

9 Standards in services



KEY INSIGHTS

- With the evolution of digital technologies and market structures, standards are becoming an increasingly important GRP area for services and services trade – helping reduce transaction costs, promote interoperability, and signal minimum quality in service delivery.
- GATS covers standards to a limited extent only, notably by requiring WTO members to ensure that domestic regulation for services, including with respect to technical standards, is transparent, objective and not more trade-restrictive than necessary.
- The SDR Disciplines – mirrored in some recent services PTAs – address another instrumental GRP aspect when it comes to standards: they encourage open and transparent processes for developing standards, as well as providing technical assistance to help developing economies participate in standard-setting bodies.
- However, learning from the more evolved experience in trade in goods – namely through TBT – there are additional GRP principles which may prove useful in the area of services trade, in particular with respect to the impartiality of standard-setting bodies, the effectiveness and relevance of standards, as well as coherence and non-duplication/conflict with existing international standards.
- Domestic uptake of services standards is expanding. Various jurisdictions are exploring or adopting services standards across sectors (e.g. architecture, engineering and construction industries) as well as in newer areas such as AI, cybersecurity and privacy – including by incorporating by reference, or otherwise giving legal effect, to existing international standards (e.g. International Standards on Auditing).

Key features

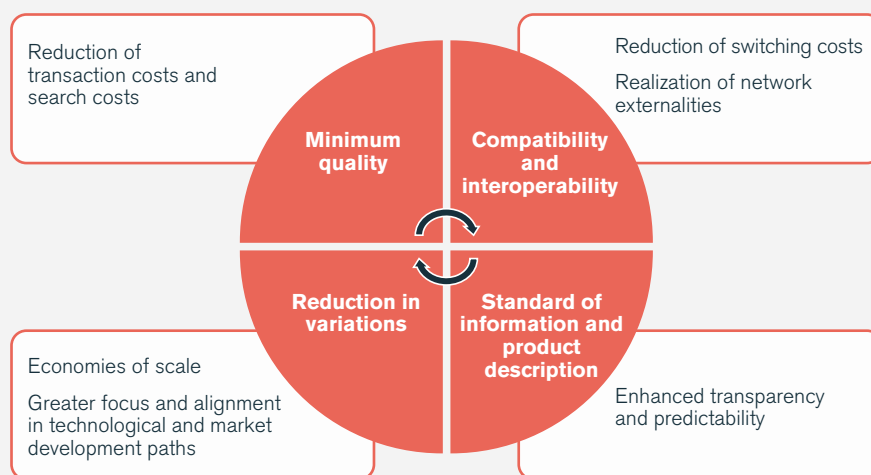
The International Organization for Standardization (ISO), one of the largest independent standard-setting bodies, describes a standard as “the best way of doing something”.¹ It defines it as a “document, established by consensus and approved by a recognized body, that provides, for common and repeated use, rules, guidelines or characteristics for activities or their results”. The definition continues to clarify the objective of a standard, namely that it is “aimed at the achievement of the optimum degree of order in a given context”.²

In the field of services, standards are a critical component of regulatory frameworks within which services suppliers operate – they reduce risks, transaction costs and systems incompatibilities, thus enabling trade to take place.³ Amid rapid technological changes and the deepening of GVCs, standards play an increasingly important role in ensuring the reliability, quality, interoperability and safety of service delivery. They help address common failures in services markets, such as information asymmetries, by making key service attributes more visible and comparable, often through clear specifications, certification and disclosure. For instance, accounting and auditing standards reduce uncertainty about the accuracy of financial reporting; in transport and logistics, safety and security standards assure clients of reliable delivery; and in digital services, common protocols for data protection or cybersecurity provide confidence to users and regulators alike.

In this context, standards provide key information about the service and related processes; they establish benchmarks for minimum quality of performance, clarifying what customers can expect and what suppliers must deliver. They also enable compatibility and interoperability, reducing unnecessary variations and allowing systems, processes and organizations to work seamlessly together across different platforms and regions. Consequently, standards are key to encouraging competitiveness and lowering transaction costs, while at the same time fostering innovation and economies of scale (Figure 1).

Services standards only accounted for 2.2 per cent of new registered ISO standards in 2022.⁴ However, a high number of non-services-specific standards have implications for services, such as business management and innovation standards, as well as transport-related standards. Furthermore, there are specialized international standard-setting bodies that deal with specific services sectors, such as the International Air Transport Association (IATA) and International Civil Aviation Organization (ICAO) for air transport, the International Telecommunication Union (ITU) for telecommunications services, the International Maritime Organization (IMO) for maritime transport, and the International Financial Reporting Standards (IFRS) for accounting standards.

Figure 1: Key benefits of standards



Source: WTO/World Bank.

There are different types of standards that may be applicable to services:

- **Voluntary vs. mandatory standards:** voluntary standards are developed by private standard-setting bodies or market-leading firms setting a *de facto* industry standard. Voluntary standards are self-enforcing and spread through network effects. Mandatory standards, on the other hand, are imposed by governments. They are often based on well-established voluntary standards, and align, where possible, with international standards. It is worth noting that voluntary and mandatory standards can be complementary and mutually reinforcing.⁵ In many professional services (e.g. accountancy, architecture), standards drafted by professional bodies start as voluntary but become binding when legislation or licensing rules incorporate them by reference – for example, by requiring adherence to a profession's auditing, ethics, or competence standards as a condition of practice. In these co-regulatory models, a measure establishes the public-interest framework and delegates specific functions to professional bodies (e.g. accreditation for continuing professional development, inspections and discipline), while standards acquire legal effect through that incorporation.
- **Process/method vs. product standards:** process/method standards, which are most prevalent in services sectors, set out uniform ways of performing specific tasks or undertaking processes. For example, the International Standards on Auditing (ISAs) specify how auditors plan, test, document and report an audit. Regulators often require audits to follow ISAs, which standardizes the process of delivering the audit service and makes quality comparable across borders. Product standards identify the qualities or functions of a product. In services sectors, product standards often govern the tools or outputs used to deliver the service (e.g. Europay, Mastercard and Visa chip and terminal specifications, or health-data formats).

Standard-setting typically proceeds in two complementary ways: demand-driven (bottom-up) and regulation-driven (top-down).⁶ In the bottom-up approach, services and suppliers, especially with rapid changes in digital technologies, may initiate business demand for agreeing on a specific way of producing, supplying, or marketing a service. Once demand is established, it is the role of standard-setting bodies, with inputs from relevant stakeholders, to design and adopt standards. In contrast, with a top-down

approach, governments establish overarching objectives and guidelines, while allowing private standard-setting bodies to compete in developing and disseminating specific standards, and to provide certifications once these standards are met.

In the area of services, it is also important to distinguish “technical standards” from “regulatory standards”. Technical standards, as discussed above, are concerned with the characteristics of a service or the manner/process in which it is supplied. But there also exist standards – often referred to as “regulatory standards” – which set out principles for the regulation and supervision of a service.⁷ For example, the Financial Stability Board, established to coordinate national and international financial authorities and standard-setting bodies, identified 12 key standards widely recognized as minimum benchmarks for good practice. These include the “Core Principles for Effective Banking Supervision” by the Basel Committee on Banking Supervision, the “Insurance Core Principles” by the International Association of Insurance Supervisors, and the “Objectives and Principles of Securities Regulation” by the International Organization of Securities Commissions.

GATS, SDR Disciplines and other relevant trade agreements

Under the GATS, obligations related to standards are somewhat rudimentary. Broadly speaking, the GATS aims to ensure that domestic regulation for services, including with respect to technical standards, is transparent, objective and not more trade-restrictive than necessary.⁸

The GATS does not contain definitions for the terms “standard”, “technical standard” or “international standard”. Nevertheless, the term “standard” is used within the provision on recognition to clarify that a WTO member may recognize education, experience, requirements, licences or certificates of other jurisdictions, to fulfil its own “standards or criteria”.⁹

The phrase “technical standard” features only twice in the GATS, and both times in the context of Article VI. The first appearance is under the mandate of Article VI:4, which directs WTO members to develop any necessary disciplines to ensure that “measures relating to ... technical standards” do not constitute

unnecessary barriers to trade in services. The second appearance is in Article VI:5 which requires that WTO members, before any such disciplines are developed, do not apply technical standards that nullify or impair specific commitments contained in their schedules of specific commitments.

The phrase “international standards” is, however, used on three occasions. First, in the context of the period before the adoption of domestic regulation disciplines developed under Article VI:4. In view of this, Article VI:5 states that when assessing whether a WTO member complies with the requirement not to apply technical standards that would nullify or impair specific commitments, consideration should be given to the international standards of relevant international organizations applied by that WTO member. The phrase “relevant international organizations” refers here to international bodies whose membership is open to the relevant bodies of at least all WTO members. Importantly, this obligation, therefore, neither provides an obligation to use international standards nor create a presumption of compliance with the principle prescribed in Article VI:4.

The second reference to “international standards” appears in the context of recognition. Article VII:5 provides that recognition should be based on multilaterally agreed criteria in appropriate cases. In light of this, WTO members “shall work in cooperation with relevant intergovernmental and nongovernmental organizations towards the establishment and adoption of common international standards and criteria for recognition and common international standards for the practice of relevant services trades and professions”.

The last reference is contained in the Annex on Telecommunications. Specifically for telecommunications services, Section 7(a) provides that WTO members “recognize the importance of international standards for global compatibility and inter-operability of telecommunication networks and services and undertake to promote such standards through the work of relevant international bodies, including the ITU and the ISO.” In the telecom sector, the Reference Paper on Basic Telecommunications (incorporated by more than 100 WTO members into their respective schedules of specific commitments) requires that WTO members ensure that interconnection with a major supplier is provided *inter alia* under non-discriminatory terms and conditions and that it should be provided “in a timely fashion, on terms, conditions (including technical standards

and specifications) and cost-oriented rates that are transparent, reasonable, having regard to economic feasibility and sufficiently unbundled”.¹⁰

Despite the absence of definitions in the GATS, WTO members – during negotiations in the WPDR – had developed a working definition which provides that “technical standards” are measures that prescribe “the characteristics of a service or the manner in which it is supplied”.¹¹ Furthermore, “technical standards also include the procedures relating to the enforcement of such standards.”¹² This definition reflects the distinction between the characteristics of a product and the related production methods. Technical standards could therefore be understood as rules or criteria describing the characteristics of the service (e.g. the format of a financial report), as well as the manner in which it should be performed, namely, the way in which an audit must be conducted, including various checks and reporting. It would cover both mandatory technical requirements for the supply of a service as well as situations where adherence to voluntary standards is accepted as one among several ways of complying with a mandatory requirement.

The SDR Disciplines, likewise, do not contain definitions of these terms. While the SDR Disciplines apply to “measures relating to [...] technical standards affecting trade in services”¹³, there is no attempt to regulate the substance of technical standards. In encouraging the provision of specific technical assistance and capacity building, WTO members that have adopted the SDR Disciplines have pledged such assistance which shall *inter alia* aim to facilitate “the establishment of technical standards” and facilitate the “participation of developing and in particular least-developed country members facing resource constraints in the relevant international organizations”.¹⁴

It is important to note that the SDR Disciplines focus on the phase of obtaining authorization to supply a service, but do not regulate the post-licensing phase in which services businesses must perform their services in a specific manner or observe a certain level of quality or safety. The only exception relates to the requirement for publication of information not only to obtain, but also to maintain, amend, or renew authorization.¹⁵ This requirement for information explicitly extends to technical standards.¹⁶

With regard to the substance of technical standards, the SDR Disciplines provide that they are to be

based on “objective and transparent criteria” and “do not discriminate between men and women”.¹⁷ Other relevant obligations in the SDR Disciplines relate to the publication of information on technical standards, as well as the procedures that applicants for authorization are required to follow to demonstrate compliance with technical standards.

Furthermore, the SDR Disciplines address in paragraph 21 the development of technical standards as follows:

Each Member shall encourage its competent authorities, when adopting technical standards, to adopt technical standards developed through open and transparent processes, and shall encourage any body, including relevant international organizations^{FN}, designated to develop technical standards to use open and transparent processes.

FN: The term “relevant international organizations” refers to international bodies whose membership is open to the relevant bodies of at least all Members of the WTO.

International regulation in the field of trade in goods contains more detailed obligations on GRPs for technical standards which, with time and experience, may be carried over and adapted to the specificities of services trade. In particular, the TBT Agreement aims to balance, on the one hand, the need to implement standards for safety, health, environmental protection and consumer information, with on the other hand, the goal of preventing protectionism and unnecessary obstacles to international trade. It sets out a comprehensive framework for the preparation, adoption and application of technical regulations and standards, and for conformity-assessment procedures (testing, inspection, certification).¹⁸

The TBT Agreement requires, among other things, that technical regulations, standards and conformity assessment procedures are not more trade-restrictive than necessary to achieve legitimate objectives, such as protecting human health and safety, animal and plant life, or the environment.¹⁹

Unlike the GATS and the SDR Disciplines, the TBT Agreement determines that where relevant international standards exist (or their completion is imminent), WTO members shall use them, or the relevant parts of them, as a basis for their technical regulations – except when such international standards or relevant parts would be an ineffective or inappropriate means for the fulfilment of the

legitimate objectives pursued.²⁰ Importantly, whenever a technical regulation is prepared, adopted or applied, and is in accordance with relevant international standards, it shall be presumed – unless proven otherwise – not to constitute an unnecessary obstacle to international trade.²¹ Such an explicit reference to international standards in the TBT Agreement reflects a more developed experience and, as a consequence, a more frequent use of standardization in the area of trade in goods.

Recognizing the costs for producers and exporters associated with the diversity of regulations and standards across jurisdictions, the TBT Agreement also requires WTO members to play a full part in international standardizing bodies in the development of international standards, with a view to progressively harmonizing technical regulations.²² Along the same lines, WTO members are also required to give positive consideration to accepting as equivalent, technical regulations of other WTO members, even if these regulations differ from their own, provided that they adequately fulfil the objectives of their own regulations.²³

To ensure that information related to technical regulations and standards is transparent and made easily available, all WTO members are expected to keep each other informed through the WTO. In practice, around 900 new or modified regulations are notified each year.²⁴ The TBT Committee is the forum tasked with sharing information and discussing concerns about the regulations and their implementation.

The SPS Agreement requires that measures taken to protect human, animal or plant life or health from specified risks (e.g. food-borne hazards, animal diseases, plant pests) are based on scientific principles and not maintained without sufficient scientific evidence, and that WTO members conduct a risk assessment in line with internationally accepted methods to achieve their chosen appropriate level of protection.²⁵ However, unlike the TBT Agreement, which does not identify international standard-setting bodies, it explicitly ties domestic measures to three international standard-setting organizations – the Codex Alimentarius (food safety), the World Organisation for Animal Health (animal health) and the International Plant Protection Convention (plant health). When a measure conforms to a relevant international standard, it is deemed necessary and is presumed consistent with the SPS Agreement and the GATT. A WTO member may apply a stricter level of protection than the international

standard only if it can be scientifically justified or is supported by a risk assessment²⁶ consistent with its chosen appropriate level of protection.

Beyond the scope and core features of standards (Figure 2), there is another relevant GRP aspect, which is that of their development. This issue is addressed both by the SDR Disciplines (for trade in services) as well as by the TBT Agreement (for trade in goods), although by the latter in a more detailed way (for a comparison between the TBT Agreement and the SDR Disciplines, see Figure 3). Annex 3 of the TBT Agreement contains a “Code of Good Practice for the Preparation, Adoption and Application of Standards”. This Code sets out key procedural disciplines for governmental and non-governmental standardizing bodies so that standards are prepared and applied coherently and do not create unnecessary obstacles to trade.

In 2000, The TBT Committee adopted “Six Principles” which provide guidance on how to turn the Code’s high-level objectives into operational criteria for developing international standards.²⁷ The Principles address (i) transparency, (ii) openness, (iii) impartiality and consensus, (iv) effectiveness and relevance, (v) coherence, (vi) and the development dimension. These Principles identify several elements that may also prove relevant to trade in services. The Principles, like the SDR Disciplines, underscore the importance of transparency and openness in the development of standards processes. Transparent processes are

understood to include the publication of information regarding standard development activities, such as work programmes or draft proposals, so that stakeholders, including standard-setting bodies in other WTO members may be informed.

Closely linked to transparency, open processes facilitate the participation of all materially affected stakeholders – such as SMEs, technical experts, or consumer advocacy groups, whether foreign or domestic – at any stages of the development of a standard. As also set out in the SDR Disciplines, constraints on developing economies to effectively participate in standards development need to be taken into consideration. The openness of any international standardization process requires that no governments are excluded from the process and that tangible ways of facilitating developing country members’ participation are sought, including through appropriate technical assistance and capacity building.

Other Principles, although going beyond the scope of the SDR Disciplines, may equally constitute GRP in the field of development of standards for services. For example, there is a call for coherence, to avoid standards being developed in conflict with existing international standards or duplicating the work of international standard-setting bodies. Standard-setting processes should strive for maximum “effectiveness and relevance”, with a view to ensuring that standards effectively address regulatory and market needs and reflect advances in technology and science.

Figure 2: Main features of standards

Scope	Product standard Process/method standard
Legal force	Voluntary standard Mandatory standard Hybrid standard
Origin	Private sector-driven Regulation-driven
Key GRP principles	Transparency Objectiveness No more restrictiveness than necessary
Linkage with international standards	Use of international standards

Source: WTO/World Bank.

Figure 3: Development of technical standards – comparison between the TBT Agreement and the SDR Disciplines

GRP	TBT Agreement	SDR Disciplines
Transparency - Publication/availability of information including technical standards. - Make standard-setting activities visible as early as possible, including to other WTO members.	✓	✓
Openness Participation at all stages to all materially affected stakeholders (SMEs, technical experts, consumers; foreign and local).	✓	✓
Impartiality and consensus - No favouritism toward particular stakeholders. - Decisions reflect balanced input. - Due process safeguards.	✓	
Effectiveness and relevance - Standards address real regulatory/market needs and keep pace with science/technology. - Processes to identify ongoing relevance of standards (remove and review as necessary). - Cohesive use of voluntary and mandatory standards.	✓	
Coherence Avoid conflict with existing or imminent international standards or duplication of relevant work by international standard-setting bodies.	✓	
Development dimension Facilitate participation of developing economies in international standard-setting bodies, including through technical assistance and capacity building.	✓	✓

Source: WTO/World Bank.

Standardizing bodies should have procedures to identify whether standards have become obsolete, or ineffective, and review them as required. Additionally, standard-setting bodies should ensure impartiality in activities for standard development, with no favouritism with regard to particular stakeholders. To ensure the continuous implementation of procedural principles, mechanisms for impartial procedural appeals should also be made available. Procedures should actively seek to reconcile differing views and provide fair consideration of all comments throughout the development process.

PTA practice

New generation PTAs dealing with services trade contain numerous references to technical and international standards. Many of these agreements traditionally replicate or recall the mandate of GATS Article VI:4 to develop disciplines that ensure that technical standards do not constitute unnecessary barriers to trade, while some others go further and operationalize this mandate. For example, Article 8.15.5 of the 2022 RCEP stipulates that each party shall endeavour to ensure that any measures relating to technical standards it adopts or maintains are

consistent with the objectives set out in GATS Article VI:4, i.e. (i) based on objective and transparent criteria, such as competence and the ability to supply the service; (ii) and not more burdensome than necessary to ensure the quality of the service.²⁸

Moreover, Article 8.15.6 specifies that, to determine whether technical standards are based on objective and transparent criteria, international standards of relevant international organizations applied by that party shall be taken into account.²⁹ Similarly, Article 16.4 of the 2021 ATISA requires that ASEAN member states “maintain measures relating to technical standards as a condition for the supply of a service, to ensure that: a) such measures are based on objective and transparent criteria.”³⁰

Several PTAs contain references to “international standards” in chapters related to trade in services. For example, the 2021 ATISA uses the term in an obligation equivalent to GATS Article VI:5. In view of this, Article 16.5(b) provides that international standards are to be taken into account to determine whether ASEAN member states are in conformity with the obligation to not apply licensing and qualification requirements and technical standards in a manner that nullify their obligations under the Agreement.³¹

Standards-related obligations also appear in sectoral chapters or annexes of PTAs. For example, when it comes to telecommunications services, numerous PTAs have incorporated the Reference Paper on Basic Telecommunications, with the obligation to provide interconnection with a major supplier under non-discriminatory, timely terms and conditions (including technical standards and specifications), that are transparent, reasonable, having regard to economic feasibility, and sufficiently unbundled.

This is the case, for instance, of the 2021 ATISA Annex on Telecommunication Services (Article 8),³² as well as the 2020 USMCA (Article 18.9).³³ Also in the field of telecommunications, some PTAs require enhanced transparency to ensure that relevant information on conditions affecting access to and use of public telecommunications transport networks and services is publicly available, including “information on bodies responsible for the preparation and adoption of standards affecting such access and use”.³⁴

In the area of professional services, obligations related to standards can also often be encountered. The 2022 RCEP Annex on Professional Services aims to foster cooperation between the parties’ professional bodies on issues that relate to the recognition of professional qualifications, licensing, or registration. In this context, each party shall encourage its relevant bodies to work towards the development of mutually acceptable professional standards (paragraph 6); provide information concerning standards and criteria for the licensing and certification of professional service suppliers (paragraph 7); and encourage its relevant bodies to refer to international frameworks, where applicable, in developing common standards and criteria for the relevant professions (paragraph 8).³⁵

With regard to financial services, in their respective sector-specific annexes, both the 2022 RCEP and the 2021 ATISA provide that a party may recognize prudential measures of any international standard-setting body, another party, or a non-party in determining how its measures relating to financial services shall be applied.³⁶

Additionally, e-commerce chapters in PTAs similarly often reference international standards. For example, in the case of the 2022 RCEP which, in Article 12.8, requires the parties to take into account international standards, principles, guidelines and criteria of relevant international organizations or bodies, in the

development of its legal framework for the protection of personal information.³⁷ Similarly, Article 16.4 of the 2017 EU-Canada CETA states that, when adopting or maintaining measures to protect the personal data of e-commerce users, both the EU and Canada must take into account international standards of data protection set by relevant international organizations to which they both belong.³⁸

It should also be noted that, at present, only a very limited number of PTAs address the issue of the development of standards for services. The 2020 USMCA is one of these agreements and which substantially replicates the SDR Disciplines, requiring that “each Party shall encourage its competent authorities, when adopting a technical standard, to adopt technical standards developed through an open and transparent process, and shall encourage a body designated to develop a technical standard to use an open and transparent process.”³⁹

Furthermore, some agreements address the issue of cooperation on standards-related matters.⁴⁰ For instance, the 2017 EU-Canada CETA contains a Chapter on “Regulatory cooperation” which sets out the parties’ commitment to cooperate on issues that concern the development, adoption, implementation and maintenance of international standards, guides and recommendations, including in the field of services.⁴¹ The parties are also required to “identify the appropriate approach to reduce adverse effects of existing regulatory differences on bilateral trade and investment in sectors identified by a Party, including, when appropriate, through greater convergence, mutual recognition, minimising the use of trade and investment distorting regulatory instruments, and the use of international standards, including standards and guides for conformity assessment”, among others.⁴²

Implementation at the domestic level

At the domestic level, various jurisdictions are currently looking at services standards, across sectors as well as in new areas such as AI, cybersecurity and privacy. For example, in the architecture, engineering and construction (AEC) industries, standards – covering qualifications, processes, materials and safety – are critical to protect consumers and ensure service quality.⁴³

Further to a business call for standardization initiated in the UK, in 2019 the ISO approved international building

information modeling (BIM) standards (ISO/TC 59/SC 13).⁴⁴ BIM provides a shared digital framework that allows public and private actors to collaborate across the project lifecycle. The standard pursues three key objectives: (i) to enable interoperability of information; (ii) to deliver a structured set of standards, specifications and reports to define, describe, exchange, monitor, record and securely handle information, semantics, and processes, with links to geospatial and other built environment information; and (iii) to enable object-related digital information exchange.⁴⁵

Chile was one of the first jurisdictions to adopt BIM standards in Latin America.⁴⁶ In collaboration with AEC industry representatives, the government of Chile adopted a national BIM strategy programme in 2016, known as “Planbim”.⁴⁷ The expected benefits of this plan included better quality; transparency and traceability of project information; greater collaboration around common standards; improved regulatory compliance; faster permit approvals; and enhanced predictability with fewer delays.⁴⁸ To promote the implementation, Chile phased BIM requirements into public works, embedded training in the university architecture curriculum and organized free courses for the private sector.⁴⁹

Chile also joined the BIM Global Network to align with international practice.⁵⁰ While implementation is ongoing, a number of challenges persist: these include gaps in interoperability for some underlying datasets, the need for significant ICT investment and skills development, and the importance of steady political support and international cooperation as technologies evolve.⁵¹

The ISAs are developed and issued by the International Auditing and Assurance Standards Board (IAASB) – an independent standard-setting board supported by the International Federation of Accountants, with oversight by the Public Interest Oversight Board. ISAs set out how to plan and perform an audit, what evidence should be obtained and documented, how the engagement is quality-managed, and how to report the results.

They also prescribe the form that the auditor's report should take and cover topics such as fraud, estimates and subsequent events.⁵² Many jurisdictions make ISAs effectively binding by adopting national versions in laws or regulations. For example, in the UK, the Financial Reporting Council issues national standards based on IAASB ISAs for statutory audits.⁵³ In Australia, the Auditing and Assurance Standards Board issues Australian Auditing Standards as mandatory legal instruments.⁵⁴

Similarly, in South Africa, the Independent Regulatory Board for Auditors has adopted the ISAs as issued by the IAASB, without modifications, making them mandatory for registered auditors.⁵⁵ These examples show how various jurisdictions turn voluntary international benchmarks into binding domestic standards, by directly incorporating them in their regulatory frameworks. This results in audits using consistent procedures and reports, cross-border comparability and improved trust, while also clarifying oversight roles of public authorities and professional bodies.

In conclusion, as technologies and market structures evolve, standards are becoming increasingly important for services and services trade. While the GATS only addresses standards to a very limited extent, several key GRP principles – such as transparency, objectivity, and necessity – can help ensure that these reduce transaction costs, promote interoperability and signal minimum quality in service delivery. GRPs also play an instrumental role when it comes to guiding the development of standards. In this way, the SDR Disciplines already encourage open and transparent processes, as well as the provision of technical assistance to facilitate the participation of developing economies in standard-setting bodies. However, learning from the TBT experience, the adoption of additional GRP principles, including impartiality, effectiveness and relevance, coherence and non-duplication/conflict with international standards, may further strengthen the legitimacy and uptake of services standards and foster their broad adoption across international markets.

ENDNOTES

- 1 International Organization for Standardization (ISO), "Standards", <https://www.iso.org/standards.html>.
- 2 International Organization for Standardization (ISO), "Consumers and Standards: Partnership for a Better World- 1. Standards in our world", https://www.iso.org/sites/ConsumersStandards/1_standards.html.
- 3 Marchetti (2015), pp. 137-159.
- 4 APEC (2024), p. 3.
- 5 APEC (2024), p. 9.
- 6 APEC (2024), p. 10.
- 7 Marchetti (2015).
- 8 GATS, Article VI:1.
- 9 GATS, Article VII:1.
- 10 WTO, Reference Paper on Basic Telecommunications, https://www.wto.org/english/tratop_e/serv_e/telecom_e/tel23_e.htm.
- 11 WTO (2011).
- 12 WTO (2011).
- 13 SDR Disciplines (WTO, 2021), para. 1. Note that the Alternative SDR Disciplines exclude technical standards from its scope. Hence, for WTO members that have opted to apply these Alternative SDR Disciplines for their commitments in financial services, there are no obligations with regard to technical standards.
- 14 SDR Reference Paper (WTO, 2021), Section I, para. 12.
- 15 SDR Disciplines (WTO, 2021), para. 13.
- 16 SDR Disciplines (WTO, 2021), para. 13(d).
- 17 SDR Disciplines (WTO, 2021), para. 22(a) and (d).
- 18 These terms are defined in Annex 1 of the TBT Agreement. A "technical regulation" refers to a "[d]ocument which lays down product characteristics or their related processes and production methods, including the applicable administrative provisions, with which compliance is mandatory. It may also include or deal exclusively with terminology, symbols, packaging, marking or labelling requirements as they apply to a product, process or production method." Additionally, the term "standard" is defined as a "[d]ocument approved by a recognized body, that provides, for common and repeated use, rules, guidelines or characteristics for products or related processes and production methods, with which compliance is not mandatory. It may also include or deal exclusively with terminology, symbols, packaging, marking or labelling requirements as they apply to a product, process or production method." Finally, a "conformity assessment procedure" is identified as "[a]ny procedure used, directly or indirectly, to determine that relevant requirements in technical regulations or standards are fulfilled".
- 19 TBT Agreement, Article 2.2.
- 20 TBT Agreement, Article 2.4.
- 21 TBT Agreement, Article 2.5.
- 22 TBT Agreement, Article 2.6.
- 23 TBT Agreement, Article 2.7.
- 24 WTO, "Understanding the WTO: The Agreements - Standards and safety", https://www.wto.org/english/thewto_e/whatis_e/tif_e/agrm4_e.htm#TRS.
- 25 SPS Agreement, Articles 2 and 5.
- 26 SPS Agreement, Article 3.
- 27 WTO, "Principles for the Development of International Standards, Guides and Recommendations", https://www.wto.org/english/tratop_e/tbt_e/principles_standards_tbt_e.htm. See also WTO (2022), Annex 2.
- 28 RCEP (2022), Article 8.15.5.
- 29 RCEP (2022), Article 8.15.6.
- 30 ATISA (2021), Article 16.4.
- 31 ATISA (2021), Article 16.5(b).
- 32 ATISA (2021), Annex on Telecommunication Services, Article 8.
- 33 USMCA (2020), Article 18.9.
- 34 ATISA (2021), Annex on Telecommunication Services, Article 15; RCEP (2022), Annex 8B: Telecommunications Services, Article 16.
- 35 RCEP (2022), Annex 8C: Professional Services, paras. 6, 7, and 8.
- 36 RCEP (2022), Annex 8A: Financial Services, Article 6; ATISA (2021), Annex on Financial Services, Article 5.
- 37 RCEP (2022), Article 12.8.
- 38 EU-Canada CETA (2017), Article 16.4.
- 39 USMCA (2020), Article 15.8.5.
- 40 For more information, see subsection 2.14 on "International regulatory cooperation".
- 41 EU-Canada CETA (2017), Article 21.4(h).
- 42 EU-Canada CETA (2017), Article 21.4(r).
- 43 APEC (2024).
- 44 International Organization for Standardization (ISO), "ISO/ TC 59/SC 13 – Organization and Digitization of Information about Buildings and Civil Engineering Works (BIM)", <https://www.iso.org/committee/49180.html>.

45 International Organization for Standardization (ISO), "ISO/TC 59/SC 13 – Organization and Digitization of Information about Buildings and Civil Engineering Works (BIM)", <https://www.iso.org/committee/49180.html>.

46 APEC (2024), p. 21.

47 Global BIM Network, "What is Planbim", <https://globalbim.org/info-collection/what-is-planbim/>.

48 APEC (2024), pp. 21-22.

49 APEC (2024), p. 22.

50 APEC (2024), p. 22.

51 APEC (2024), p. 23.

52 International Auditing and Assurance Standards Board (IAASB), "Standards & Pronouncements", <https://www.iaasb.org/standards-pronouncements>.

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