Introducing the SPS and TBT Portal Developed by CWS

16th March 2012

"Specialised Course on WTO Rules (Anti-Dumping, Subsidies, Safeguards),
Dispute Settlement and RTAs (including Rules of Origin and WTO Plus
Provisions)"

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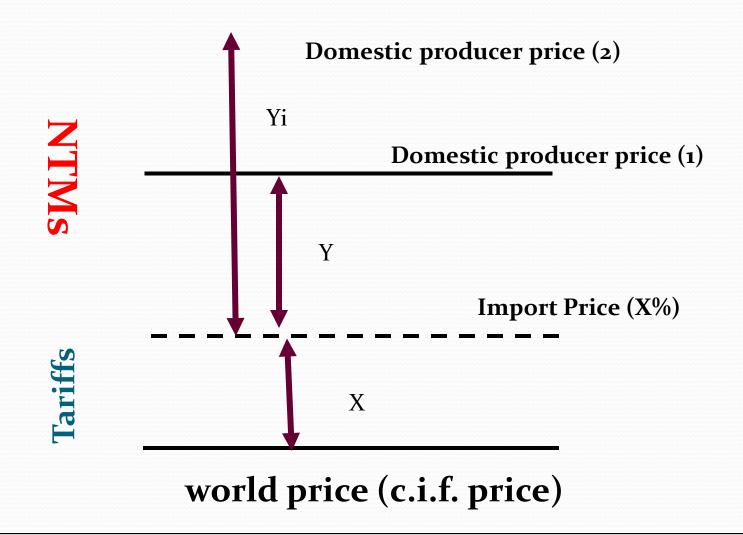


Today's Discussions

- Trade Intervention Measures;
- 2. Understanding on the NTMs like SPS and TBT Measures;
- 3. Doha Round and its Mandate;
- 4. Market Access Analysis;
- 5. Portal of CWS Practical Training
- Case study of Information Communication Technologies and Electronics (ICT&E);
- Some basic facts about registered users to CWS Portal



What all are the Processes of Trade Intervention?





NTMs of Intervention: Direct Measures

Definition of Direct Measures:

Explicitly designed and implemented for purposes of restricting trade

Quantitative Measures

Quantitative Restrictions

Tariff Quota

Voluntary Export Restraints

Orderly Marketing Agreements

Fiscal Measures

Export Subsidy

Export Credit Subsidy

Government Procurement

Administrative

Import Licensing



NTMs of Intervention: Indirect Measures

Definition of Indirect Measures:

Notionally implemented to meet some other policy target, but affecting trade flows in the process

Fiscal Measures

Regional Subsidisation Subsidisation of public enterprises Tied aid

Administrative Measures

Health and Safety Regulations
Environmental controls
Customs valuation procedures
Rules of Origin



SPS or TBT: How to make the distinction?

Is it food, drinks or feed and is its objective to protect one of these?

- Human/Animal/Plant life, or a country and it reads risk from the following:
 - Additives
 - Contaminants
 - Toxins
 - Plant- or animal carried diseases
 - Diseases causing organisms
 - Pest entering, establishing or spreading

YES

SPS

NO

Is it a Technical Regulation, Standard, or Procedure for assessing whether a product conforms with a Standard

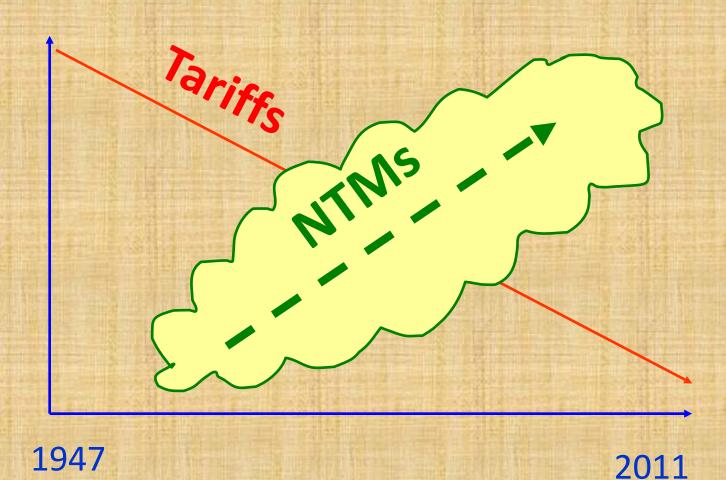
YES

TBT





What is the Impact on the Overall Effective Market Access



Source: CWS Web Portal and WTO



Doha: Para. 16 (December 2001)

MARKET ACCESS FOR NON-AGRICULTURAL PRODUCTS

1. We agree to negotiations which shall aim, by modalities to be agreed, to reduce or as appropriate eliminate tariffs, including the reduction or elimination of tariff peaks, high tariffs, and tariff escalation, as well as non-tariff barriers, in particular on products of export interest to developing countries.



Market Access: Discussion Points

- Market?
- 2. Unit Price (use of WITS and WTA)
 - Own products price,
 - 2. International price, and
 - 3. Competitors price
- 3. MFN Duty: Importing country?
- 4. PT under FTAs?
- 5. Non tariff measures:
 - ✓ Import policy measures QRs, permits, TRQs
 - ✓ SPS requirement
 - **✓** TBT requirement
 - ✓ CV, SSG, RoO and AD/(S&CM)
 - ✓ Any other rule

Complete Market Analysis Report



Trade Linkage: The HS Systems

The CWS database will give you the trade linkage at 4 digit level

Section-Cluster of Chapters

HS 2 digit-Chapter

HS 4 digit-Heading

Harmonised by the WCO HS 6 digit-Sub Heading

HS 8 digit (Slit Sub Heading)

Up to 14 digits (TARIC)



Challenges for an Exporter? **SPS Measures TBT Measures** Regulation egislation a **Identified EXPORTER** Barrier II: National Internati Market

Market Access Issues and Discussions on the CWS Database



The Objective of the Web portal of CWS

- In the context of Doha Round (Market Access) it become imperative to look beyond tariffs, as an instrument of trade policy, the average tariffs of these across the countries were coming down and substituted by the www.wro.nd/www.wr
- So it was felt way back in **2003 that a database to capture individual notifications and its link with the trade** (i.e., HS codes). Simultaneous, it was also felt that Indian exporter's needed to be aware of the notifications and their product coverage. Hence, it was important to have comprehensive database compiled but equally important to disseminate.
- The whole process took us six years (to collate and compile) before the database was made public in 2009.
- Thereafter, we have been constantly updating these databases with a lag of two months.



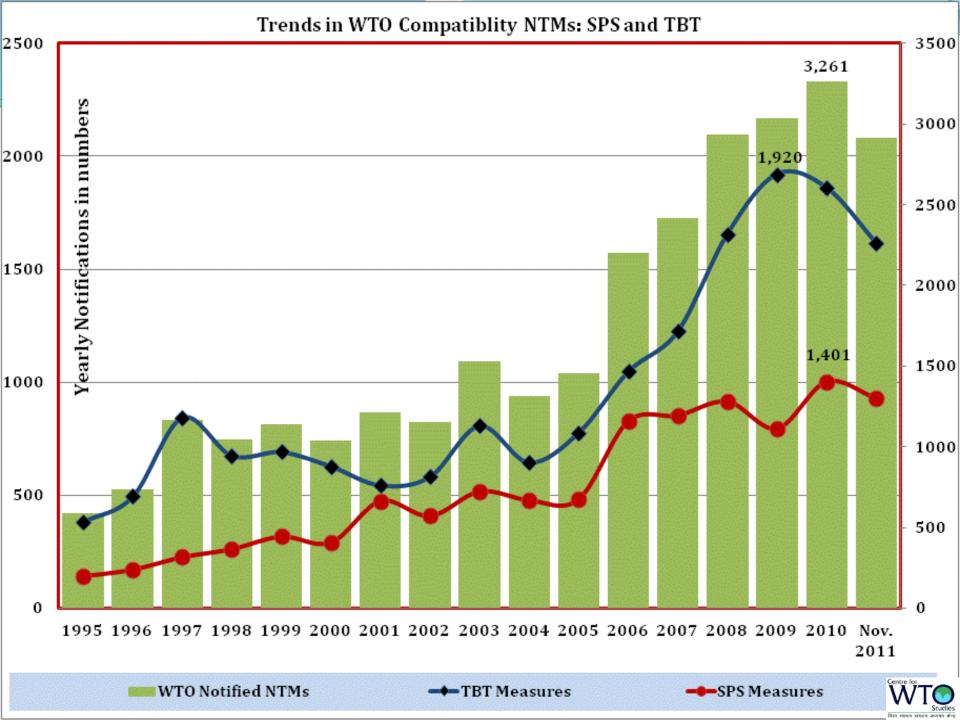
Presently: What is the trade impact of these two NTMs

- Nearly 16,403 TBT notifications January 1995 to November 2011, in terms of coverage roughly 83,385 products at heading level (4 digit HS)
- ➤ Nearly **12,639** SPS notifications January 1995 to November 2011, in terms of coverage roughly **1,02,929** products at heading level **(4 digit HS)**
- ➤ So the total NTMs 29,137 notifications having a product coverage of 1,86,314 until July 2011
- Including the broad product classification (BPC), for example like "All products", "Construction materials", "Animal and animal products", etc;
- ➤ The total number includes the notifications made under the addition, revisions and corrigendum;
- ➤ Virtually, no tariff line is left untouched by the indirect trade effect of SPS & TBT's measures.

What is so unique about these two Database?

- With less than <u>10 % of total SPS/TBT notifications</u> with containing the HS Codes details. A viable answer to many of our questions on account of <u>market access related issues</u> where not possible.
- The coverage had to be increased (100 percent). For this database needed to **bridge this GAP** though an objective approach that would certainly provide answers to many key market access questions and thus provide clearer picture.
- This then can be very useful for providing answers to issues at a micro-level. It would be useful for the exporter, importer, academicians, and apex industrial bodies and trade policy makers.





The Actual Coverage of the WTO notifications

1. SPS Notifications

9.5 % of the total notification actually contain some or the other information with regard to the HS codes.

2. TBT Notifications

- ✓ 15 % of the total notification actually contain some or the other information with regard to the HS codes.
- 3. So how did we manage to provide the HS code linkage?

Objectivity in the Creation of Databases

Deciphering the actual intension of an actual notification:

- 1. Product name
- 2. ICS code (International Classification for Standards)
- 3. Description of content
- 4. Any other relevant information in the notification

ICS Code revealing the actual purpose a TBT Measure

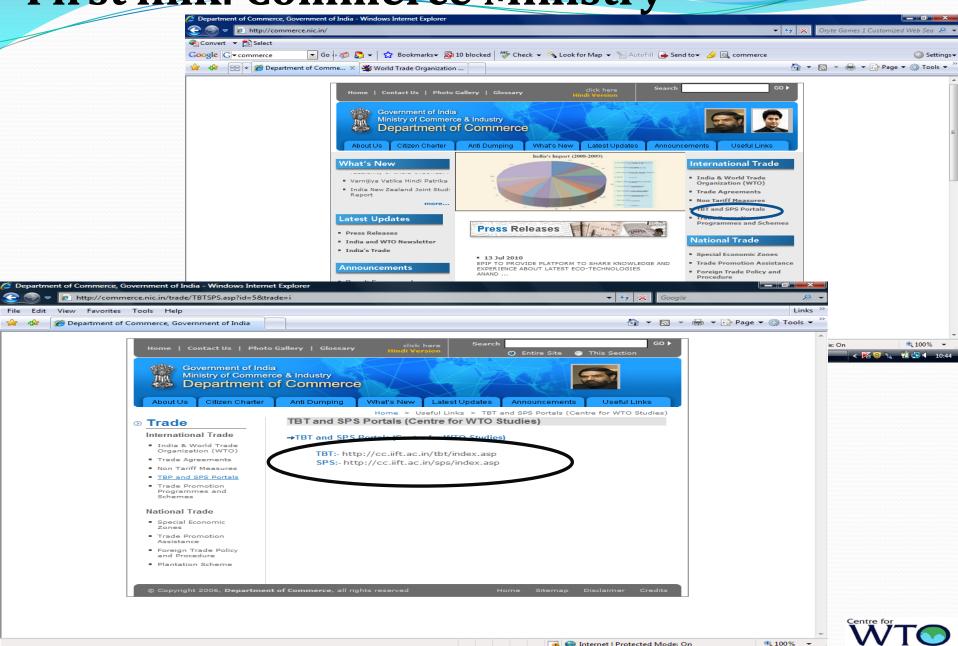
A classic case of use of "ICS code" to reveal the actual intension of a TBT notification:

- 1. G/TBT/N/KEN/133, Dated 21/04/2009
- 2. In the product name was a mention of : "COUNTERFEIT GOODS"
- 3. If this was to be considered, we would have ended up categorising it as either of the two broad categories i.e., "All Products" or "Packaging and labelling".
- 4. After a careful study of the notification, we found a mention of ICS Code, it had **07.080**.
- 5. This ICS code was designated to "genetically engineered products"
- 6. It was clear that this notification was applicable to only for "Food and Food Products"

SPS & TBT Databases the procedure for registration



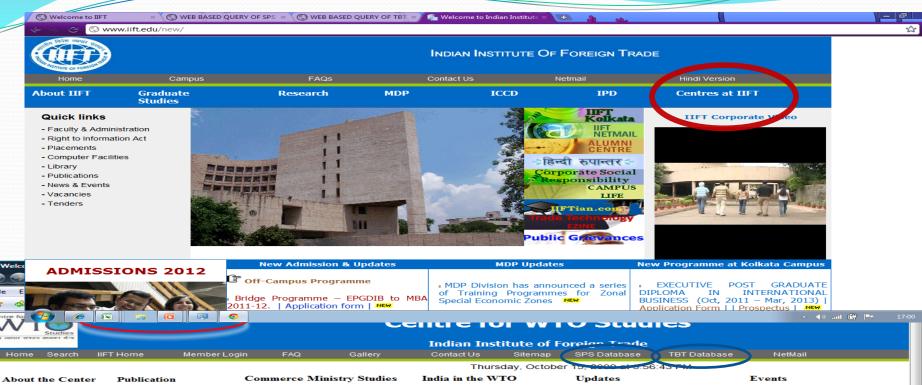
First link: Commerce Ministry



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Second link: IIFT Website



Focus Areas

Steering Committee Faculty Profiles

Studies Newsletters Books & Reports Opinion

Ministers' statements Formal Submission by India

Multilateral & bilateral trade issues Economic Cooperation

Forthcoming

Useful Web links

www.commerce.nic.in

www.wto.org www.unctad.org www.wipo.int www.fao.org

www.unescap.org www.cuts-citee.org

www.artnetontrade.org

The Centre for WTO Studies was established in the Indian Institute of Foreign Trade in November 2002.

The major objective of the Centre has been to provide research and analytical support on a continuous basis to the Department of Commerce on identified issues pertaining to the World Trade Organization. In addition, it is also tasked to carry out research activities, bring out Publications on WTO related subjects, carry out Outreach & Capacity Building programmes by organizing seminars, workshops, subject specific meetings etc., and to be a repository of important WTO documents in its Trade Resource Centre

Discussion Forum >

Member Registration > Benefits

- Publication
- News Letter
- News Alerts
- Upload Publication

Latest News

Workshop on WTO Agreement

School on Trade and Public Health from 5th - 9th October 2009 | Application Form | | Final call for participation | Tentative Curriculum |

National Seminar on GEOGRAPHICAL INDICATIONS "WHERE DO INDIAN INTERESTS LIE?" on 24 and 25 September, 2009 | Concept Note | Draft Programme | | Presentation |



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http://wtocentre.iift.ac.in/Coming_Soon.asp

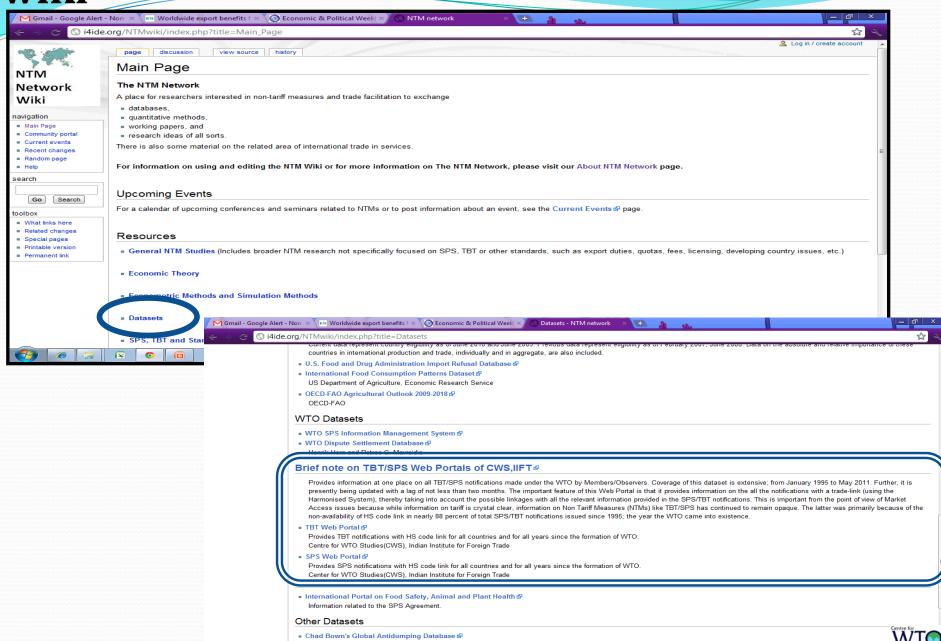
5 Internet Explorer

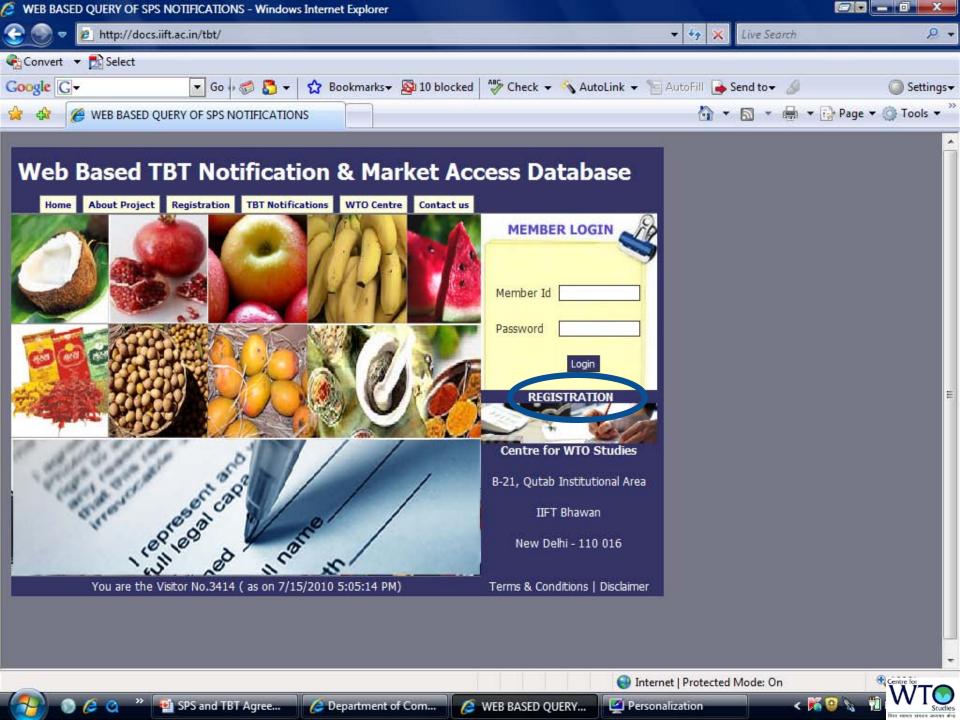
Welcome to The Centre for WTO Studies

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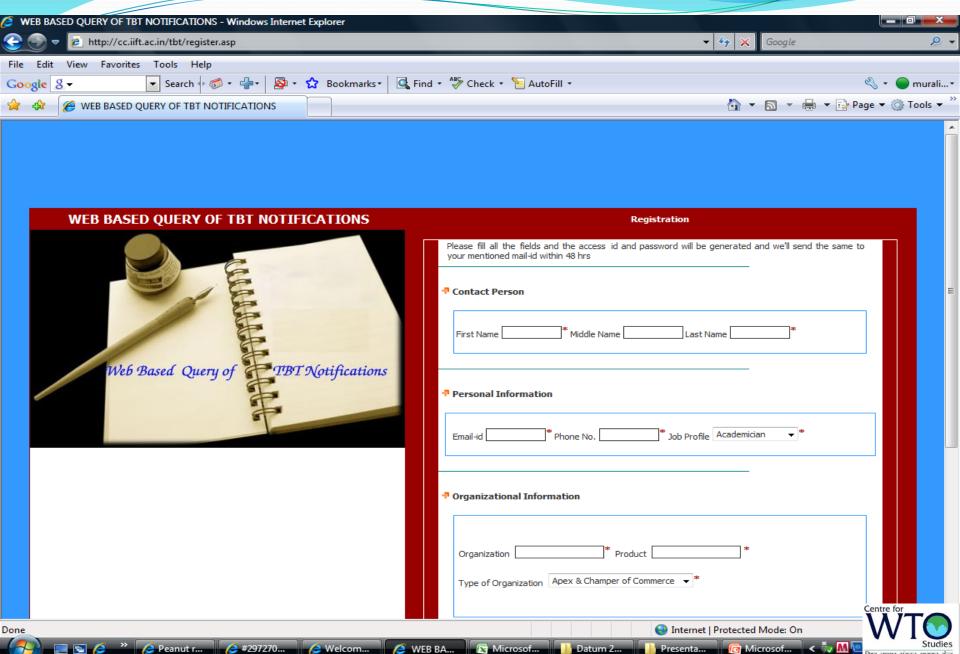
it is also available at dougle. It is network







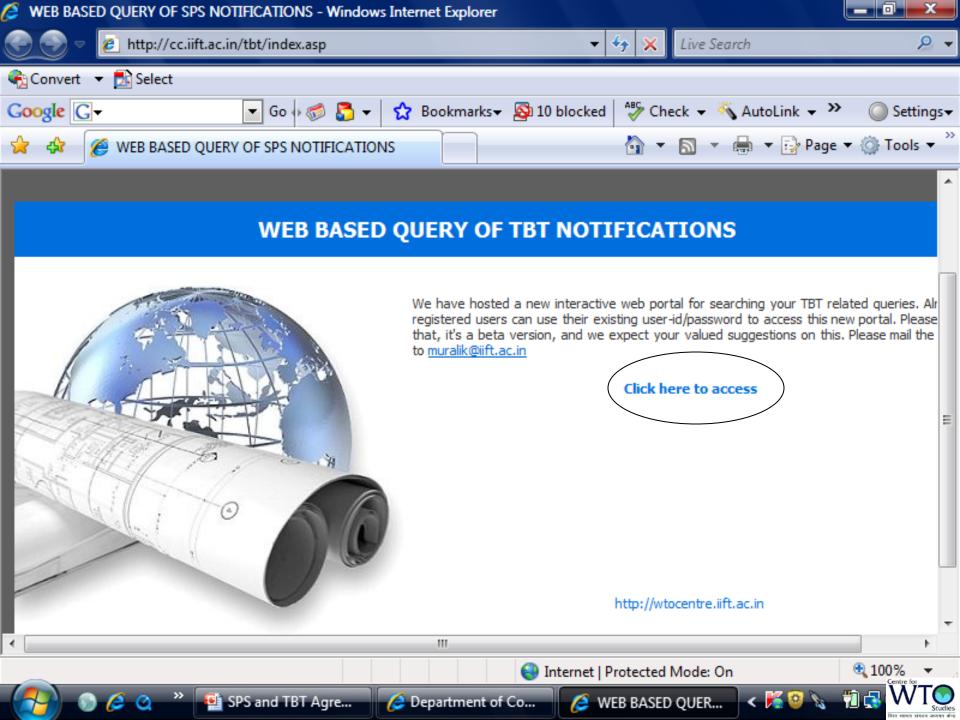
Registration Process



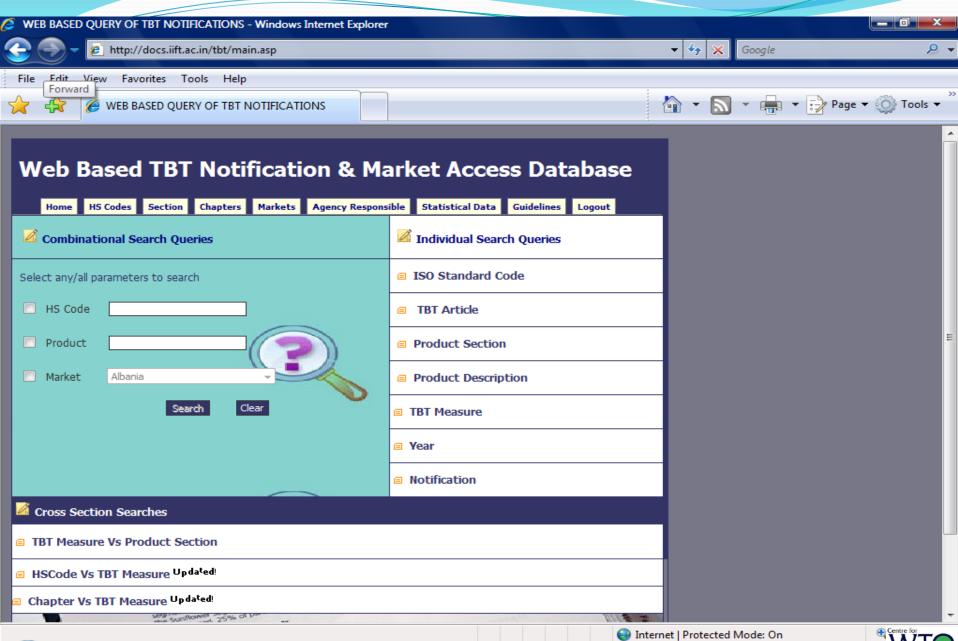
Login ID and Password

- An automated <u>unique Login ID and Password</u> (the password can customised), will be send to you to your email ID, as mentioned as part of the registration process, with in few hours or a maximum duration of 48 hours.
- If it is not working, <u>please check your junk mails</u>, and for institutional users find out if your <u>Web ID is fire wall protected or not</u>, this also from our past experience we have found.
- Both the SPS and TBT Web Portals require separate registration.
- There is no restriction on the number of registrations within the same organisation. For Apex Chamber of Commerce, FICCI & CII this will be of use by way of decentralising.

Centre for



Options Available for Searching on TBT Database

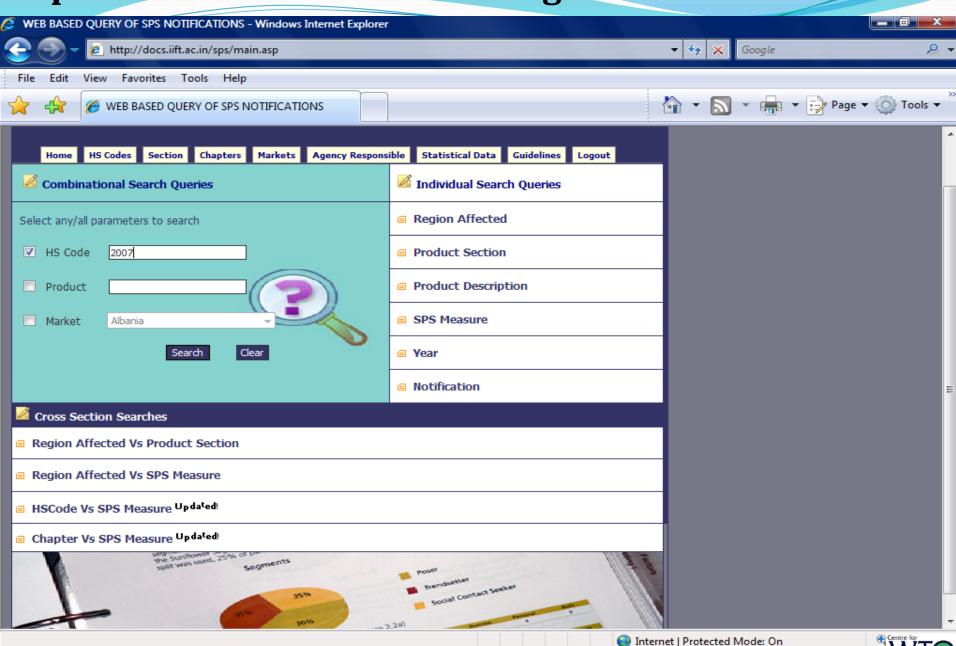


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Personalization

4 Internet Explorer

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Options Available for Searching on SPS Database



Personalization

Presentations and L...

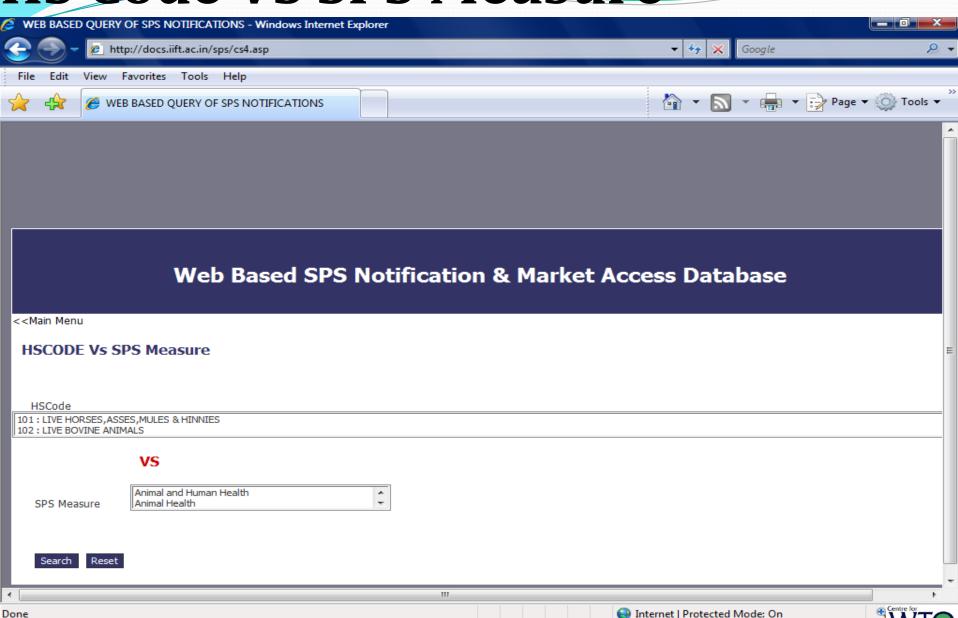
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HS Code VS SPS Measure

4 Internet Explorer

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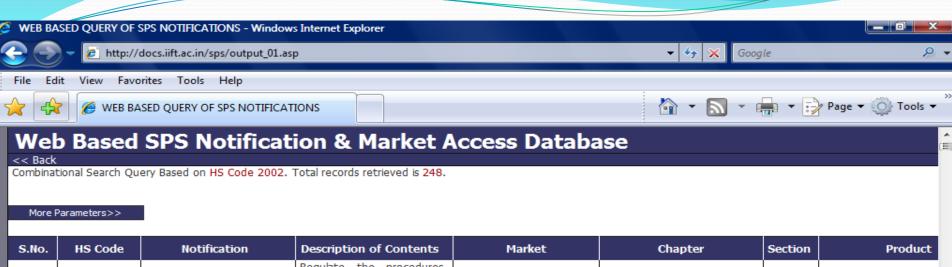


Personalization

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Result for Search of HS Code 2002

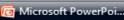


S.No.	HS Code	Notification	Description of Contents	Market	Chapter	Section	Product
1.	2002	G/SPS/N/ARG/1	Regulate the procedures for publishing, announcing and notifying sanitary, phytosanitary and technical measures and establish their scope.	Argentina	MEAT AND EDIBLE MEAT OFFAL.	1	Plant products
2.	2002	G/SPS/N/ARG/56	There are no deviations from international standards or guidelines. [To authorise the National Agriculture and Food Quality and Health Service (SENASA) to incorporate into the Network of officially recognized laboratories those laboratories that so re	Argentina	MEAT AND EDIBLE MEAT OFFAL.	1	Plants, their parts, and by-products
3.	2002	G/SPS/N/ARG/41	Regulates the entry of plants and their parts, products and by-products into Argentina, in their natural state, semi-processed, fully processed or partly industrialized.	Argentina	MEAT AND EDIBLE MEAT OFFAL.	1	Plants and their parts, and by-products
					MEAT AND EDIBLE MEAT OFFAL.		Products of plant origi









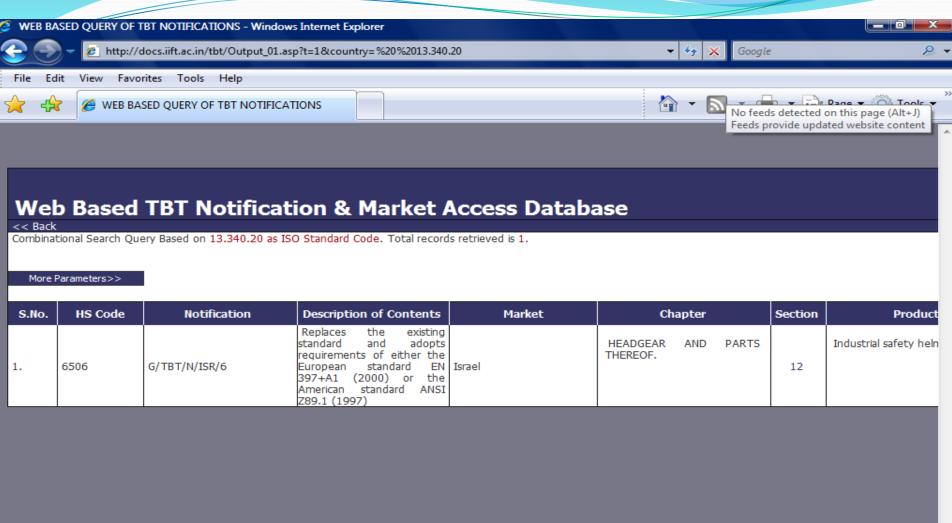
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Search Result for ISO-13.240.20





















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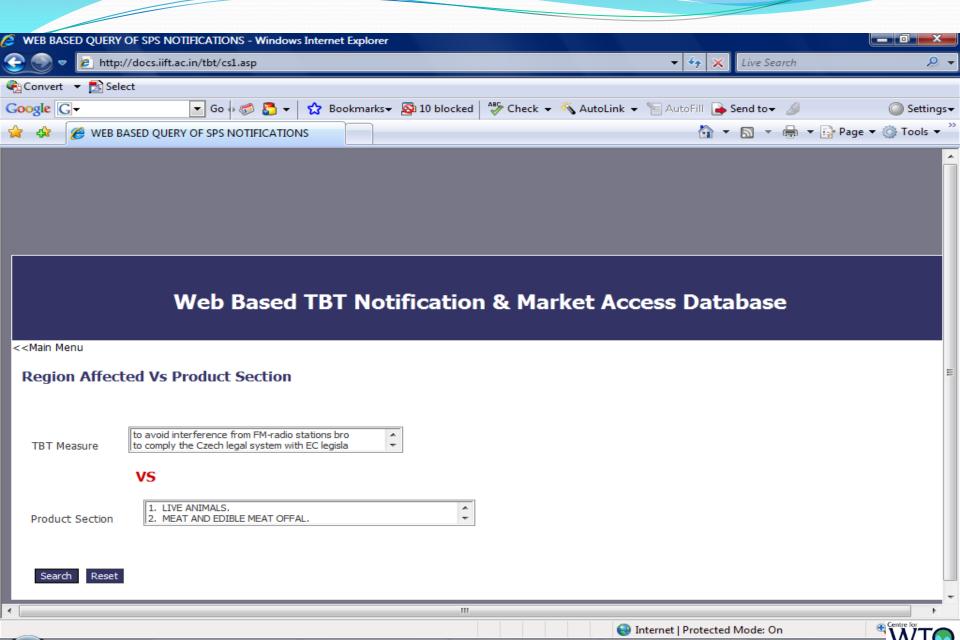
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Cross Section Search

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Welcome to IFT - ...



WEB BASED QUERY...

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Searching for HS: 8401

Welcome to IIFT

X WEB BASED QUERY OF SPS X WEB BASED QUERY OF TBT



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More Parameters>>

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S.	No. HS Code	Notification	Description of Contents	Market	Chapter	Section	Product	TBT Measures	International Standard
1.	8401	G/TBT/N/ARG/129	Extension of the time-limits established in the Joint Resolution of the former Ministry of Production (MP) No. 157 and the former Ministry of the Economy (ME) No. 255 of 9 April 2003 (G/TBT/N/ARG/110) and amendment of Articles 1, 9 and 11 thereof.	Argentina	NUCLEAR REACTORS, BOILERS, MACHINERY AND MECHANICAL APPLIANCES; PARTS THEREOF.	16	Capital goods	Harmonisation	
2.	8401	G/TBT/N/ARG/110	Beneficiaries of the import regime for used production lines must undertake to obtain quality management system certification.	Argentina	NUCLEAR REACTORS, BOILERS, MACHINERY AND MECHANICAL APPLIANCES; PARTS THEREOF.	16	Capital goods	Technical Regulations/Standards	
3.	8401	G/TBT/Notif.96/305	This Technical Standard relates to Customer Equipment (CE). It specifies safety requirements for CE with the objective of providing: (a)Protection of the CE user from electrical supply hazards; (b)Protection of the CE user from telecommunications network hazards; (c)Protection of telecommunications network personnel from connected CE hazards; (d)Protection of a telecommunications network from harm arising from connected CE, both mains powered and non-mains powered equipment.	Australia	NUCLEAR REACTORS, BOILERS, MACHINERY AND MECHANICAL APPLIANCES; PARTS THEREOF.	16	Safety for customer equipment	Consumer Safety	
4.	8401	G/TBT/Notif.98/91	Regulations for the installation of electrical equipment in explosive (gaseous, dusty) atmospheres. Definition of danger zones.	Belgium	NUCLEAR REACTORS, BOILERS, MACHINERY AND MECHANICAL APPLIANCES; PARTS THEREOF.	16	Rules for the installation of electrical equipment	Harmonisation	
5.	8401	G/TBT/Notif.98/97	Lighting units with single integrated socket-outlet and a nominal intensity of 2.4 A. Conductor colour protection code. Flame propagation ducts. Gutters. Ductless recessing. Industrial	Belgium	NUCLEAR REACTORS, BOILERS, MACHINERY AND MECHANICAL APPLIANCES; PARTS THEREOF.	16	Rules for the installation of electrical equipment	Harmonisation with International Standards	Cer



















Searching for 8401- more Parameters Welcome to IFT WEB BASED QUERY OF SPS WEB BASED QUERY OF TBT WEB BASED QUERY OF TBT A WEB BASED QUERY OF TBT A WEB BASED QUERY OF TBT WEB BASED QUERY OF TBT A WEB BASED QUERY OF TBT WEB BASED







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Web Based TBT Notification & Market Access Database

Combinational Search Query Based on HS Code 8401. Total records retrieved is 69.

S.No.	Notification	Article	Emergency Measure	ICS Code	Regulation	Entry Force	Text From	Text At
1.	G/TBT/N/ARG/129					3-Jul-03	National Enquiry Point	
2.	G/TBT/N/ARG/110					11-Apr-03	National Enquiry Point	
3.	G/TBT/Notif.96/305					Early 1997	National Enquiry Point	
4.	G/TBT/Notif.98/91					60 days	National Enquiry Point	
5.	G/TBT/Notif.98/97					60 days	National Enquiry Point	
6.	G/TBT/Notif.98/90					60 days	National Enquiry Point	
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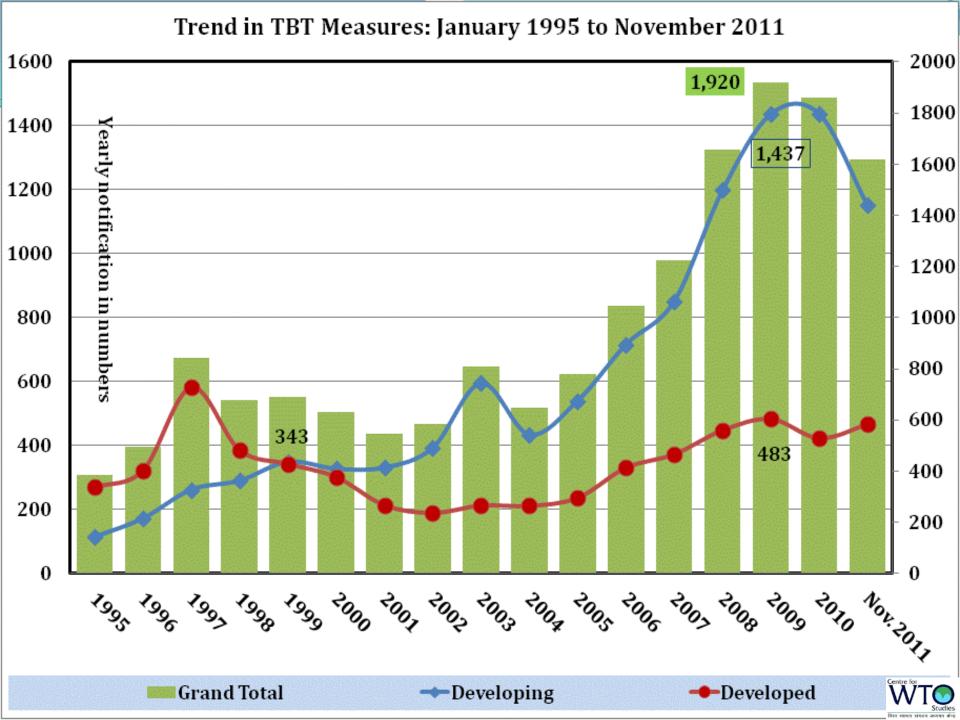




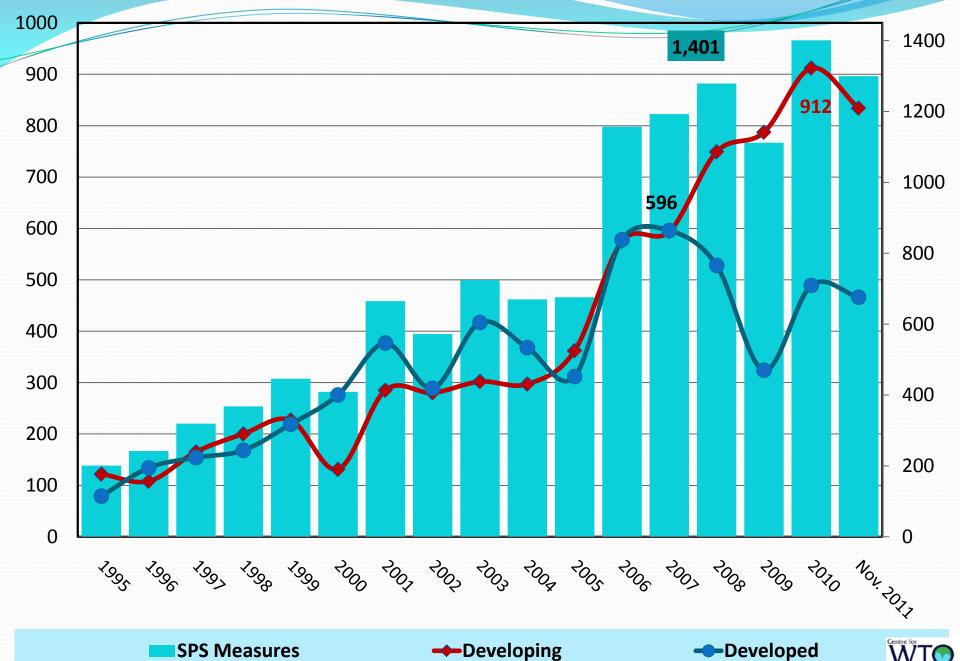


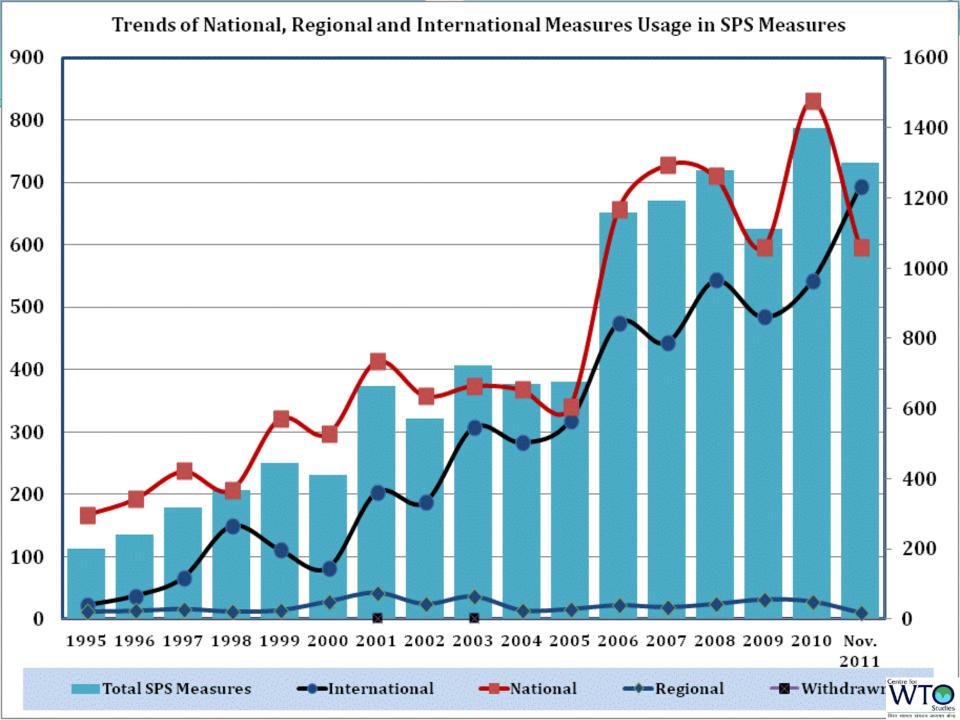
Graphic Results

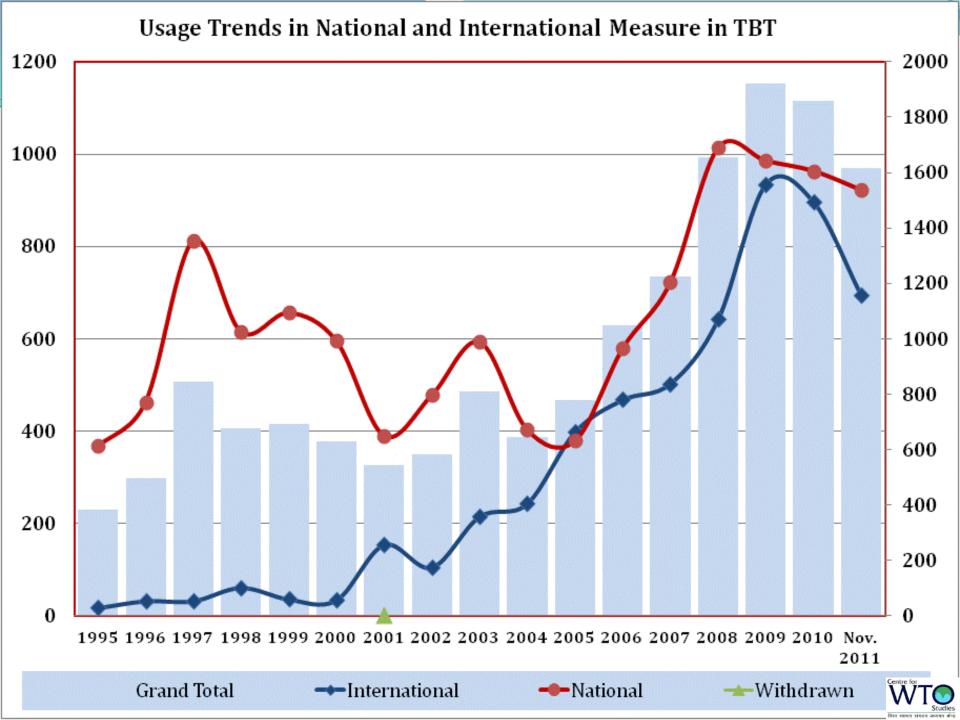




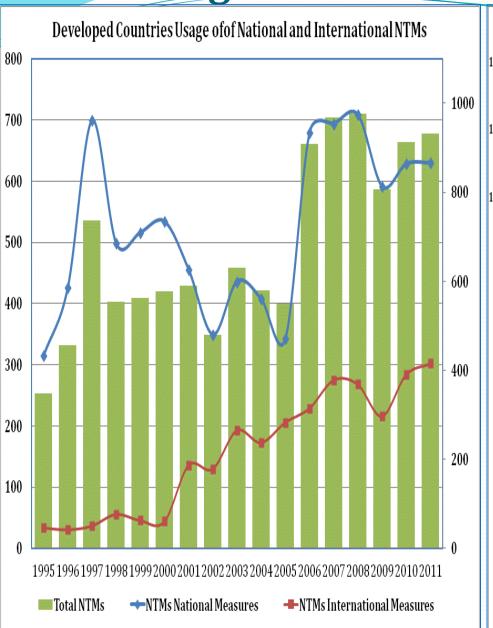
Trends in SPS Measures: January 1995 to November 2011

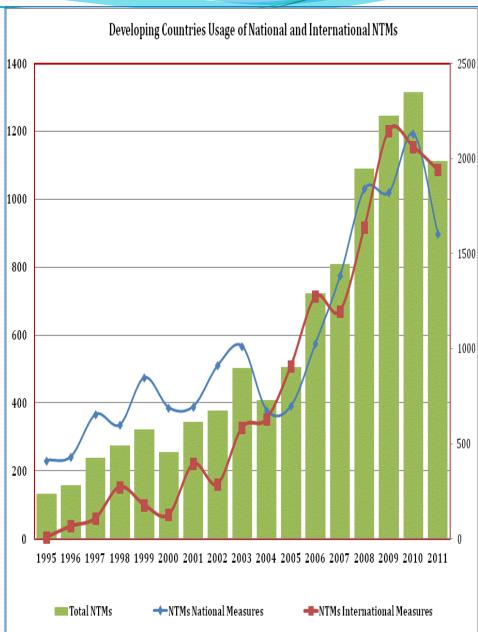






Usage of National Vs International





Countries with more than 100 notifications: (Top NTMs

Players)

Rank	Countries	Status	SPS Total Notification (95-11)
1	United States	Dev.	2765
2	Brazil	D'ping	975
3	Canada	Dev.	786
4	European Comm	Dev.	581
5	New Zealand	Dev.	540
6	South Korea	D'ping	438
7	China	D'ping	422
8	Chile	D'ping	397
9	Peru	D'ping	396
10	The SCT of TPKN	D'ping	344
11	Colombia	D'ping	325
12	Philippines	D'ping	304
13	Australia	Dev.	302
14	Japan	Dev.	288
15	Mexico	D'ping	267
16	Thailand	D'ping	248
17	Argentina	D'ping	171
18	Albania	D'ping	142
19	Costa Rica	D'ping	132
20	Viet Nam	D'ping	123
21	Bahrain	D'ping	120
22	El Salvador	D'ping	107

Rank	Countries	Status	TBT Notif. (1995 to 2011)
1	United States	Dev.	1275
2	China	D'.ping	946
3	European Communi	Dev.	749
4	Brazil	D'.ping	748
5	Canada	Dev.	635
6	Netherlands	Dev.	630
7	Israel	D'.ping	623
8	Japan	Dev.	611
9	Thailand	D'.ping	532
10	Mexico	D'.ping	476
11	South Korea	D'.ping	446
12	Argentina	D'.ping	414
13	Colombia	D'.ping	369
14	Kenya	D'.ping	295
15	Czech Republic	D'.ping	289
16	Qatar	D'.ping	268
17	Chile	D'.ping	265
18	Saudi Arabia	D'.ping	245
19	Denmark	Dev.	242
20	Bahrain	D'.ping	239
21	El Salvador	D'.ping	226
22	Sweden	Dev.	212
23	Switzerland	Dev.	211
24	Belgium	Dev.	208
25	Philippines	D'.ping	194
26	Uganda	D'.ping	193
27	Malaysia	D'.ping	189
28	France	Dev.	185
29	South Africa	D'.ping	184
30	Australia	Dev.	163
31	Costa Rica	D'.ping	154
32	Ecuador	D'.ping	132
33	Nicaragua	D'.ping	128
34	Oman	D'.ping	122
35	Trinidad and Tobag		119
36	The SCT of TPKM	D'.ping	111
37	Dominican Republic	D'.ping	107
38	Slovenia	D'.ping	100

Let us take a case study:

SECTORALS

Information Communication Technologies and Electronics

Analysis that could be done at the Product, Sectoral or Country level

1. Usage of technical regulations?

- Varied types of objectives in technical measures;
- Select the best that serves the interests.

2. Importance of technical regulations?

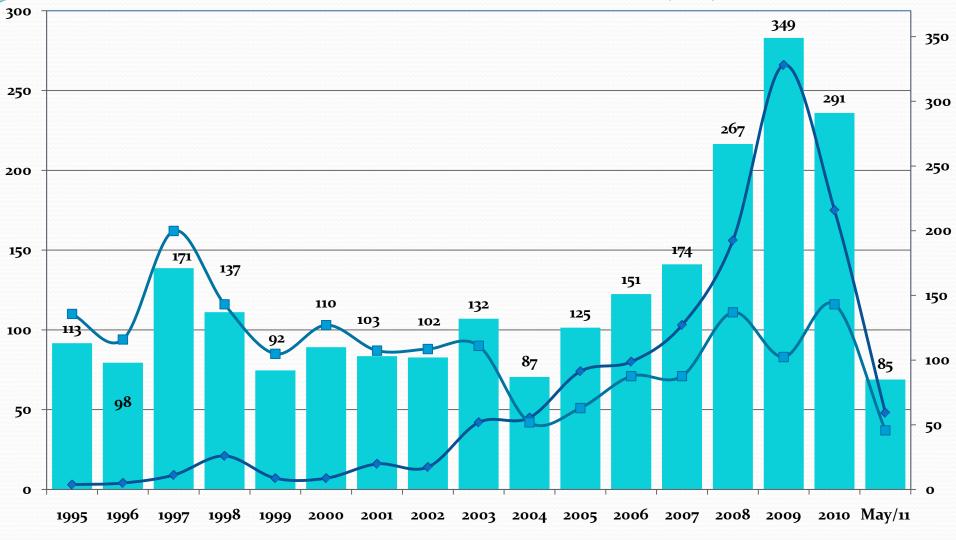
- 1. Individual markets;
- 2. Sector wise; and
- 3. Region wise.

3. The usage of the international standards?



Usage of National Vis-a-Vis International

TBT under ICT&E: National and International (ISO) Measure





TBT notifications Under ICT&Es: Chapters 84, 85,

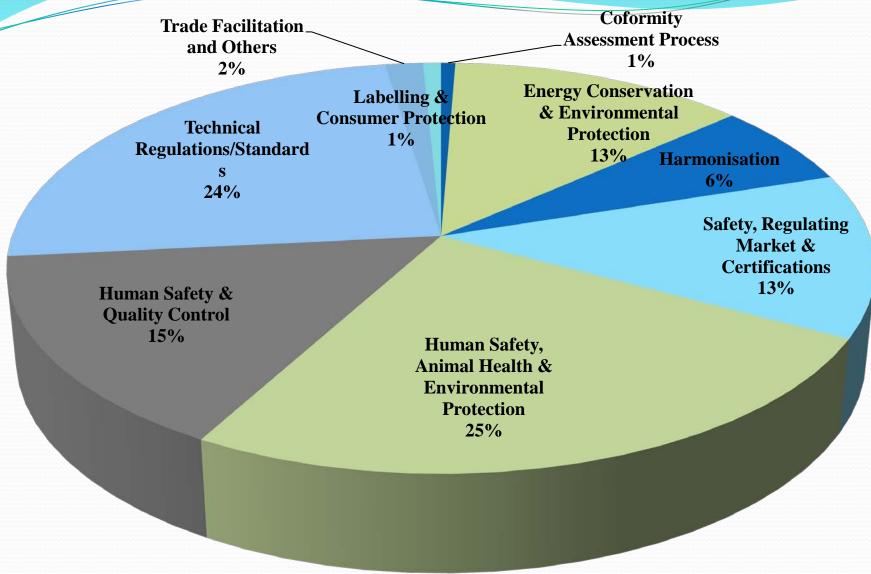
90, and 9405

Countries	Total Notifications: 1995 to May 2011	International measures with ISO Code	National Measures	Under Article 2.4: Use of international Standards
China	265	237	28	Mostly
Israel	218	215		All
Japan	163		163	Х
United States	136	110		Mostly
Thailand	132	124		Mostly
Netherlands	99		99	X
Canada	97	70	27	Mostly
Mexico	85		85	Χ
European Communities	81		81	X
Belgium	74		74	X
Chile	73		73	X
Brazil	66		63	X
Saudi Arabia	62	61		All
South Korea	62		60	X
Switzerland	53		53	X
Philippines	49	17	32	Very Rarely
Trinidad and Tobago	49	48		Mostly
Denmark	46		43	X
Hong Kong, China	43		43	X
South Africa	41	40		Mostly

Use of the database for Market Analysis: How open a market is?

Countries	Total Notifications: 1995 to May 2011	International measures with ISO Code	National Measures	Under Article 2.4: Use of international Standards
Saudi Arabia	62	61		Completely
Israel	218	215		Completely
United States	136	110		Mostly
Trinidad and Tobago	49	48		Mostly
Thailand	132	124		Mostly
South Africa	41	40		Mostly
China	265	237	28	Lesser
Canada	97	70	27	Lesser
Philippines	49	17	32	Very Rarely
Switzerland	53		53	None
South Korea	62		60	None
Netherlands	99		99	None
Mexico	85		85	None
Japan	163		163	None
Hong Kong, China	43		43	None
European Communities	81		81	None
Denmark	46		43	None
Chile	73		73	None
Brazil	66		63	None Centre for
Belgium	74		74	None W I Co

ICT&E Goods- TBT Measures and its Objectives





Some Facts about Registered Users of the CWS Web Protal



Some Facts about the Database: As on 15-10-2011

- Visitors to the Web Portals
 - TBT Visitor: 10089
 - SPS Visitor: 8021

- > Registered users:
- Approximately to 1000

Profile of Registered users

