

## WTO Law on TBT and SPS Measures

**ECTS: 3**

**KSL Root Number: 448997**

With applied tariffs for many products low or zero, non-tariff measures (NTMs) are now a target of growing concern, pitting legitimate objectives (protection of the environment, consumers, human, animal and plant life and health – including food and beverage safety) against market access (i.e., protectionist) issues. Nevertheless, technical regulations, standards, and conformity assessment procedures are routine policy tools and play an important role in market access for manufactured and agricultural goods. Whether legitimate or not, NTMs influence business decisions as well as consumer behaviour.

The Agreement on Technical Barriers to Trade (TBT) and the Agreement on Sanitary and Phytosanitary Measures (SPS) are both part of the WTO's single undertaking, and both are designed to allow the application of regulations, standards and testing procedures that further legitimate objectives while disciplining NTBs that are employed for protectionist purposes.

These four days of lectures and group exercises are devoted to a legal analysis of the TBT and SPS Agreements. Not only will you leave with a solid understanding of the legal operation of the agreements, you will learn how governments, the business community, and non-governmental organizations use technical regulations, standards, and conformity assessment procedures to further their objectives. You will also gain experience interpreting WTO dispute settlement rulings and applying the TBT and SPS Agreements to practical scenarios, including environmental and other regulatory issues, thereby furthering your economic and political understanding of the policy space available under each agreement.

The course will be highly interactive. All students will be expected to have completed the readings before class and to come prepared to participate in class discussions and group exercises and presentations. The Exam on Day 5 will require you to answer one question for each agreement.