾驶员的碰撞保护 32. 侧门强度 33. 车顶抗压性 34. 内饰材料的可燃性 35. 内饰隔间门 36. 儿童座椅锚固点 37. 后防钻撞保护 38. 制动系统（乘用车和拖车除外） 39. 拖车制动系统 40. 拖车防抱死制动系统 41. 牵引车-拖车转弯时的制动效率 42. 限速器

June 30, 2007

2007年6月30日

The Honorable Hyun Chong Kim
Minister for Trade
Seoul, Republic of Korea

Dear Minister Kim:

I have the honor to acknowledge receipt of your letter of this date, which reads as follows:

I have the honor to confirm the following understanding reached between the delegations of the Republic of Korea and the United States of America during the course of negotiations regarding Chapter Nine (Technical Barriers to Trade) of the Free Trade Agreement between our two Governments signed this day:

K-ULEV

Korea shall provide that:

(1) a gasoline-powered motor vehicle produced by a manufacturer that sells no more than 4500 of these vehicles in the territory of Korea complies with the requirements contained in Attachment 20 of the Ministerial Regulation adopted pursuant to the *Air Quality Conservation Act* (K-ULEV) if the vehicle meets the Low Emission Vehicle Standard (LEV);

(2) a gasoline-powered motor vehicle produced by a manufacturer that sells between 4501 and 10,000 of these vehicles in the territory of Korea complies with the requirements contained in K-ULEV if the fleet average non-methane organic gas (NMOG) value of the manufacturer’s fleet sold in the territory of Korea meets the LEV/Ultra Low Emission Vehicle Standard (LEV/ULEV); and

(3) a gasoline-powered motor vehicle produced by a manufacturer that sells over 10,000 of these vehicles in the territory of Korea complies with K-ULEV if the fleet average NMOG value of the manufacturer’s fleet sold in the territory of Korea meets the Ultra Low Emission Vehicle Standard (ULEV).

Korea shall use the methodology applied by the State of California under California LEV II Regulations, Cal. Code Regs. tit. 13, § 1961, and any amendments thereto, to calculate the number of motor vehicles sold by a manufacturer in the territory of Korea and the fleet average NMOG value for these purposes.

尊敬的玄正金贸易部长 大韩民
国首尔

尊敬的玄正金部长：

我荣幸地确认收到您今日的来信，内容如下：

我荣幸地确认大韩民国与美利坚合众国代表团在关于两国政府今日签署的自由贸易协定第九章（技术性贸易壁垒）的谈判过程中达成的以下谅解：

韩国超低排
放车辆标准

韩国应规定：

(1) 制造商生产的汽油动力机动车，若在韩国领土内销售数量不超过4500辆，且符合低排放车辆标准（LEV），则视为满足根据《大气质量保护法》通过的部级法规附件20中所载要求（韩国超低排放车辆标准）；

(2) 制造商生产的汽油动力机动车，若在韩国领土内销售数量介于4501至10,000辆之间，且该制造商在韩国领土内销售车队的平均非甲烷有机气体（NMOG）值符合低排放车辆/超低排放车辆标准（LEV/ULEV），则视为满足韩国超低排放车辆标准要求；以及

(3) 制造商生产的汽油动力机动车，若在韩国领土内销售数量超过10,000辆，且该制造商在韩国领土内销售车队的平均NMOG值符合超低排放车辆标准（ULEV），则视为满足韩国超低排放车辆标准。

韩国应采用加利福尼亚州根据加利福尼亚LEV II法规（加利福尼亚法规第13编第1961条）及其任何修正案所实施的方法论，计算制造商在韩国领土内销售的机动车辆数量及用于此目的的车队平均NMOG值。

In determining whether a gasoline-powered motor vehicle produced by a manufacturer complies with K-ULEV, Korea shall apply the following LEV, LEV/ULEV, and ULEV standards:

	Fleet Average NMOG Value (gram per mile of NMOG) 50,000 miles/five years		
Model Year	2009	2010	2011 and thereafter
LEV	0.075	0.075	NMOG value for motor vehicle type of relevant model year, specified in Cal. Code Regs. tit. 13, § 1961(b)(1)(C)
LEV/ULEV	0.060	0.060	NMOG value for motor vehicle type of relevant model year, specified in Cal. Code Regs. tit. 13, § 1961(b)(1)(D)
ULEV	0.040	≥0.038	NMOG value for motor vehicle type of relevant model year will not be more stringent than that specified in Cal. Code Regs. tit. 13, § 1961(b)(1)(A)

OBD-II:

Before December 31, 2008, Korea may not apply the requirements contained in the Ministerial Notice adopted pursuant to the *Air Quality Conservation Act*, and any amendments thereto, to motor vehicles produced by an automotive manufacturer that sells 10,000 or fewer vehicles per year in the territory of Korea.

Self-certification:

(1) Korea may not apply new or amended regulations relating to self-certification for Korean Motor Vehicle Safety Standards (KMVSS) to

在判定制造商生产的汽油动力机动车是否符合韩国超低排放车辆标准时，韩国应适用以下低排放车辆、低排放车辆/超低排放车辆及超低排放车辆标准：

	车队平均NMOG值 (每英里NMOG克数) 5万英里/五年		
车型年份	2009	2010	2011 和此后
LEV	0.075	0.075	非甲烷有机气体值适用于机动车型的相关车型年，具体规定见 Cal. Code Regs. tit. 13, § 1961(b)(1)(C)
低排放车辆/超低排放车辆	0.060	0.060	非甲烷有机气体值机动车型相关车型年中规定的加利福尼亚法规第13编第1961(b)(1)(D)条
ULEV	0.040	≥0.038	非甲烷有机气体值机动车型 of relevant model 年份将不会比...更严格 加利福尼亚法规第13编第《法规汇编》第13编，第 1961(b)(1)(A)节

车载诊断系统II:

2008年12月31日前，韩国可不将根据《大气质量保护法》通过的部级通知及其任何修正案所含要求，适用于在韩国领土内年销量不超过10,000辆的汽车制造商所生产的机动车辆。

自我认证:

(1) 韩国不得对进口机动车辆实施与韩国机动车辆安全标准(KMVSS)自我认证相关的新规或修订法规，至少在法规发布之日起两年内；且

imported motor vehicles for at least two years after the date the regulations are issued; and

(2) Korea shall provide that:

(a) the regulations only apply to an imported motor vehicle model if it is subject to a recall that Korea has mandated;

(b) a motor vehicle produced by a manufacturer that sold no more than 6500 vehicles in the territory of Korea during the previous calendar year complies with the regulations if it is in compliance with either the 42 items contained in KMVSS and identified in the attached Annex or the corresponding U.S. Federal Motor Vehicle Safety Standards; and

(c) a motor vehicle produced by a manufacturer that sold more than 6500 vehicles in the territory of Korea during the previous calendar year complies with the regulations if it is in compliance with the 42 KMVSS items identified in the Annex.

I have the honor to propose that this letter and your letter in reply confirming that your Government shares this understanding shall constitute an integral part of the Free Trade Agreement.

I have the further honor to confirm that my Government shares this understanding and that your letter and this letter in reply shall constitute an integral part of the Free Trade Agreement.

Sincerely,

Susan C. Schwab

Attachment

进口机动车辆至少在法规发布之日起两年内不受其约束；且

(2) 韩国应规定：

(a) 该法规仅适用于韩国已下令召回的进口机动车车型；

(b) 制造商生产的机动车若在上一个日历年在韩国领土内销售不超过6500辆，只要其符合所附附件中列出的42项韩国机动车安全标准（KMVSS）或相应的美国联邦机动车安全标准，即视为符合该法规；

(c) 制造商生产的机动车若在上一个日历年在韩国领土内销售超过6500辆，只要其符合附件中列出的42项韩国机动车安全标准（KMVSS），即视为符合该法规。

我谨提议，本函及贵方回函确认贵国政府认同此理解，将构成自由贸易协定的组成部分。

我谨进一步确认，我国政府认同这一理解，并且您的来信及本复函将构成《自由贸易协定》的组成部分。

此致，

苏珊·C·施瓦布

附件

Annex

- 1. Occupant crash protection (front and side)
- 2. Steering control rearward displacement
- 3. Fuel leakage in collision
- 4. Windshield mounting
- 5. Windshield zone intrusion
- 6. Head restraints
- 7. Seat belt assembly anchorages
- 8. Towing hook
- 9. Lighting and signaling system
- 10. Driver’s visibility
- 11. Engine power
- 12. Device for securing driver’s visibility
- 13. Accelerator control
- 14. Silencer
- 15. Fuel economy
- 16. Passenger car brake
- 17. Anti-lock brake system, except trailer
- 18. Rapid loss of inflation pressure
- 19. Steering effort
- 20. Speedometer
- 21. Electro-magnetic compatibility
- 22. Horn
- 23. Seating systems
- 24. Door locks and door retention components
- 25. Instrument panel impact
- 26. Seat back impact
- 27. Armrest impact
- 28. Sun visor impact
- 29. Bumper impact
- 30. Inside rearview mirror impact
- 31. Impact protection for the driver from the steering control system
- 32. Side door strength
- 33. Roof crush resistance
- 34. Flammability of interior materials
- 35. Interior compartment door
- 36. Child seat anchorage
- 37. Rear underrun protection
- 38. Brake system except passenger car and trailer
- 39. Trailer brake system
- 40. Trailer anti-lock brake system
- 41. Braking efficiency of tractor-trailer in turning
- 42. Speed limiter

附件

1. 乘员碰撞保护（正面和侧面） 2. 转向控制后移 3. 碰撞中的燃油泄漏 4. 挡风玻璃安装 5. 挡风玻璃区域侵入 6. 头枕 7. 安全带总成锚固点 8. 牵引钩 9. 照明和信号系统 10. 驾驶员视野 11. 发动机功率 12. 确保驾驶员视野的装置 13. 加速器控制 14. 消音器 15. 燃油经济性 16. 乘用车制动系统 17. 防抱死制动系统（拖车除外） 18. 快速失压 19. 转向力 20. 车速表 21. 电磁兼容性 22. 喇叭 23. 座椅系统 24. 门锁和门保持组件 25. 仪表板碰撞 26. 座椅靠背碰撞 27. 扶手碰撞 28. 遮阳板碰撞 29. 保险杠碰撞 30. 内后视镜碰撞 31. 转向控制系统对驾驶员的碰撞保护 32. 侧门强度 33. 车顶抗压性 34. 内饰材料的可燃性 35. 内饰隔间门 36. 儿童座椅锚固点 37. 后防钻撞保护 38. 制动系统（乘用车和拖车除外） 39. 拖车制动系统 40. 拖车防抱死制动系统 41. 牵引车-拖车转弯时的制动效率 42. 限速器