

EPHA contribution

Public Health Concerns on TBT in TTIP

Technical Barriers to Trade (TBT)

- **TTIP shall ensure the legal right for all EU member states and the European Union to legislate in the interests of public health. It should be avoided that TTIP delay or block the right to regulate in health protection and improvement.**
- **TTIP shall make sure that public health will not be seen merely as barrier to trade but will be mainstreamed into TTIP, by including it into the preamble and every chapter to TTIP.**

At the heart of international trade is the belief that they will have a positive economic benefit. Historically, economic growth has led to improved population health. Yet this link is now weakening, and attention is being focussed on assessing the effect of Free Trade Agreements (FTAs) on health and the ability of government to mitigate against negative impact.¹

TTIP should be in line with the Preamble in the WTO agreement “Recognizing that their relations in the field of trade and economic endeavour should be conducted with a view to raising standards of living, ensuring full employment and a large and steadily growing volume of real income and effective demand, and expanding the production of and trade in goods and services, while allowing for the optimal use of the world's resources in accordance with the objective of sustainable development, seeking both to protect and preserve the environment and to enhance the means for doing so in a manner consistent with their respective needs and concerns at different levels of economic development”²

A record-breaking number of new trade concerns, mostly dealing with issues such as the protection of health and the environment, has recently been raised before the WTO's TBT Committee. These trade concerns include nutrition labelling – in particular proposals relating to health and nutrition such as the so-called ‘traffic-light’ nutrition labelling. They also include tobacco with four measures on plain packaging being discussed.³

Our main public health concern is that the TTIP TBT Chapter does not restrict policy space for the EU and its Member States limiting their options to adopt measures with the aim of reducing consumption of certain products at the origin of NCDs. No provision in the TTIP should inadvertently increase the standard of proof with regard to evidence of effectiveness.

¹ Khan, U., Pallot, R., Taylor, D. and Kanavos, P. (2015) ‘The Transatlantic Trade and Investment Partnership: international trade law, health systems and public health’ London School of Economics and Political Science and Modus Europe report. www.epha.org/6278

² http://www.wto.org/english/docs_e/legal_e/04-wto.pdf

³ TTIP, international trade and cardiovascular health – a European Heart Network paper
http://www.ehnheart.org/index.php?option=com_downloads&id=1949
http://www.wto.org/english/news_e/news14_e/tbt_04nov14_e.htm