



## ***EU - US TRANSATLANTIC TRADE AND INVESTMENT PARTNERSHIP - TECHNICAL BARRIERS TO TRADE - INITIAL EU POSITION PAPER, BY DG TRADE***

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### **1. INTRODUCTION**

The final report of the HLWG refers to five basic components of TTIP provisions on regulatory issues, as follows: cross-cutting disciplines on regulatory coherence and transparency; provisions concerning technical barriers to trade (TBT) and sanitary and phytosanitary measures (SPS); provisions aimed at promoting (greater) regulatory compatibility in individual sectors; and a framework providing an institutional basis for future cooperation.

With respect to the horizontal TBT Chapter, the HLWG specifically recommends the following:

“An ambitious “TBT-plus” chapter, building on horizontal disciplines in the WTO Agreement on Technical Barriers to Trade (TBT) including establishing an on going mechanism for improved dialogue and cooperation for addressing bilateral TBT issues. The objectives of the chapter would be to yield greater openness, transparency, and convergence in regulatory approaches and requirements and related standards development processes, as well as, inter alia, to reduce redundant and burdensome testing and certification requirements, promote confidence in our respective conformity assessment bodies, and enhance cooperation on conformity assessment and standardization issues globally.”

This draft presents some elements that could be contained in the horizontal TBT Chapter of the future TTIP.

In particular, this paper addresses general issues concerning technical regulations, standardization, conformity assessment and transparency. It is limited to aspects covered by the WTO TBT Agreement. It therefore does not cover issues related to services, public procurement, and aspects covered by the WTO SPS Agreement.

As indicated above, it is envisaged that separate provisions will be made for specific product sectors. Many technical sectors have regulatory peculiarities arising either from their nature, or for historical reasons, and where such peculiarities exist, or where the economic importance of a sector is such as to justify it, specific measures will be considered in a separate sectoral annex, limited to that set of products. It is the purpose of this discussion



to address the general case, i.e., where sectoral measures are not, or not yet, envisaged for the TTIP as a whole, or where sectoral measures are intended to complement measures of general application.

## 2. PRINCIPLES

The EU considers that transparency and predictability of the regulatory and standard-setting process is key to trade and growth in general. It has therefore been a strong advocate, both in the SPS and TBT Committees, for improving regulatory and standardization practices of WTO Members, in particular through the application of principles of transparency and good regulatory practice at all stages of the regulatory and standard-setting process as well as convergence to international standards.

The EU views for the TBT component of the TTIP are based on a number of guiding principles.

First, as far as possible, measures should aim at removal of unnecessary barriers to trade arising from differences in the content and application of technical regulations, standards and conformity assessment procedures.

Second, although compatibility is important, it must be recognised that the systems of the two regions are different, both to meet the specific needs of their economies and for historical reasons, and it is not possible for one side to impose its system on the other; nor can either side be expected to treat its partner more favourably than its own side.

Third, while the need for a high level of protection remains, measures should aim for methods of regulation, standardisation and conformity assessment that are not more trade-restrictive than necessary to achieve the relevant public interest objective, while taking into account the need to give preference to internationally harmonized methods.

Fourth, closer co-operation between the EU and the US should not result in new hindrances to their trade with the rest of the world.

Finally, it should be recognised that there are existing voluntary instruments of transatlantic co-operation in or related to TBT matters, arising from earlier sectoral or general trans-Atlantic initiatives, and that the results of such initiatives should not be compromised in any new Agreement.

See the complete paper >> [EU - US transatlantic trade and investment partnership - Technical Barriers to Trade - Initial EU Position Paper](#)

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