



# Resolving Non Tariff Barriers and Creating Transparency, Lessons Learnt from the Tripartite Experience

**Non – Tariff Measures Week : MAST and VSS Meeting**

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## RECs Comprising the Tripartite Free Trade Area ( TFTA)

Tripartite Free Trade Area Comprises 4 Regional Economic Communities (RECs):

- Common Market for East and Southern African States (COMESA)- 19 Member States
- East African Community ( EAC) – 6 Partner States
- Southern African Development Community - 15 Member States
- Southern African Customs Union – 5 Member States

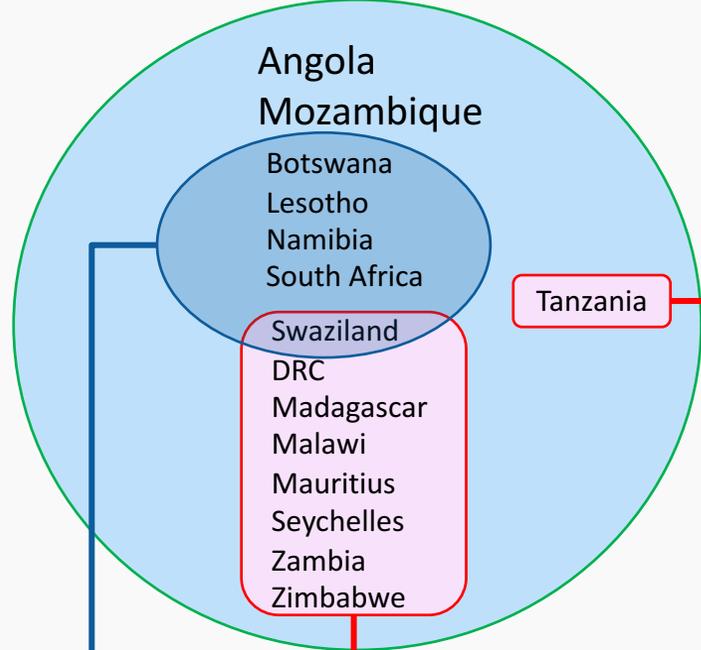


## TRIPARTITE MAP

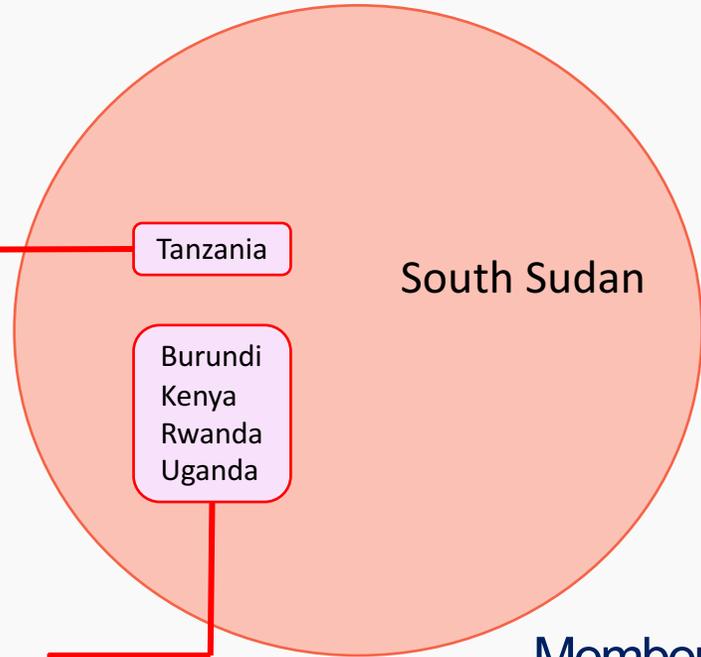
Angola	Botswana	Burundi
Comoros	Djibouti	DRC
Egypt	Eritrea	Ethiopia
Kenya	Lesotho	Libya
Malawi	Madagascar	Mauritius
Mozambique	Namibia	Rwanda
Seychelles	Sudan	South Africa
South Sudan	Swaziland	Tanzania
Uganda	Zambia	Zimbabwe



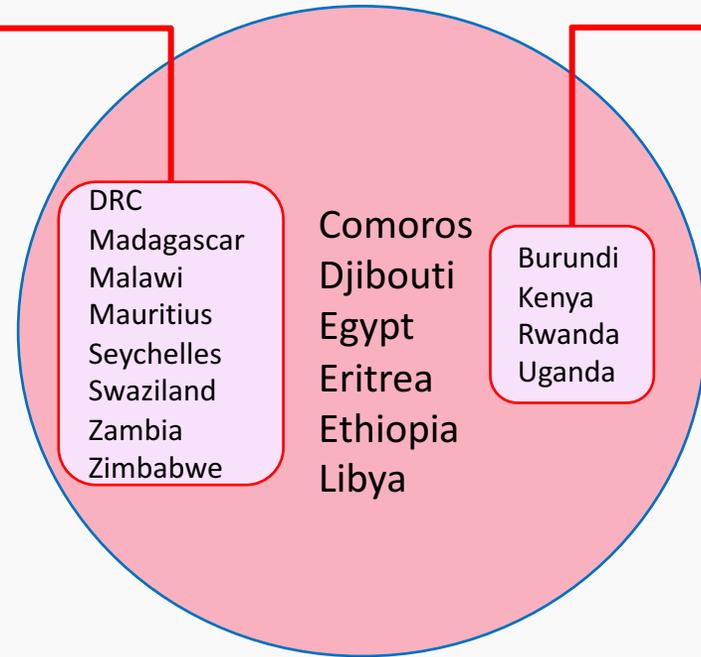
# SADC



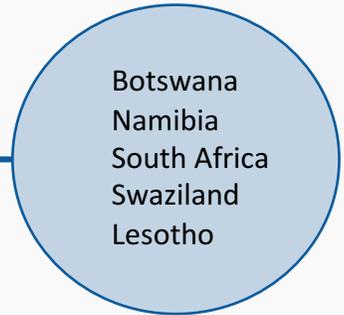
# EAC



# COMESA



# SACU



Membership of Tripartite Member States



# Background - Transparency in Resolving NTBs

□ 2009 T-RECs harmonised their NTBs Eliminating programmes and created

Tripartite :

- NTBs Institutional arrangements ;
  - NTBs web based reporting and monitoring tools
  - Common NTBs eliminating processes and
  - Capacity building programme for Member/Partner States
- Developed an interactive NTBs Online Reporting monitoring & eliminating mechanism for reporting , managing & resolving NTBs (2010)

# Online NTBs Reporting and monitoring mechanism

[www.tradebarriers.org](http://www.tradebarriers.org)

The screenshot shows the homepage of the Non-Tariff Barriers reporting and monitoring mechanism. At the top, there are logos for COMESA, EAC, and SADC. Language options for English, Français, and Português are available. A map of Africa is shown with orange highlights. The main title is "Non-Tariff Barriers" with the subtitle "Reporting, Monitoring and Eliminating Mechanism". A navigation menu includes Home, About, Non-Tariff Barriers, Complaints, Non-Tariff Measures, Documents, Links, and Contact. Three main content boxes are visible: "What is a Non-Tariff Barrier (NTB)?", "Report an NTB", and "Report from a mobile phone". A "Documents" section shows a report from August 2013, and a "Notifications" section shows a notice from May 2016. A "Statistics" box displays 585 registered complaints, 506 resolved, and 79 unresolved.

**COMESA** | **EAC** | **SADC**

English | Français | Português

## Non-Tariff Barriers

Reporting, Monitoring and Eliminating Mechanism

Help | Login

HOME | ABOUT | NON-TARIFF BARRIERS | COMPLAINTS | NON-TARIFF MEASURES | DOCUMENTS | LINKS | CONTACT  
Country Focal Points

### What is a Non-Tariff Barrier (NTB)?

Non-Tariff Barriers (NTBs) refer to restrictions that result from prohibitions, conditions, or specific market requirements that make importation or exportation of products difficult and/or costly.

[Read more...](#)

### Report an NTB

[Register your complaint](#)

Your complaint will be:

1. Reported to the appropriate country representatives
2. Published on this website

[Read more...](#)

### Report from a mobile phone



**+269 322 8528**  
(for Comoros)

A country representative will contact you to assist.

[Read more...](#)

### Documents

28 August 2013

**REPORT OF THE TWENTY-NINTH MEETING OF THE TRADE AND**

### Notifications

10 May 2016

**PASSPORT HOLDERS WHO ARE EXEMPT FROM VISAS FOR SOUTH**

### Statistics

- 585 complaints registered
- 506 complaints resolved
- 79 complaints unresolved



# Objectives of Tripartite NTBs Reporting, Monitoring and Elimination Mechanism

- Create transparency and efficiency in the management of NTBs in the Tripartite
- Real time tool to inform Governments on trade obstacles as they Occur
- Allow private sector involvement in identifying , monitoring and resolving NTBs
- Information dissemination through databases of reported and resolved NTBs
- NTMs databases to reduce occurrences of NTBs



# Transparency in the Tripartite NTBs Elimination - Institutional Arrangements

- ❑ Harmonised NTBs institutional arrangements in the 27 countries
- ❑ NTBs Coordinating units in the Secretariats
- ❑ National NTBs Focal Points managing the NTBs mechanism ( 5 Public and private sector representatives per country )
- ❑ National Monitoring Committees comprising Government Ministries & their Institutions, Local Authorities; Private sector, Industry & Trade Associations (Transporters, Cross Border Traders Associations , Women in Business )



## Features of the NTBs /NTMs Online Reporting Mechanism

- Real- time reporting , processing and monitoring of NTBs & NTMs by the public, Private sector and Government and their Institutions
- Facilitate bilateral consultations among Member/Partner states on outstanding NTBs
- NTBs/NTMs Databases and source of information for REC mechanisms
- Sharing & Exchange of NTBs supporting documents by Focal points during processing
- Real-time NTMs databases ( NTMs Focal Points notify new measures)



## Online Mechanism – Categorisation of NTBs

- Category 1** Government participation in trade & restrictive practices tolerated by governments
- Category 2** Customs and administrative entry procedures
- Category 3** Technical barriers to trade (TBT)
- Category 4** Sanitary & phyto-sanitary (SPS) measures
- Category 5** Specific limitations
- Category 6** Charges on imports
- Category 7** Other procedural problems
- Category 8** Transport, Clearing and Forwarding



## Online Mechanism – Categorisation of NTMs

**UNCTAD Classification and Categorisation Version 2012**



## NTBs data base – NTMs related NTBs

- ❑ There were 586 NTBs registered in the system as at 25<sup>th</sup> September 2017
- ❑ 25.8 % of these are NTMs that have caused in the following categories:
  - a) SPS & TBT
  - b) Rules of Origin
  - c) Export related
  - d) Prohibitions
  - e) Import Bans
  - f) Import Taxes, fees, levies
  - g) Administrative measures
  - h) Other N E S



## Tripartite NTMs Database – Pilot Phase 1

- ❑ Regional Approach for sustainability and consistency of NTMs databases
- ❑ Funded by African Development Bank through the Tripartite Capacity Building Programme (TCBP). Technical Support by UNCTAD
- ❑ Building on ongoing NTMs work by World Bank, UNCTAD and ITC
- ❑ Databases at national, T-RECs and Tripartite levels
- ❑ National databases interlinked in the Tripartite Online mechanism
- ❑ Database managed by trained NTMs data collectors from key regulatory authorities



## Tripartite NTMs Database – Pilot Phase 1 – Role of UNCTAD

- ❑ Classification and categorization of NTMs – Version 2012
- ❑ Technical Support – Quality Control , authenticating classification
- ❑ Capacity building for the Tripartite Member/Partner States
- ❑ Training and NTMs data collectors in the Member/Partner States ( More than 200 NMCs trained in 3 regional and 2 national Training workshops)
- ❑ Supervising the database NTMs data collectors for the Pilot phase



## Tripartite NTMs Database – Features

- ❑ Real-time database managed and administered by trained national NTMs Focal Points Data Collectors
- ❑ NTMs Focal Points appointed from Regulatory Authorities
- ❑ Classification and categorization of NTMs – Version 2012
- ❑ Word template converted from UNCTAD excel format for ease of reading , public access by stakeholders
- ❑ Housed in Online system [www.tradebarriers.org](http://www.tradebarriers.org) and national trade portals



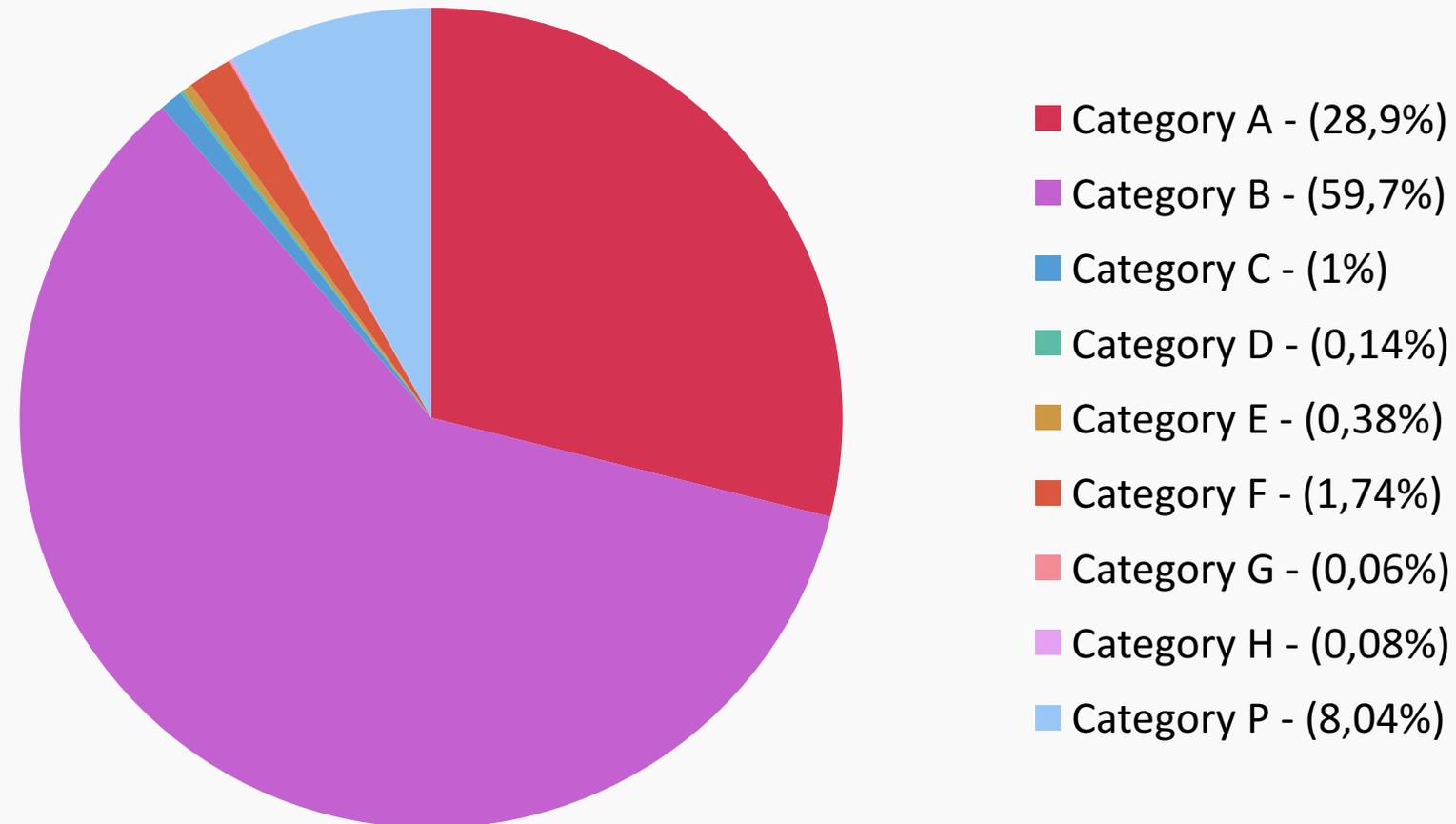
## Tripartite NTMs Database – Preliminary results

- ❑ Discovering the Width and depth of Regulatory environment –  
Tripartite has more regulations than available in public domain
- ❑ High frequency in enacting trade regulations and national standards
- ❑ Objectives more than the MAST 10 e.g. for revenue purposes, seasonal bans etc
- ❑ Diversity in Regulatory authorities in the Trade regulatory Environment



## NTMs data base – Preliminary results 12 Pilot Countries

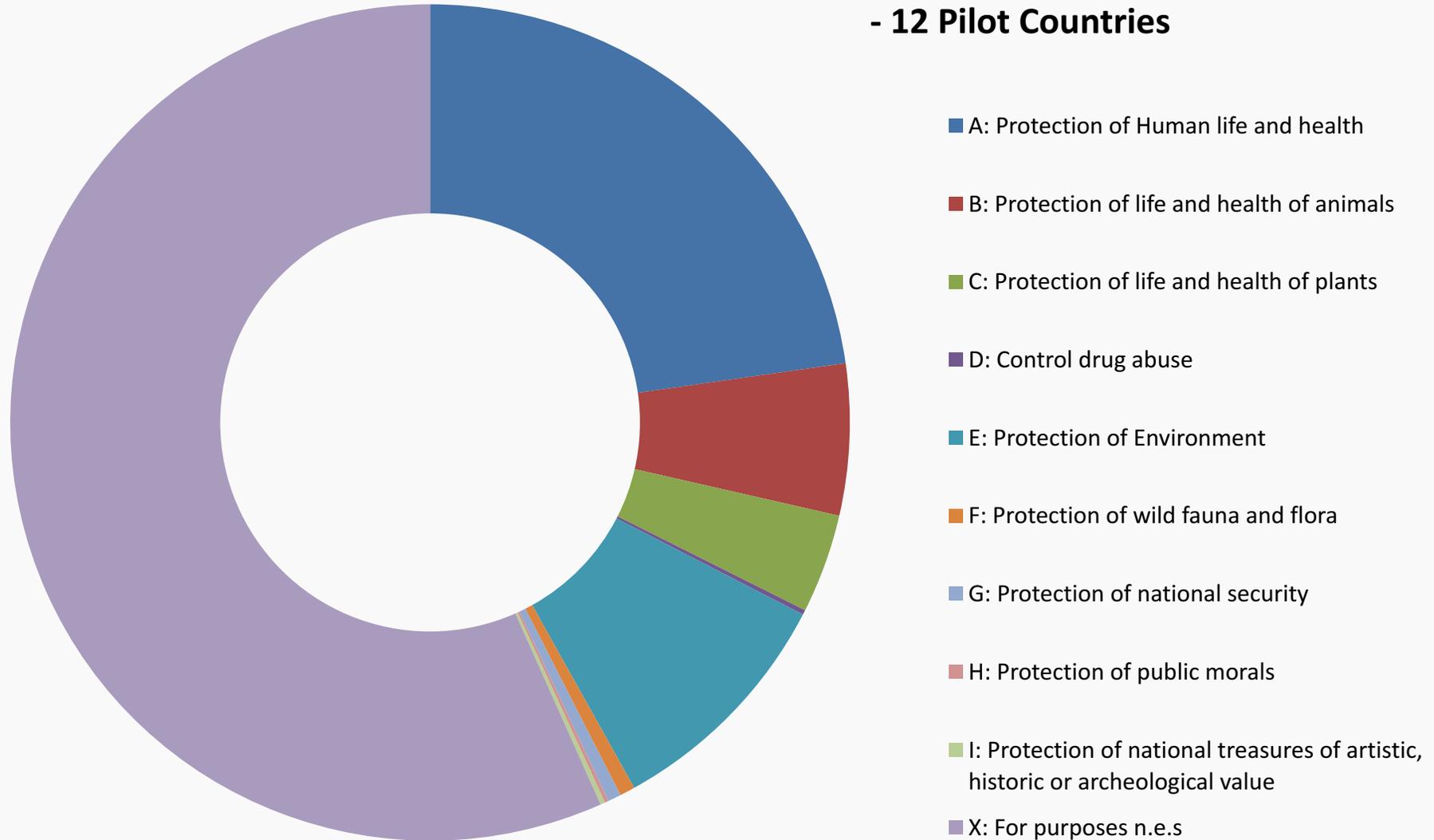
### No. Measures by category - 12 Pilot Countries





# NTMs data base – Preliminary results 12 Pilot Countries

**No. NTMs by Measure Objectives  
- 12 Pilot Countries**





## Tripartite NTMs Database – Lessons from Preliminary results

- ❑ Database development process long and arduous. Extensive stakeholder involvement;
- ❑ Involvement of regulatory authorities in database development necessary for sustainability and continuity
- ❑ Need to adapt classification to accommodate diversity in Tripartite: e.g. Measure Objective X ( Purposes n.e.s) to be more specific to situations in the Tripartite. This objective affects 80% of the SPS measures and 27% of TBT measures



## Enablers to Transparency

- Political Will by all Tripartite Governments to manage NTMs and eliminate NTBs ( Elimination of NTBs and NTMs is priority programme for the Tripartite )
- Governments have removed bureaucratic communication barriers by authorizing Real-time recording and processing of NTBs & NTMs
- Dedicated Institutional arrangements at national and Regional levels



## Transparency in Processes for Managing NTMs

- Online NTBs /NTMs Databases are a public good – available to traders, researchers, exporters, importers, government and general public
- New NTMs are classified and added to databases as the regulations are promulgated into law
- Repealed measures are deleted at time of repeal
- Contacts for Focal Points & NTMs Data Collectors are public information in the Online system



# UNCTAD contribution to Tripartite NTMs database development Process

- ❑ Technical Support to the development of TPT NTMs database
- ❑ Quality control and Supervising data collectors
- ❑ TPT NTMs/NTBs mechanism now using UNCTAD Classification of NTMs
- ❑ NTMS Capacity building for the Tripartite
  - a. *Providing training to NTMs data collectors ( Conducted 3 regional and 2 national NTMs training for the Tripartite*
  - b. *Online Training for NTMs Focal Points*



## Next Steps

- Mobilise resources to complete databases for the remaining 15 Tripartite Member/Partner States
- Adapt trade information portals to install the databases
- Coordinated Development of national NTMs databases by donors for consistency and data uniformity in the Tripartite .
- Undertake Impact Assessment and recommendations for Policy improvements