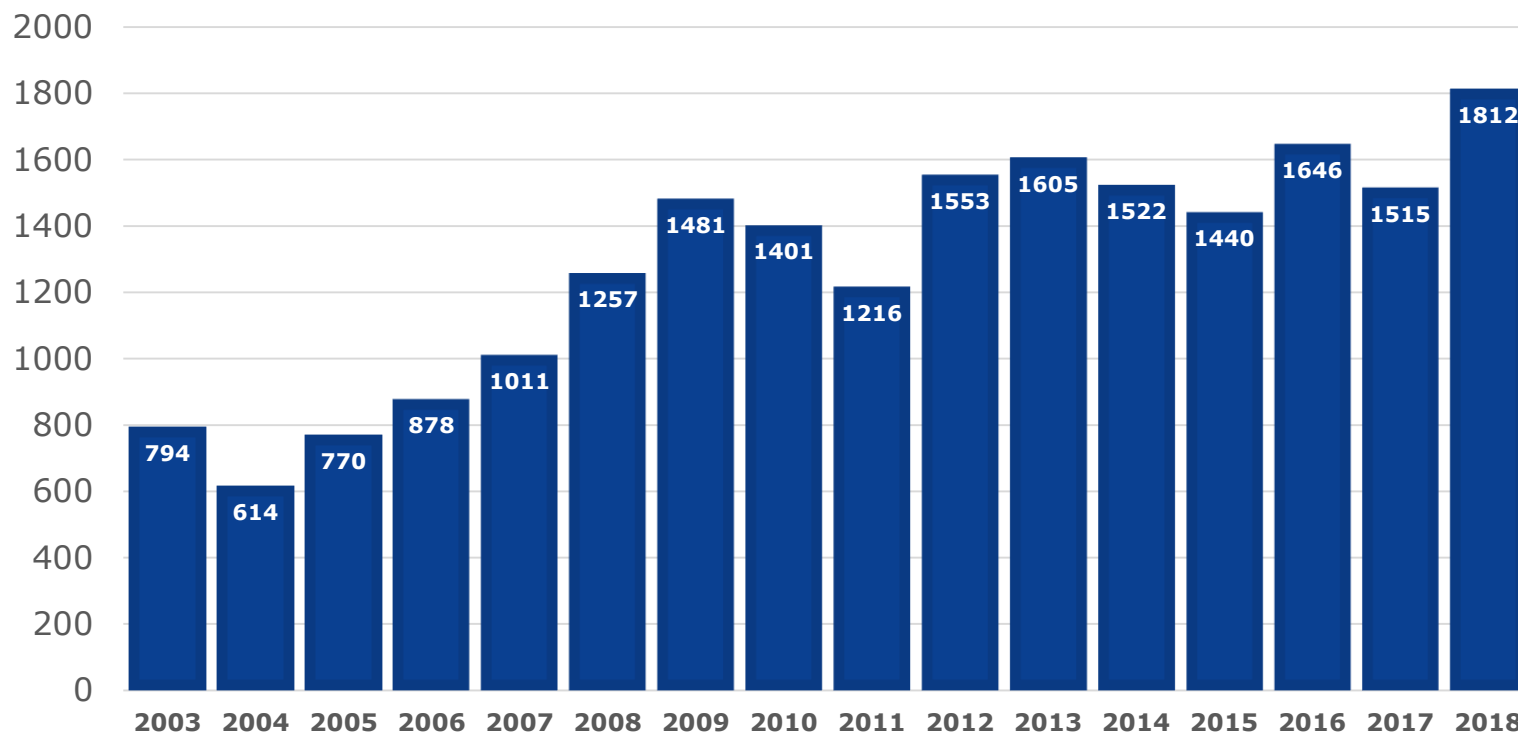


# EU TBT Enquiry Point - Transparency regarding Comments, Answers & Reactions

**TBT Committee, Session on Transparency**  
June 2019, Geneva

*By Céline Zaimoğlu, TBT Enquiry Point, Directorate-General for  
Internal Market, Industry, Entrepreneurship and SMEs (GROW),  
Prevention of Technical Barriers Unit*

# Number of TBT notifications 2003-2018



# A public website...



# The EU-TBT Public Website

- Originally targeted to EU economic operators, especially SMEs
- Provides essential information:
  - ✓ General presentation of the TBT Agreement
  - ✓ Access to TBT notifications, including the draft texts (and their translations when available), comments sent and received
  - ✓ Mailing list subscription
  - ✓ Contact and useful links

[ec.europa.eu/growth/tools-databases/tbt/en/](http://ec.europa.eu/growth/tools-databases/tbt/en/)



## GROWTH

Internal Market, Industry, Entrepreneurship and SMEs

European Commission > Growth > Single Market and Standards > Tools and Databases > TBT > TBT and You > Being informed > ... > Subscribe to mailing list



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Publications

## Subscribe to mailing list

To subscribe to the mailing list please follow the 3 easy steps below.

### Step 1

Your contact information

### Step 2

What kind of information

### Step 3

For which countries

#### Your contact information

Tell us something about yourself:

**Your e-mail address**

**Your country of origin**

Select a country please ▼

**You are, or you represent, a**

Select a profile please ▼

**Your preferred language**

☐ Deutsch ☐ English ☐ Français

Continue >

How our system works

Automatic Alert System



# How our system was made known

- Use of existing subscription system
- Presentation in meetings with stakeholders
- In 2013, video created for YouTube!



# Involvement of industry stakeholders

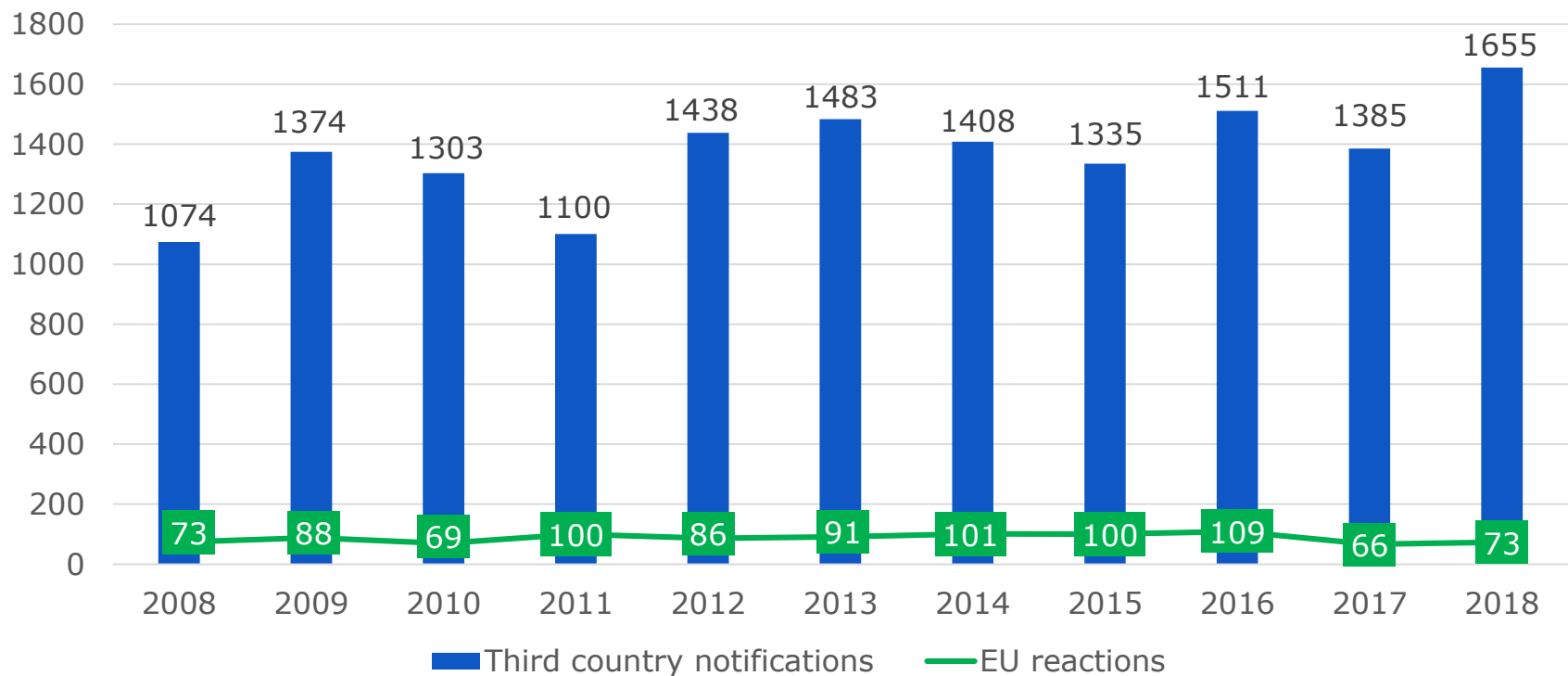
- Direct contacts with the EU or EU Member States' TBT Enquiry Points or Commission departments in charge of trade or specific sectors
- Market Access Advisory Committee meetings (participation of EU Member States and stakeholders)
- Use of the database functions

# Third country notifications



# Notifications Overview

## – 73 EU comments sent in 2018



# EU actors of the procedure

## ➤ **EU TBT Enquiry Point**

- Receives third country notifications
- Informs Commission departments concerned and alerts stakeholders through the TBT database
- Prepares EU comments, in cooperation with departments concerned

## ➤ **Commission departments**

- Screen the notifications
- Provide technical input
- Assess comments sent by stakeholders

# What the EU publishes about notifications

## ➤ All notifications as published on the WTO website

- The EU no longer uploads all the texts onto the database as most notification forms have a WTO link or the WTO Member's own link to the text
- If there is no link, the EU asks the WTO Member for the text
- If a WTO Member does not want the text published it should inform the EU TBT Enquiry Point when sending it

# What the EU publishes about comments, answers and reactions on notifications

- *Comments received from industry - NOT PUBLISHED.*

# Third country notifications

- *Comments sent by the EU to WTO Members on 3<sup>rd</sup> country notifications - PUBLISHED.*
- *Answers received from WTO Members in reply to EU comments on 3<sup>rd</sup> country notifications - PUBLISHED.*
- *Reactions sent by the EU to WTO Members on 3<sup>rd</sup> country notifications - PUBLISHED.*

# EU notifications

- *Comments received from WTO Members on EU notifications - PUBLISHED.*
- *Answers sent by the EU to WTO Members in reply to WTO Members' comments on EU notifications - PUBLISHED.*
- *Reactions received from WTO Members on EU notifications - PUBLISHED.*

# EU MS notifications

- *Comments received from WTO Members on EU MS notifications - PUBLISHED.*
- *Answers sent by the EU to WTO Members in reply to WTO Members' comments on EU MS notifications - PUBLISHED.*
- *Reactions received from WTO Members on EU MS notifications - PUBLISHED.*

# Balancing transparency and data protection

- *Comments, answers and reactions received from WTO Members often include personal data (names, signatures, email address which include personal names etc).*
- *The EU is committed to processing personal data in line with:*

*Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC.*



# Publication of comments, answers and reactions

- *Documents should be sent to the EU Enquiry point without any personal data*
- *Consent (from the data subject) to publication with personal data will be required*
- *If any comments, answers and reactions do include personal data the EU will not publish these documents*

# Publication of documents not originating from the WTO Member

- *Comments, answers and reactions from industry forwarded by WTO Members - the EU considers these as official comments endorsed by the WTO Member concerned*
- *Problems arise when publishing such documents - it appears that the EU is publishing "industry comments"*

# Publication of documents not originating from the WTO Member

- *WTO Members should ensure that:*
  - **comments do not contain personal data if they are intended to be published**
  - **comments are presented in a way that makes it clear that they are official comments from the WTO Member rather than industry comments**

# Publication of documents not originating from the WTO Member

*If such comments, answers and reactions do include personal data, or appear to be industry comments, they are not to be published.*

*Comments, answers and reactions received from WTO Members - not published due to data protection issues or because they appear to be industry comments - will be replied to.*

# Data protection and documents already published

- *The Commission departments are currently considering action to be taken on documents already published*

# Thank you!

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