

Non-Tariff Measures in ASEAN

edited by

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Foreword [ERIA]

Over the years, multilateral trade negotiations have helped to substantially reduce tariff rates. While tariffs have been reduced, the number of non-tariff measures (NTMs) is increasing and is often blamed to be a source of the lack of integration in ASEAN. Yet, in spite of their growing number, we generally have little understanding and information, and thus there is an urgent need to develop a better understanding and transparency of existing NTMs.

The Economic Research Institute for ASEAN and East Asia (ERIA), in collaboration with the United Nations Conference for Trade and Development (UNCTAD), and ASEAN national teams consisting of economists and government officials of ASEAN countries collected and classified NTMs in the 10 ASEAN countries (Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, the Philippines, Singapore, Thailand, and Viet Nam) based on the latest Multi Agency Support Team February 2012 classification. They worked on all regulations and official documents, including international conventions adopted by countries which had been in effect by January 2015.

The project is led by Lili Yan Ing (ERIA) and Santiago Fernandez de Cordoba (UNCTAD). The report editing team consists of Rizqy Anandhika and Ruth Elisabeth. The core team consists of Michelle Ayu Chinta Kristy, Chi Le Ngo, Maxim Gubarev, Fabien Dumesnil, and Denise Penello-Rial. The project is advanced through the supervision and comments from Shujiro Urata (ERIA), Olivier Cadot (Lausanne University), Ralf Peters (UNCTAD), Ponciano Intal, Jr. (ERIA), and Guillermo Valles Galmes (UNCTAD). The successful work would not have been possible without the invaluable work of national teams composed of the economists and government officials of ASEAN countries.

The project consists of two phases: NTM data collection (the data were released in January 2016) and country report (April 2016) and data analyses on how NTMs will affect trade in the region (January 2017). The project aims to (i) collect, validate, and store NTM data from official sources; (ii) improve the general understanding of these measures and their impact on world trade; and (iii) provide insights on NTMs in ASEAN countries.

The project also significantly benefited from the supervision and support of ASEAN government officials, particularly Sta. Rebecca Fatimah (MITI Malaysia), Sulaimah Mahmood (MTI Singapore), Donna Gultom (MOT Indonesia), Phuong Van Hoang (MIT

Vietnam), and Mark Ng (MTI Singapore). Along the way of conducting the project, the initial work and preliminary findings were well endorsed and accepted at the ASEAN's Senior Economic Officials Meeting in August 2015 in Kuala Lumpur, at the ASEAN's High Level Task Force in January 2016 in Vientiane and East Asian Senior Economic Officials Meeting in April 2016 in Kuala Lumpur.

This initiative is only the beginning of the journey of ASEAN to improve the transparency of NTMs. ERIA and UNCTAD will work hand in hand with ASEAN member states in improving NTM transparency and overall trade environment.

A stylized, handwritten signature in black ink, appearing to read 'H. Nishimura'.

Professor Hidetoshi Nishimura

President of ERIA

Jakarta, April 2016

Foreword [UNCTAD]

The ability to gain market access opportunities and to benefit from them, increasingly depends on compliance with non-tariff measures (NTMs), such as sanitary and phytosanitary measures and technical regulations. Although many NTMs have primarily non-trade objectives, such as the protection of public health or the environment, they may affect trade and represent a major challenge for exporters, importers and policymakers. It is therefore important to understand the use of NTMs and their implications for the formulation and implementation of effective development strategies.

Comprehensive, systematic and reliable information about NTMs is unfortunately scarce to obtain. The collection of NTM data is a highly resource-intensive task and requires specific, technical knowledge. In this context, the International Classification of NTMs was developed by several international organizations, the Multi-Agency Support Team¹, in 2006. The collection, classification and analysis of NTMs as well as the coordination of the global effort to enhance the transparency of NTMs have been a regular activity of UNCTAD. We are aiming to collect data on NTMs covering at least 90 per cent of world trade by the end of 2016.

ASEAN member countries have resolved to work on the elimination of non-tariff barriers. The need to create a standardized, high quality, and comprehensive NTMs dataset of the region called for close cooperation between the Economic Research Institute for ASEAN and East Asia (ERIA) and UNCTAD.

Since December 2014, ERIA and UNCTAD have collaborated to create a comprehensive NTMs database of all ASEAN countries. The database presents official regulations that are currently imposed affecting imported and exported products. Regulations are classified according to types of measures, affected products at the tariff line level and partner countries. This enables easy and well-structured access to the information. It also allows for case-specific and more systemized analysis and research as well as effective support to policymakers for their efforts in regional and global economic integration.

¹ MAST Group is composed of: Food and Agriculture Organization of the United Nations, International Monetary Fund, International Trade Centre, Organization for Economic Cooperation and Development, United Nations Conference on Trade and Development, United Nations Industrial Development Organization, World Bank and World Trade Organization.

I am delighted to welcome the publication of this book, which highlights the accomplishments of this cooperation. It will be an asset for government officials, researchers and representatives of the private sector aiming to strengthen their understanding of NTMs, and policy makers involved in the design or negotiation of policies related to NTMs, even beyond the ASEAN region.



Guillermo Valles Galmes

Director

Division on International Trade

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United Nations Conference on Trade and Development

Acknowledgements

While tariffs have been reduced, the number of non-tariff measures (NTMs) is increasing and is often blamed to be a source of the lack of integration in ASEAN. For NTMs, disciplines on transparency are the key, and regional and multilateral NTM mutual recognition and harmonisation are the answers. Turning back to 2013, when we started the project to develop an NTM database for all 10 ASEAN countries within one year was a kind of ‘mission impossible’. With dedication of national teams and government officials, we have successfully developed the NTM database; above all, we have likewise developed NTM expertise in this region.

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This mission would have definitely been impossible without hard work and dedication of ASEAN national teams and collaboration of government officials: Brunei Darussalam (Christina Ruth Elisabeth, Mohammad Yusri Yahya, Noramali dato Jumat); Cambodia (Chap Sotarith, Christina Ruth Elisabeth, Anika Widiana, Neth Nero, Uy Rthiymony); Indonesia (Ernawati Munadi, Indah Rahayu, Samroni Salim, Titis Kusuma Lestari, Ayu Shinta Saputri); Lao PDR (Ampahphone Sayasenh, Saygnasak Sengaloun, Phonesavanth Sittideth, Sonemala Naouanthasing, Vangchai Vang); Malaysia (Evelyn Shymala Devadason, VGR Chandran, Tang Tuck Cheong, Ezral Uzaimi); Myanmar (Zin Naing, Cho Thein, Win Min Phyo); Philippines (Loreli C. de Dios, Paul Feliciano); Singapore (Hank Lim, Anika Widiana, Bernard Aw, and government officials); Thailand (Chedtha Intaravitak, Nuttawut Lasanapanyakul, Urairat Jantara Siri, Maichanok Krapookthong, Wittawat Prayookwong, Challee Khanksiri); and Viet Nam (Vo Tri Thanh, Anh Doung Nguyen, Than Binh Minh, Phuong Van Hoang).

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Mahmood (MTI Singapore), Donna Gultom (MOT Indonesia), Phuong Van Hoang (MIT Vietnam), and Mark Ng (MTI Singapore). Along the way of conducting the project, Regional Leaders well endorsed and accepted the initial work and preliminary findings at the ASEAN's Senior Economic Officials Meeting (SEOM) in August 2015 in Kuala Lumpur, ASEAN's High Level Task Force in January 2016 in Vientianne, and lately at the East Asian SEOM in KL in April 2016.

We would also like to thank the editorial team—Maria Priscila del Rosario, Ainslie Smith, Fadriani Trianingsih, and Chrestella Budyanto—for putting these country reports nicely, and our angel, Elisa Ayu, who provided valuable administration support for this project.

We would also like to extend our gratitude to all ASEAN Member States and government officials who significantly contributed to the success of this project and worked together with us to support governments and the business community to have more transparent NTMs, to have a better understanding of NTMs, to design better NTMs, to implement NTMs better, and to move forward for better trade and investment policy and regulations.

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