

ALADI Initiatives on Non-Tariff Measures

Non-Tariff Measures Week
Mandatory Trade Regulations and Voluntary Sustainability Standards
25 - 27 September 2017

General Secretariat of the ALADI
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PRESENTATION PLAN

1. ALADI and the Treaty of Montevideo (TM80)

- Member countries
- Objectives
- Principles
- Mechanisms

2. Initiatives on NTMs

- TBT Agreement (Regional Agreement N° 8)
- Databases : NTMs and Environmental Measures

1. ALADI AND THE TM80

Member countries

Objectives

Principles

Mechanisms

1980 MONTEVIDEO TREATY

▪ BACKGROUND

- **Montevideo Treaty 1960:** established the Latin American Free Trade Association. LAFTA – Free Trade Area.

-**Montevideo Treaty 1980:** institutes the Latin American Integration Association (LAIA), an intergovernmental organization based in Montevideo, Uruguay.

-Notified under Enabling Clause (1982)

MEMBER COUNTRIES

- 13 member countries:
11 founders (1980) + Cuba (1999) + Panama (2012)

RELATIVELY LESS ECONOMICALLY DEVELOPED COUNTRIES



Bolivia

Ecuador

Paraguay



NICARAGUA

INTERMEDIATE DEVELOPED COUNTRIES



Chile

Colombia

Perú

Uruguay

Venezuela

Cuba

Panamá

OTHER MEMBER COUNTRIES



Argentina

Brasil

México

TREATY OF MONTEVIDEO 1980 (TM80)

OBJECTIVES

- To promote an harmonious and balanced socio-economic development of the region.
- The establishment of a Latin-American Common Market.

PRINCIPLES

- **Pluralism** : diversity in political and economic matters.
- **Flexibility**: allow the conclusion of Partial Scope Agreements.
- **Multiple**: various forms of agreements.
- **Convergence**: progressive multilateralization of Partial Scope Agreement.
- **Differential treatments**: taking into account the economic-structural characteristics of the countries .

MECHANISMS

- Establishment of an Area of Economic Preferences.

AREA OF ECONOMIC PREFERENCES

WHICH INSTRUMENTS?

REGIONAL SCOPE AGREEMENTS: those in which all member countries participate

Regional Tariff Preference
All member countries reciprocally grant a regional tariff preference to the level in force for third countries

Others
Opening markets (NAM), Scientific and Technological Cooperation, Cultural, **Technical Barriers on Trade**

PARTIAL SCOPE AGREEMENTS: those wherein not all member countries participate

Economic Complementation Agreements
Promote maximum utilization of production factors and stimulate economic complementation

Others
(Agriculture, Trade Promotion, and Others)

2. NTMs INITIATIVES

TBT Agreement (Regional Agreement N° 8)

Databases : NTMs and Environmental measures

Regional Agreement N° 8

- Originally signed as a Partial Agreement by Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, Mexico, Paraguay, Peru and Venezuela in 1997.
- With the accession of Cuba and Uruguay it became a Regional Agreement for the Promotion of Trade Through Overcoming Technical Barriers to Trade.
- **Objective:** to prevent the development, adoption and application of Technical Regulations, Technical Standards, and Conformity Assessment Procedures from becoming unnecessary technical barriers to intraregional trade.
- It provides a conceptual framework for member countries in relation to the Technical Regulation and Standardization and the respective Conformity Assessment and reaffirms the rights and obligations contained in the TBT Agreement.
- **Other provisions:** harmonization, technical assistance, SDT, technical consultations, and consider sub-regional developments.

Administrative Commission - Agenda



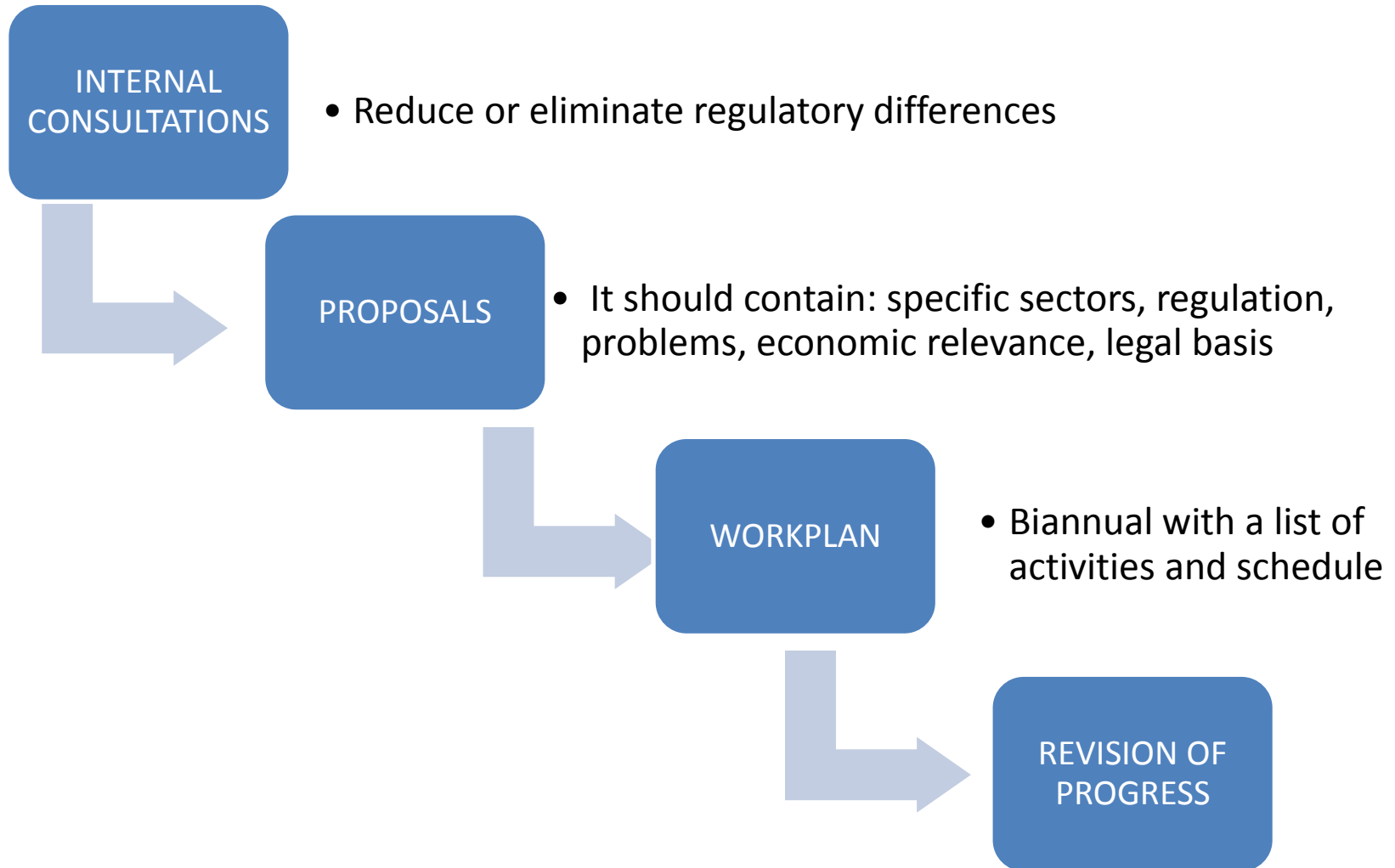
Road Map in Regulatory Cooperation (Decision 1/16)

Transparency: establishment of contact points and commitment to notify simultaneously notifications to the WTO and ALADI Members.

Consultation mechanism for specific trade concerns (Proposal of Mexico, under negotiation)

Technical Assistance: Brazil - Mexico - Paraguay Project (ALADI -PMDER Funds).

Road Map in Regulatory Cooperation



ALADI Databases



Asociación Latinoamericana de Integración

Google Búsqueda personalizada de Google

Acerca de ALADI | Acuerdos | Comercio Exterior | PMDER | Facilitación del Comercio | Promoción Comercial | Otros Temas



Actividades | Acuerdos y Documentos | Países

- El mexicano Alejandro de la Peña Navarrete asume la Secretaría General de la ALADI [---]
- Costa Rica más cerca de su Ingreso a la ALADI [---]
- Conferencia sobre la "Recuperación económica del Japón e Integración económica regional en Asia-Pacífico y sus Implicancias para América Latina [---]
- Países miembros de la ALADI se reúnen para avanzar en la certificación de origen digital de la ALADI [---]
- Uruguay incorpora la Certificación de Origen Digital de la ALADI dentro de su Ventanilla Única de Comercio Exterior [---]

Portales Conexos

- ESTADÍSTICAS del COMERCIO INTERNACIONAL de SERVICIOS
- SICOEX Información de Comercio Exterior
- Medidas Medioambientales
- CENTRO VIRTUAL DE FORMACION
- OBSERVATORIO AMERICA LATINA ASIA PACIFICO
- EXPLORA BOLSA 2017
- P MES LATINAS

Atención al Usuario

Biblioteca y Publicaciones

Boletín Informativo

Tweets sobre @aladi_sg

Centro Virtual ALADI @CVF_ALADI

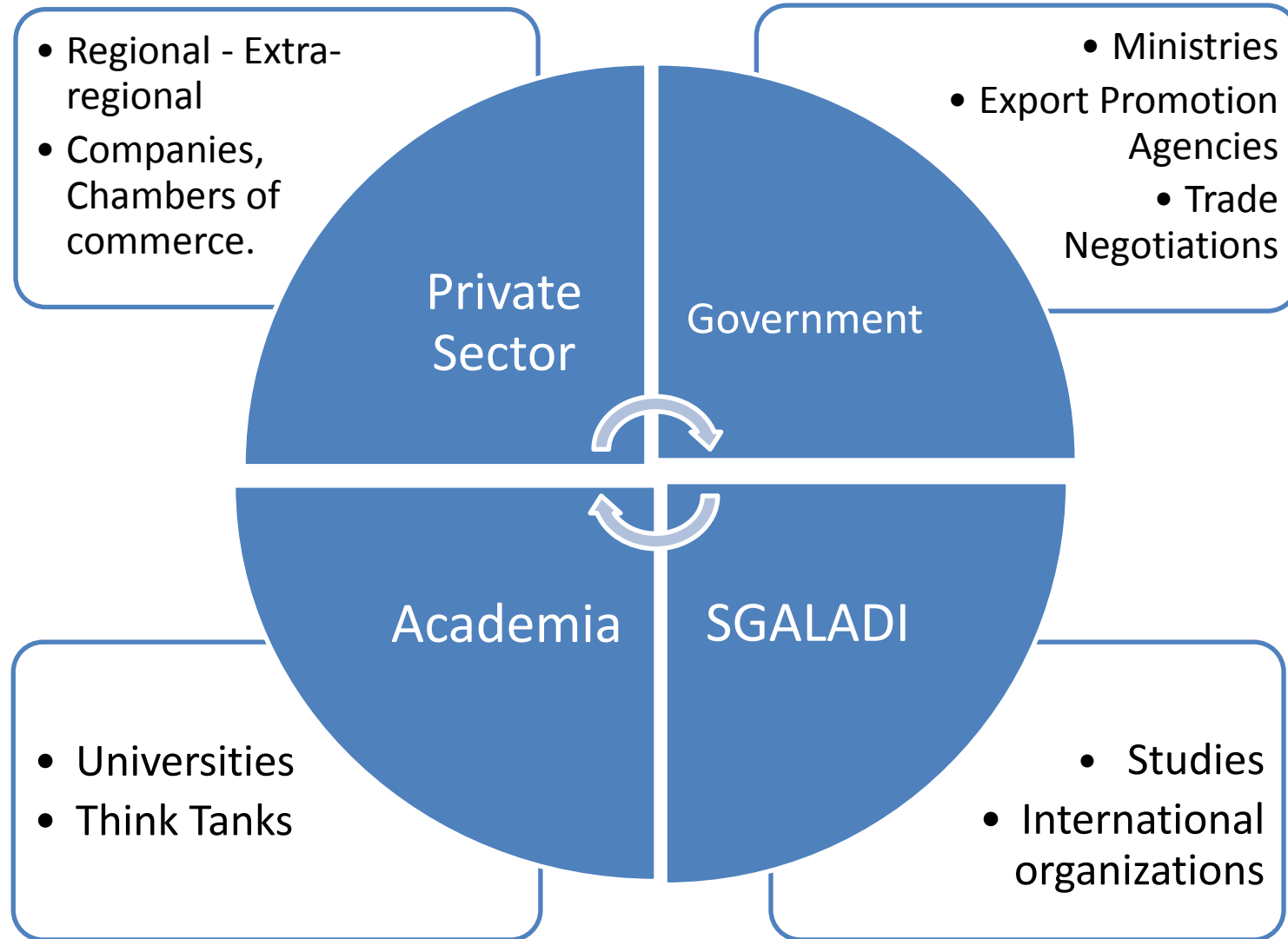
#inscripciones #abiertas al curso sobre Integración Regional #gratis #elearning @JAIME996 @ALADI_SG @ALObservatorio

Tendencias Comerciales

DATABASES:

- Foreign Trade Statistics of Goods and Services
- National Import Tariffs
- Tariff Preferences
- Correlations between Nomenclatures
- Foreign Trade Regulations (NTMs Intra -ALADI)
- Environmental Measures (NTMs Extra - ALADI)

Information Users



NTMs Database

- The Database consists of an inventory of legal regulations in-force applied to imports and exports, at item level.
- ALADI UNCTAD Joint Effort.
- Scope: 18 Latin-American countries (ALADI + El Salvador, Costa Rica, Nicaragua, Honduras and Guatemala).
- The information includes: country, regulation's name, type of measure according to the UNCTAD classification, summary, official source and legal text, affected countries and products, implementation and repeal dates.
- Daily updated through the review of the Official Bulletins of the 18 countries, as well as the corresponding official web sites in charge of related to trade policies.

Collected Data (example)

Country: *Panamá*

Regulation ID: *S005735*

Regulation's name: *Resolution N° 32 of 21/07/2014. Panamanian Security Food Authority (APSA)*

Implementation date: *21/07/2014*

Repeal Date: *-*

Objective: *Protection of health and life of plants*

UNCTAD Codes: *A19, A31, A32, A33, A42, A61, A64, A82, A83, A84, A852*

Measures summary: *Certification issued by National Plant Protection Organization (art. 3), etc.*

Affected product: *Chia seeds*

Text of the regulation: *check the regulation in the following link*
<http://nt5000.aladi.org/mna/Panama/Res032.pdf>

Product code: *1212.99.00*

Partial coverage: *Exclusively Chia seeds*

Affected countries: *Nicaragua*

Environmental Measures Database

- ALADI initiative: Identification and analysis of measures based on environmental considerations, that are applied to trade which regulate the access to extra-zone markets.
- Stages:
 - 1st: Bolivia, Ecuador and Paraguay (UNDP-ALADI Cooperation Project).
 - 2nd: Peru and Uruguay.
 - 3rd: Brazil, Chile and Mexico (ongoing).
- Results: seminars, publications and the **environmental measures database** (extra-ALADI).

Working Methodology:



Environmental Measures Database

- Environmental measures: "**Mandatory (public) and voluntary (private)** requirements that tend to protect the environment, human, animal or vegetal health". Ex.: organic certification, some "sanitary measures" (contaminants and pesticides) and "technical measures" (packaging requirements, labeling).
- While promoting environmental protection, these requirements could **affect the exports** of certain products from developing countries, due to the lack of knowledge about how to comply with their provisions.
- Market Access conditions (specific requirements and compliance procedures) for USA, EU, Japan, China, India, Switzerland and Canada.

Private Standards

- Legitimacy: Private Autonomy vs. Imperative Norms
- E.g.: SPS Agreement
 - Double Policy Goal:
 - to establish the right of WTO members to determine the appropriate level of sanitary or phytosanitary protection and to establish or maintain measures to achieve it.
 - To prevent arbitrary or unjustifiably discrimination between members and to minimize negative effects on trade.
 - What happens with decades of market access negotiations when we privately raise the level of protection?
- Article 13 SPS Agreement.

THANK YOU

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