

APEC Work on Good Regulatory Practices and Non-Tariff Measures

Carlos Kuriyama (Senior Analyst, Policy Support Unit)

5 April 2018 • APEC Secretariat



Advancing Free Trade
for Asia-Pacific **Prosperity**

Increasing trend in the use of NTMs

Measures implemented by APEC members

Type of Measure	2010	2011	2012	2013	2014	2015	2016	Change (2010- 2016)
Antidumping	590	565	584	629	658	681	743	25.9%
Countervailing Duties	62	66	71	78	85	97	116	87.1%
Safeguards	4	11	11	15	11	18	16	300.0%
Special Safeguards	262	277	288	292	295	296	296	13.0%
SPS - Specific Trade Concerns	99	110	118	107	113	127	132	33.3%
TBT - Specific Trade Concerns	149	173	188	211	227	245	261	75.2%

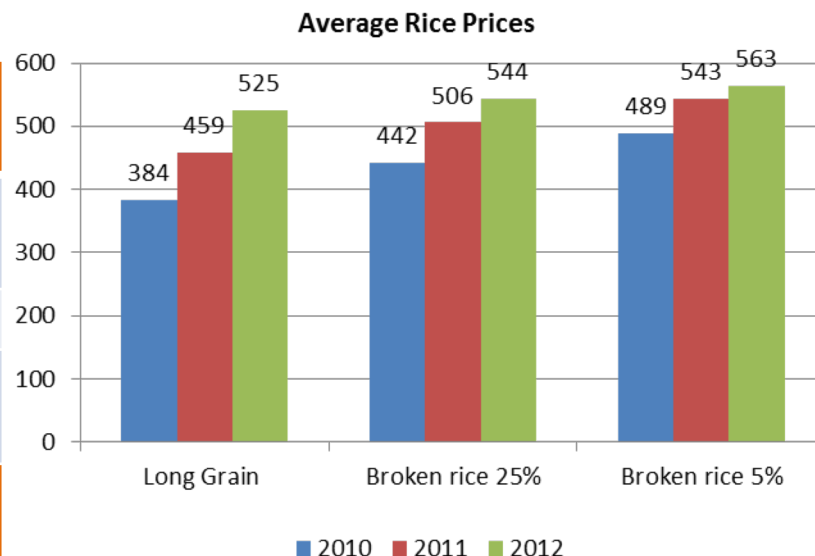
Source: WTO, i-TIP database. APEC Secretariat, Policy Support Unit calculations

Some NTMs are becoming impediments to trade (NTBs)

Example: Export restrictions of rice by Economy A

International Trade of Rice (USD billion)

World: Rice Exports	2010	2011	2012	% Variation 2011-12
By Economy A	5.3	6.5	4.6	-28.8%
By World	19.5	23.2	19.6	-15.7%
% by Economy A	27.4%	28.0%	23.7%	
APEC: Rice Imports	2010	2011	2012	% Variation 2011-12
From Economy A	2.0	2.4	1.5	-37.6%
From World	4.3	6.3	6.2	-1.4%
% from Economy A	47.2%	38.8%	24.6%	



Sources: World Bank; United Nations.

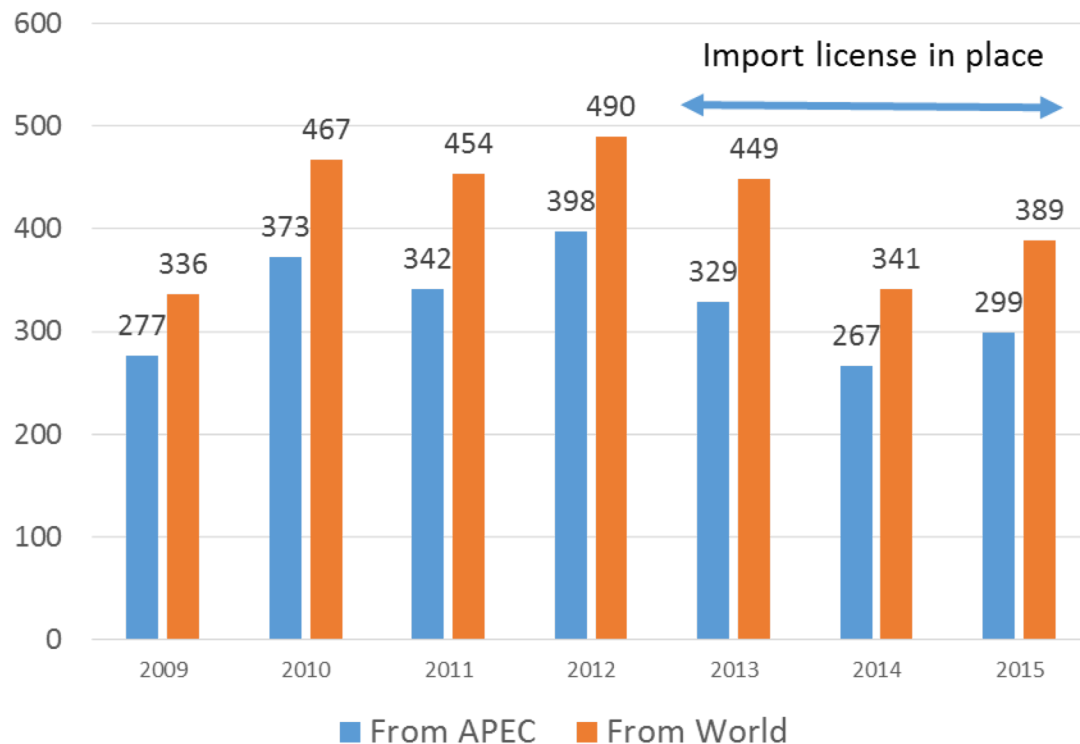
Measure implemented in 2nd half 2011 caused decline of rice exports by Economy A in 2012

- Supply constraints in overseas markets, economies to find alternative rice sources
- Increase of rice prices due to importance of “economy A” in world rice market

Some NTMs are becoming impediments to trade (NTBs)

Example: Import licensing requirements by Economy B on optical disc mastering and replicating machines (HS 847790)

Economy B: HS 847790 Imports (USD million)



- Measure implemented in March 2013
- Imports **fell** in 2013 and 2014
- Imports **went down** by 30.5% between 2012 and 2014 (USD 149 million)

Source: WITS, UN COMTRADE. APEC Secretariat, Policy Support Unit calculations

Less transparency in the application of NTMs

% of Specific Trade Concerns (STCs) in the APEC region duly notified at WTO

Year	SPS-related measures			TBT-related measures		
	STC	Notified Measures	% STC Notified	STC	Notified Measures	% STC Notified
2008	87	40	45.98%	108	74	68.52%
2009	95	43	45.26%	132	87	65.91%
2010	99	44	44.44%	149	97	65.10%
2011	110	45	40.91%	173	112	64.74%
2012	118	47	39.83%	188	122	64.89%
2013	107	41	38.32%	211	138	65.40%
2014	113	43	38.05%	227	149	65.64%
2015	127	43	33.86%	245	155	63.27%
2016	132	43	32.58%	261	166	63.60%

Sources: WTO i-TIP; APEC Secretariat, Policy Support Unit Calculations

Options to NTMs to address similar policy objectives

Monitor trade flows via automatic license

- Option:
 - Ex-post revision of customs entries

Source of revenue via import surcharge

- Options:
 - Surcharge incorporated within tariff;
 - Internal tax

SPS requirements to keep public health and safety

- Options:
 - Requirements following Codex, OIE, IPPC Standards
 - Bilateral SPS protocols

SPS emergency measures

- Options:
 - Allow imports from disease-free areas
 - Certification/monitoring mechanisms

TBT measures for security environmental grounds

- Options:
 - Technical regulations based on ISO, IEC, ITU Standards
 - Harmonization
 - Equivalence
 - Mutual recognition

Restrict entry due to miscellaneous grounds via mandatory customs inspections, non-automatic licenses and import quotas

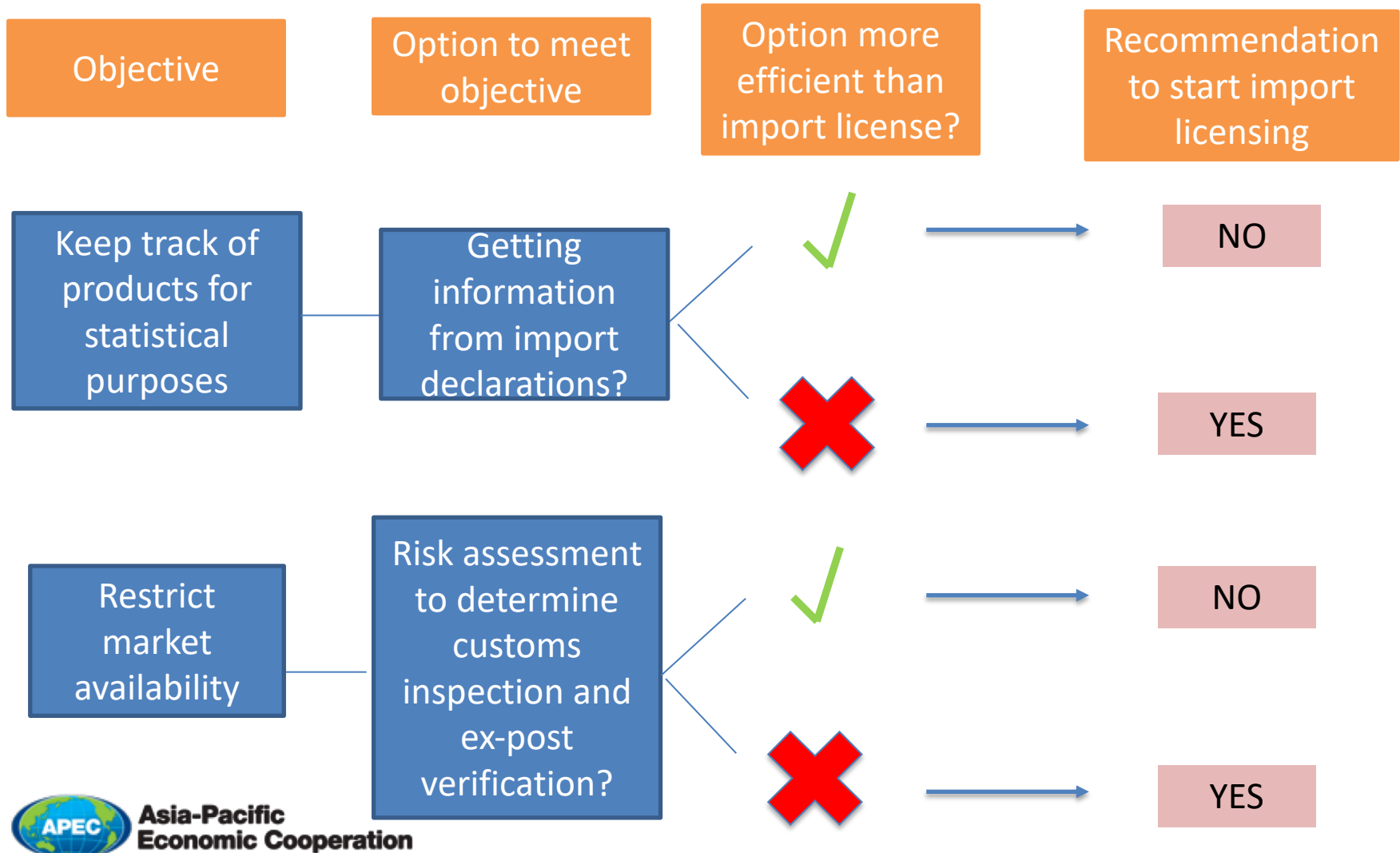
- Options:
 - Implementing risk management systems
 - Strengthening ex-post verifications



**Asia-Pacific
Economic Cooperation**

Assessment is necessary before implementing any NTM

Example: Shall we put in place an import licensing requirement?



Minimizing the risk for NTMs to become NTBs

Process and Principles

Process

- Consultation
- Set clear requirements and allocation criteria
- Decision-making and responsible authority
- Publication of legal text

Principles

- Transparency
- Predictability and consistency
- Non-discriminatory
- Right to appeal
- Short period to process applications
- Simplified requirements
- WTO-consistent
- Least trade-restrictive measure
- Based on international standards, scientific integrity and evidence

Find out more

APEC Online and Social Media



apec.org



@APECnews



@APEC

@Bollard_APEC



@apec



APEC – Asia-Pacific Economic Cooperation



**Asia-Pacific
Economic Cooperation**