

# NCCR Trade Regulation The World Trade Institute University of Berne

## Challenges in Nanotechnology

NCCR Workshop, January 20, 2012

Prof. Thomas Cottier

Managing Director, WTI

[thomas.cottier@wti.org](mailto:thomas.cottier@wti.org)

[www.wti.org](http://www.wti.org)

[www.nccr-trade.org](http://www.nccr-trade.org)

# Welcome to the WTI!

- Multidisciplinary Center of the University of Berne addressing economic globalization and regional integration
- Executive Master Programme MILE
- External Programmes
- Summer School
- SECO funded international network in education and research
- SNF funded NCCR Trade Regulation
- Doctoral School (law, economics, International relations in economic globalization (trade, investment, environment, human rights etc)

# NCCR Trade Regulation Research Project

- Funded by the Swiss National Science Foundation - 12-year project, 2006-2009, 2009-2013, 2013-2016
- Dedicated to transdisciplinary research in international trade regulation responding to challenges of economic globalization
- Leading House: WTI, cooperation with ETHZ, Universities of ZH, LU, VD and international partners
- Some 50 researchers involved (professors, post-docs and PhD students)

## Key substantive areas covered in the project's second phase (2009-2013)

- Trade Governance
- Preferential Trade and Investment
- Innovation and Creativity in International Trade
- Trade, Development and Migration
- Trade and Climate Change
- Impact Assessment in International Trade

# Trade-related Challenges in Nanotechnology

- Key questions:
  - What is nanotechnology in relation to established scientific disciplines (physics, chemistry)?
  - Potentials (clean tech) and risks? (health, environment)
  - Can it be dealt with by traditional regulatory approaches or do we need a new framework?
  - What is the appropriate level of governance?
  - In particular: what is the relevance of production and process methods (PPMs)?

# Regulatory Foundations in International Law

- WTO Law
  - GATT 1995 (ban on QRs)
  - Agreement on Technical Barriers to Trade (TBT) (technical regulations and standards)
  - Agreement on Sanitary and Phytosanitary Measures (SPS) (foodstuffs)
  - TRIPs Agreement (intellectual property and undisclosed information)
- Environmental Law
  - Precautionary principle and nano-specific instruments in the making
- Policy Instruments
  - OECD Working Party on Nanotechnology
  - Strategic Approach to Int'l Chemical Management (SAICM)

# Regulatory Foundations in European and Swiss-EU Law

- REACH
  - Regulation (EC 1907/2006) concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals
- 1972 Free Trade Agreement
- 1999 Mutual Recognition Agreement
- Common Rules on Product Liability

# Thank you for your attention