



Response to comments on the Protocol on SPS and TBT

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Overview

- Part A: Sanitary and Phytosanitary Measures (SPS)
- Part B: Technical Barriers to Trade (TBT)
- Both aligned with WTO Agreements
 - Affirms rights and obligations under the WTO
 - Aimed at trade facilitation while protecting health and safety

Examples in TBT/SPS Protocols wrt to WTO

- Preparation, adoption, application – reference to WTO TBT Agreement Annex 3
- SPS Notification Procedures: Use WTO SPS System for proposed and final measures

Comment 1: Reference to WTO

- Regarding the comments on references to the WTO agreements received from Turkmenistan:
- See proposed Article 14 that can be added in the Framework Agreement (earlier discussed):
 - Essentially: that any references to WTO agreements in the protocols do not create rights and obligations for non-members of the WTO
 - Not subject to any WTO legal provisions, unless explicitly incorporated into CARTIF

Comment 2: SPS Regulation Notification

- Existing Par 9, Article 11 of SPS Protocol:
- "9. Each Party shall notify the other Parties of final sanitary or phytosanitary measures through the **WTO SPS notification submission** system
- Suggested revision:
- 9. Each Party shall notify the other Parties of final sanitary or phytosanitary measures through the WTO SPS notification submission system or through the CAREC (or CARTIF) Secretariat's notification submission system.