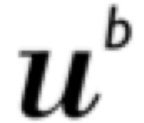


Market access: From bespoke solutions to unilateral standard setting

26 October 2018, Bern

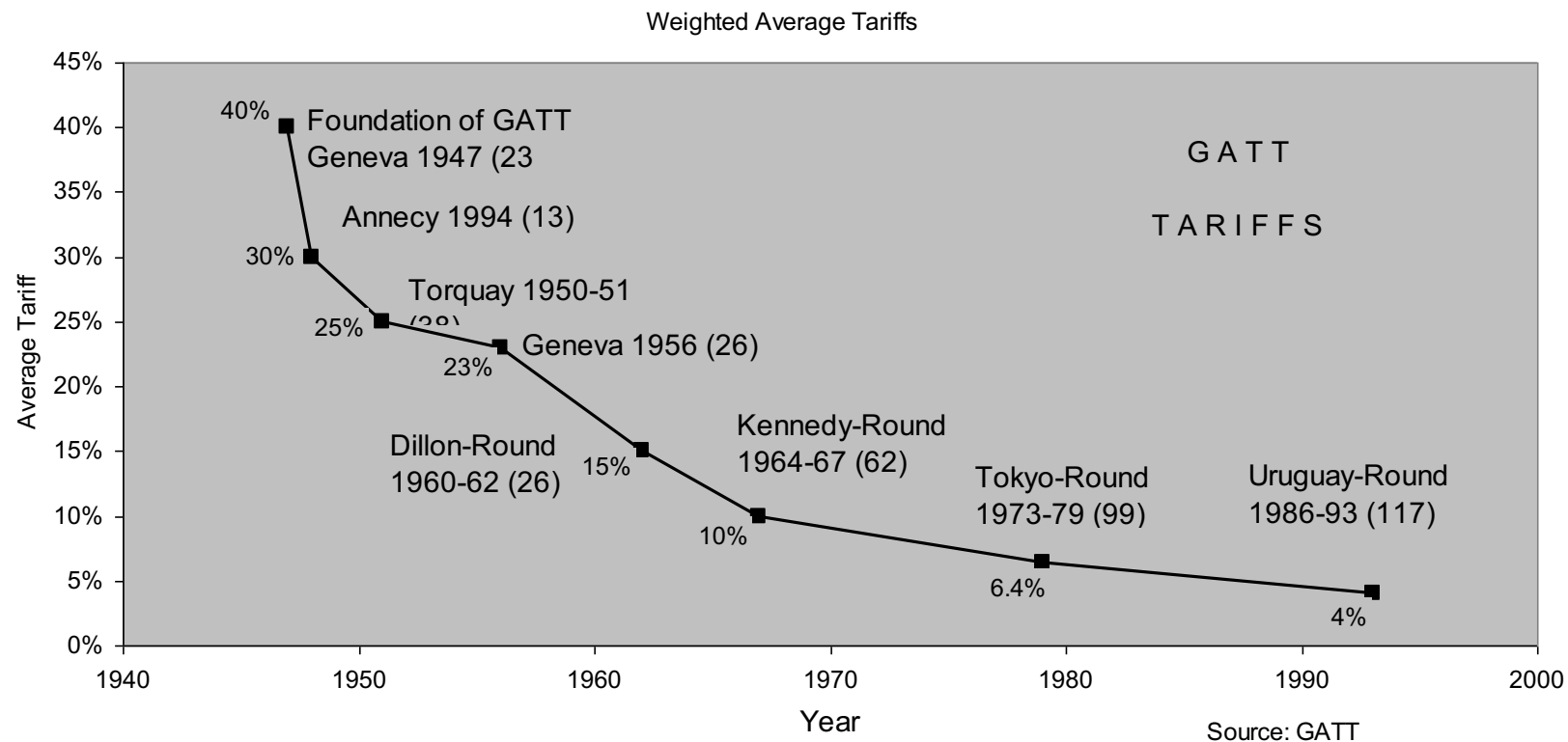
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Post WWII Multilateral Trade Liberalization



From unilateral granting (à la *Zibelemärit*)

To Treaty-based market access



Plus ca change....

- From Trade Liberalization to Trade Regulation and Behind-the-Border-Issues
 - Regulatory cooperation (-)
- Plurilateral/bilateral FTA provisions are based either upon WTO non-tariff rules, plus MRA (e.g. CETA, EU-CH)....
-or upon non-tariff rules emanating from larger trading partner (EU, US, China)
- Regulatory cooperation largely absent

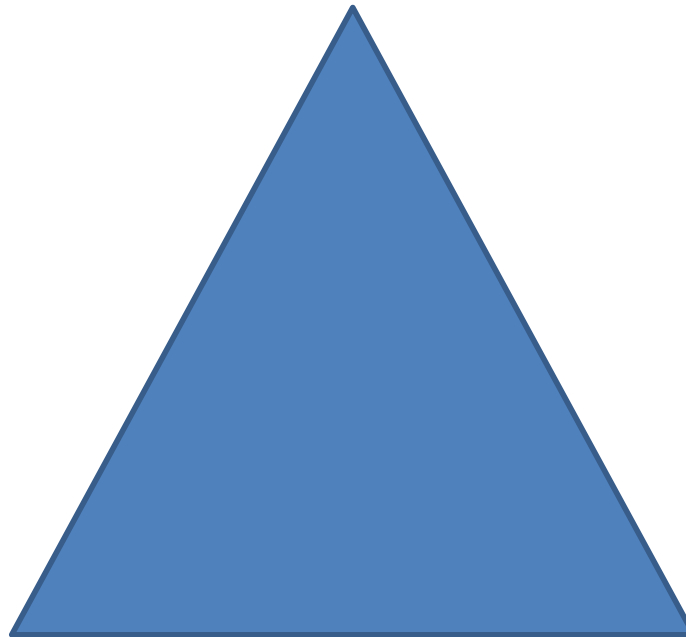
The Relevance of the European Experience for Switzerland

- Cassis-de Dijon Principle and equivalence (full faith and credit)
- Harmonization (directives, regulations)
 - Single Market
- Variable Geometry (Schengen/Dublin, EMU, enhanced cooperation)
- Rule export to 3rd countries via “gravity” & Agreements (MRAs, Association and FTAs) – “The Brussels effect”
- “The EU ecosystem” of governance as integral part of the equivalence evaluation process

Back to unilateral granting of market access? u^b

- POTUS 45: e.g. VERs U.S. – Korea, USMCA
- “Third country-/Switzerland clauses in EU legislation: “A privilege, not a right”
- OBOR
- Rule-Makers and Rule-Takers

Agreements



“Autonomous
Adaptation”

(Recognition of)
Equivalence

THANK YOU FOR YOUR ATTENTION!

Any questions?

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