- Session II -

Short course for Permanent Missions in Geneva

1. UNCTAD program on non-tariff measures (NTM)
2. Policy implications and the link of NTMs to sustainable development goals (SDG)

DITC/TAB, Denise Penello Rial
Geneva, March 2016
Why collect data on NTM?

The structure of trade costs

- MFN tariff rates
- PTA tariff rates
- Transport and logistics costs
- Border clearance costs
- Costs of compliance with RoOs
- Non-tariff measures

Source: Cadot and Ing, 2015
1. Transparency

- Transparency needs to be strengthened
  - Empowers private sector for consultations
  - Facilitates cooperation/negotiation between countries’ policy makers
  - Informed decisions through sound analysis
**OBJECTIVE OF NTMs DATA COLLECTION**

1. **Transparency**

How?

**Comprehensiveness**
- All currently applied regulations
- Official governmental sources

**Comparability**
- Same approach & method for all countries
- Data quality checking done by UNCTAD

**Accessibility**
- One stop (online) shop
- What info is available – same variables – Full regulation detail
UNCTAD Non-Tariff Measure Programme

- Working along the entire value chain

- Conception:
  - classification data
  - selection

- Data collection:
  - classifying NTMs
  - quality control

- Data Dissemination:
  - making data freely available

- Research and analysis

- Policy:
  - Support to Policy Makers and policy making processes

Guides the concept and data collection
The classification booklet


GUIDELINES
TO COLLECT DATA ON OFFICIAL NON-TARIFF MEASURES

SEPTEMBER 2014 VERSION
How it started

- **Expert meeting 2005**
  - MAST (Multi-Agency Support Team)
  - in charge of technical work
  - FAO, IMF, ITC, OECD, UNIDO, UNCTAD, WB and WTO

- **Pilot Project (2007-2009)**
  - Test data collection method and validate classification
  - Brazil, Chile, Philippines, India, Thailand, Tunisia, Uganda

- **Agreed International NTM Classification, Version 2012**

- **Official NTM data are collected jointly with partners**
  - International effort is coordinated by UNCTAD

- **UNCTAD TRAINS is most comprehensive NTM database**
  - Accessible through: wits.worldbank.org
Big classification groups

Import Measures

Export Measures

Technical Measures

Non-Technical Measures

SPS, TBT
The chapters

- **Technical Measures**
  - A SPS
  - B TBT
  - C Pre-shipment inspection and other formalities

- **Import measures**
  - D Contingent trade-protective measures
  - E Non-automatic licenses, quotas, prohibitions, Quantity-control measures
  - F Price-control measures, taxes and charges
  - G Financial measures
  - H Measures affecting competition
  - I Trade-related Investment measures

- **Non-Technical Measures**
  - J Distribution Restrictions
  - K Restrictions on Post-Sales Services
  - L Subsidies
  - M Government Procurement restrictions
  - N Intellectual Property
  - O Rules Of Origin

- **Export measures**
  - P Export-related Measures
UNCTAD Non-Tariff Measure Programme

- How we do it
- What we collect
- What we do not collect

Data collection
classifying NTMs
quality control
Three types of data
Not to be mixed or mistaken

1. "Official Measures"
   - Requirements enacted within a legal text or regulation issued officially by a country.

2. Survey data
   - Complaints from exporters could be compiled by governments
   - Actively read all regulations from Official Journal and register in the database those that are trade related

3. Voluntary
   - Private standards or international standards

NOTE:
- Notifications to WTO are based on regulations but are not consistently or systematically reported
- All regulations that affect trade:
  - Currently applied
  - Affecting trade
  - Official and mandatory
  - Detailed and specific
WTO notifications

- Countries must notify their SPS & TBTs to the WTO

- Which measures should be notified?
  - Only new or changed measures since 1995
  - Only measures which “differ from international standards, guidelines or recommendations, or situations where no standards exist, and, in addition, may have a significant impact on trade”
  - Draft regulations (no obligation to notify the final measures when they enter into force)

- Limits
  - Missing notifications
  - Difficult to match with regulations
What are NTM?

Non-tariff measures (NTMs) are

- **policy measures, other than ordinary customs tariffs**, that can potentially have an economic effect on international trade in goods, changing **quantities** traded, or **prices** or both

- NTM ≠ NTB
  - No judgment over legitimacy or lawfulness

- Different from concept of “**Procedural Obstacles**”
Procedural Obstacle is associated with a NTM measure

The way measures are implemented (praxis).

Attributes or operation of a measure

Administrative delays, queuing, discriminatory enforcement of rules, informal practices

"Official Measures"
Requirements enacted within a legal text or regulation issued officially by a country.

Law, decree, etc.

These are NOT collected

Regulation 1

Measure 1

Measure 2

Measure 3
**NTM is different from Trade Facilitation, even if both use the word “measure”**

<table>
<thead>
<tr>
<th>NTM</th>
<th>TF</th>
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</thead>
<tbody>
<tr>
<td><strong>Measures</strong> are legal requirements to be met</td>
<td><strong>Measures</strong> are 30+ different provisions contained in the TFA, that. If applied, would permit country to solve number of issues.</td>
</tr>
<tr>
<td>Product characteristics, Production requirements, Connected taxes or services, etc</td>
<td>‘Issues to solve’</td>
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<tr>
<td>Go beyond the border. What are the requirements (sometimes to be checked at customs at the time of crossing)</td>
<td>Commitments to undertake.</td>
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<tr>
<td>Measures at the border and before the border</td>
<td>Improving border procedures, efficiency in clearing</td>
</tr>
<tr>
<td>Conformity assessment of SPS and TBT. Checks, inspection</td>
<td>Procedures for Control of conformity assessment of SPS and TBT.</td>
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</table>

These are NOT collected
The Gazette of the Democratic Socialist Republic of Sri Lanka Extraordinary

Regulations made by the Minister of Health in consultation with the Food Advisory Committee under No. 26 of 1980.

Colombo,
17th January, 2005.

Regulations

01. These Regulations may be cited as “Food (Labelling and Advertising) Regulations 2005.”

02. No person shall sell, offer for sale, expose or keep for sale, transport or advertise for sale, any food container unless such package or container is labelled in accordance with these regulations.

Provided however that, these regulations shall not apply to any package of food if the food is of the natural or brand requested by the purchaser and is weighed, counted or measured in the presence of the purchaser.

Measures

Enter the list of non-tariff measures you found in the official trade regulations you collected. These must be linked to either a regulation ("Regulation Short Title") or document number ("Document title")

<table>
<thead>
<tr>
<th>Measure No.</th>
<th>Document Title</th>
<th>Regulation Title Short</th>
<th>NTM Code</th>
<th>Measure Implementation Date</th>
<th>Measure Repealed Date</th>
<th>Measure Description</th>
<th>Measure Reference</th>
<th>Affected_Products Description</th>
<th>Affected_Regions Description</th>
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<td>H11</td>
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<td>Under article 2.3, 4.6 of Regulation No. 2000.0FPF/887</td>
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<td>04.07.997</td>
<td>Each Importation by Registered Importer(IT) needs to get approval from Director General of International Trade</td>
<td>Article 3(1) of regulation No. 2000.0FPF/887</td>
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<td>World</td>
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<td>D07</td>
<td>04.07.997</td>
<td>Import of complete built up (CBU) vehicle subject to Economic National Standard (SN) [7993 of 1990] 9727.77 on vehicle identification</td>
<td>Article 8(f) of regulation No. 2000.0FPF/887</td>
<td>complete build up (CBU) vehicle</td>
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## NTMs-DATA COVERAGE

### Objective: Covering NTMs for 90 per cent of World Imports by 2015/2016

<table>
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<tr>
<th>Latin America and the Caribbean</th>
<th>North America</th>
<th>Europe and Central Asia</th>
<th>Middle East and North Africa</th>
<th>Sub-Saharan Africa</th>
<th>South Asia</th>
<th>East-Asia and the Pacific</th>
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Available on WITS/TRAINS  ■  In the pipeline
Objective: Covering NTMs for 90 per cent of World Imports by 2015/2016
Production stage

Regulations on the quality or safety of inputs used
Follow certain safety processes in production. The producer to have Authorizations to produce, or have Certifications for producer (not for the product). Registration

The Product itself

Quality or safety requirements. Testing, inspection. Authorizations or Certifications needed for the product, Labelling, Traceability info, Registration

Post Production stage

Transport, storage

On the commercial transaction & adm
Taxes, Quotas, Any price limitation, Regulations on the mode of payment, financial.
Data Collection process overview

- Overview legal architecture
- Collect all relevant data
- Register regulations & identify measures in each

- What to look for, and where
- Compile, while review additional sources
- Code measures (and products & countries affected)
Data Collection process overview

Overview legal architecture

Collect all relevant data

Register regulations & identify measures in each

• What to look for

All regulations that affects trade
  • Currently applied
  • Affecting trade
  • Official and mandatory
  • Detailed and specific

• and where,
  • Official journal, other
Find the comprehensive set of regulations

- Identifying official journals,
- Contacting government agencies,
- Looking at website,
- Consulting other sources.

All regulation

1. Currently applied
2. Affecting trade
3. Official and mandatory
4. Detailed and specific
Standards setting bodies

- Standards are voluntary consensus documents that are developed by agreement and their application is by choice unless their use is mandated by government or called up in a contract.
- e.g. Australia www.standards.org.au

LEVEL OF GOVERNMENT INTERVENTION

- No action
- Non-regulatory solutions e.g. information program
- Self-regulation, including Australian Standards, industry codes
- Quasi-regulation, including Australian Standards endorsed by government
- Co-regulation, including Australian Standards called up in regulation
- Law (government legislation)

These are the ones we collect
## Steps to collect NTM information

Store a legal requirement as data

<table>
<thead>
<tr>
<th>Source</th>
<th>Document / Regulation</th>
<th>Measure/s</th>
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</table>

- Affected Products
- Affected countries
- Objetives / Purpose (where appropriate)
Data Collection process overview

- What to look for, and where
- Compile, while review additional sources
- Code measures (and products & countries affected)

Overview legal architecture
Collect all relevant data
Register regulations & identify measures in each
Data Dissemination
making data freely available
WITS website

http://wits.worldbank.org/wits/
How to access data

http://wits.worldbank.org/wits/
Select which product/s

Always shows most detailed product level, does not aggregate
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**MeasureDescription**

Registro de la Licencia de Importación en el SISCOMEX - Sistema Integrado de Comercio Exterior. Fiscalización Sanitaria antes del despacho aduanero. Permiso de Funcionamiento de la Empresa, Alvará, o documento correspondiente para ejercer la actividad, en

**AffectedProductsDescription**

Productos alimenticios y envases en contacto con alimentos. Ver listado de ítems de Arancel Nacional asignado por organismo competente en:

http://nt5000.aladi.org/mna/Brazil/Res81-08productos.pdf

**AffectedRegionsDescription**

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i-TIP portal (in cooperation with WTO)

http://i-tip.unctad.org

TRAINS
The global database on Non-Tariff Measures

TRAINS (Non-Tariff Measures (NTMs)) based on official regulations

TRAINS NTMs, the global non-tariff measures database, provides comprehensive and systematic information on a broad range of policy instruments that can have an effect on international trade in goods. The information includes traditional trade policy instruments, such as quotas or price controls, as well as regulatory and technical measures that stem from important non-trade objectives related to health and environmental protection (Sanitary and Phytosanitary (SPS) measures and Technical Barriers to Trade (TBT)). The objective of the database is to increase transparency and understanding about trade regulations and trade control measures.

The measures have been retrieved from official sources, mainly national trade laws and regulations. Measures are classified according to the International Classification of NTMs and affected products are classified at the most detailed level of the Harmonized Commodity Description and Coding System (HS). The global data collection, a joint effort by UNCTAD, AfDB, ALADI, ERIA, ITC, the World Bank, WTO and financial support from the Ministry of Finance of the Russian Federation, follows the UNCTAD's Guidelines for NTMs data collection.

Choose one of the following options:

TABLES by PRODUCTS
- Look at the incidence of NTMs by HS sections and chapters, and by country imposing the measure.
- See individual measures by simply clicking on any number in the tables!
- This option does not allow a selection of products.

ABOUT
- How To
- Available Countries
- Map of the Application
- Classification used in the application
- Partners and Donors
i-TIP portal (in cooperation with WTO)

http://i-tip.unctad.org/Forms/Analysis.aspx

NTMs TRAINS researcher file

You can download here the NTMs TRAINS researcher file for use in Stata (version 12) containing all non-tariff measures aggregated at the HS 6-digit level by researchers and data analysts. You will also find a file with the names and country codes to expand the data to a fully bilateral structure. The data can easily be used for descriptive statistics as well as for quantitative analysis by merging the file with for instance with trade and other datasets.

The data collection follows a standardized and globally coherent approach described in the UNCTAD Guidelines to Collect Data on Non-Tariff Measures. However, the different regulatory practices in each country complicate cross-country comparisons. The user guide provides more information. Furthermore, the highest quality control standards are applied but collecting and classifying NTMs is a very complex exercise so that errors can occur.

Please refer to the database as "UNCTAD (2017), TRAINS NTMs: The Global Database on Non-Tariff Measures".
Choose one of the following options:

**TABLES by PRODUCTS**
- Look at the incidence of NTMs by HS sections and chapters, and by country imposing the measure.
- See individual measures by simply clicking on any number in the tables!
- This option does not allow a selection of products.

**TABLES by MEASURE**
- Look at the incidence of NTMs by country imposing the measure.
- This option does not allow a selection of products.

**TABLES by MEMBERS**
- Look at the incidence of NTMs by WTO member and geographical regions.
- See individual measures by simply clicking on any number in the tables!

**DETAILED QUERY**
- Select any combination of the five criteria: type of NTM, dates, country imposing, country affected, and product. Get tabular listing of NTMs.
- Drill down for additional details.
- Export summary and detailed NTM information.

**GRAPHS over TIME**
- You can see and select stocks or flows of Non-Tariff Measures (NTMs), by type of measure.
- See individual measures by simply clicking on any bar in the graphs!
- This option does not allow the selection of country or product affected.

Through any of the five options above you obtain a summary table with measures by country, product and type of measure; by drilling-down you will find a table with detailed information of individual measures, where, through links, you will find the actual text of the NTM.
### Available search criteria

#### Selected search criteria

**Measures:**
- Sanitary and Phytosanitary (SPS) [A]
- Technical Barriers to Trade (TBT) [B]
- Pre-shipment inspection (INSP) [C]
- Contingent trade protective measures (CTPM) [D]
- Quantity control measures (QC) [E]
- Price control measures (PC) [F]
- Other measures (OTH) [G,H,I,J,K,L,M,N,O]
- Export-related measures (EXP) [P]

**Member(s) imposing:** Any
**Partner(s) affected:** Any [Include the category “All members”]
**Date(s):** 16/03/2017 [in force]
**Product(s):** Any

### Search result

#### Numbers cannot be compared

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UNCTAD Non-Tariff Measure Programme

Research and analysis

Policy
Support to Policy Makers and policy making processes
Trade may increase or decrease

NTMs are very diverse and so is their impact on trade

- **Add Costs to Trade**
  - Standards require Information and Compliance
- **Preclude trade**
  - Prohibitions, stringent requirements
- **Divert Trade**
  - Quotas, Standards
- **Create Trade**
  - SPS and TBT (guarantee products and unify markets)
  The impact of NTMs on trade
Publications

- Non-Tariff Measures to Trade: Economic and Policy Issues for Developing Countries, UNCTAD, 2013
- Classification of Non-Tariff Measures, UNCTAD 2012
- World Trade Report, Trade and public policies: A closer look at non-tariff measures in the 21st century, WTO 2012
- Non-Tariff Measures: Evidence from Selected Developing Countries and Future Research Agenda, UNCTAD, 2010
A PRELIMINARY ANALYSIS ON NEWLY COLLECTED DATA ON NON-TARIFF MEASURES, POLICY ISSUES IN INTERNATIONAL TRADE AND COMMODITIES STUDY SERIES No. 53, Alessandro Nicita, Julien Gourdon, 2013

SAND IN THE WHEELS: NON-TARIFF MEASURES AND REGIONAL INTEGRATION IN SADC, David Vanzetti, Ralf Peters, Christian Knebel, 2014


STUDY OF AVERAGE EFFECTS OF NON-TARIFF MEASURES ON TRADE IMPORTS, POLICY ISSUES IN INTERNATIONAL TRADE AND COMMODITIES RESEARCH STUDY SERIES No. 66, Denise Penello Rial, 2014
Key simple questions on NTM that we can (now) start to answer

- What are the measures that countries impose?
  - Legal mandatory requirements, all trade-control regulations

- What measures are applied to a particular product?

- How many of my importing products have to comply with an NTM?

- What share of my imports (in value) have to comply with an NTM?

- What are the most typical measures in my country?
Incidences measures, inventory approach

- **Frequency index**
  \[ F_j = \frac{\sum D_i M_{ij}}{\sum M_i} \]
  How many of my importing products have to comply with an NTM?

- **Coverage ratio**
  \[ C_j = \frac{\sum D_i V_{ij}}{\sum V_i} \]
  What share of my imports (in value) have to comply with an NTM?

- **Intensity (prevalence score?), or frequency count**
  + What are the most typical measures in my country?
  + How many regulations do food products have?
Conception: classification data selection

Data collection: classifying NTMs quality control

Data Dissemination: making data freely available

Research and analysis

Policy: Support to Policy Makers and policy making processes
Part 2

Policy implications and the link of NTMs to sustainable development goals (SDG)
Session 2b. Policy implications and the link of NTMs to sustainable development goals

1. Indirect and direct linkages between NTMs and sustainable development
2. Policy implications for coherent and convergent policy making
3. UNCTAD's "Regional NTM Integration Review"
Indirect linkages between NTMs and SDGs

• NTMs seen as trade costs
  ➔ Trade costs reduce trade opportunities
  ➔ And therefore reduce trade’s potential to
    ➔ generate income
    ➔ create employment
    ➔ reduce poverty
    ➔ create financial resources to promote social and environmental sustainability

• “trade – growth nexus” or “export led growth” ➔ only part of the story...
Direct linkages between NTMs and SDGs

- Many NTMs, specifically SPS measures and TBT, are policies to protect human, animal and plant health, or to protect the environment → elimination not an option
- Usually, applied equally to domestic producers
- They directly impact on sustainability
  → food security (SDG 2),
  → nutrition and health (SDG 3),
  → protect endangered species and the environment (SDGs 14&15),
  → ensure sustainable production, consumption (SDG 12) and energy (SDG 7),
  → combat climate change (SDG 13).
Example of multi-dimensional assessment: Food security

Domestic food security

Access
- NTMs as trade costs raise consumer prices and therefore reduce access to food

Availability
- NTMs as trade costs create barriers that reduce the availability of food on the domestic market.
  - Protectionist measures can prevent injury to domestic production; but can lead to inefficiencies
  - SPS measures and TBT, however, protect domestic food production from pests and invasive species.

Stability
- Foreign NTMs as trade costs:
  - Incentives to produce export crops may reduce domestic food production
  - Domestic export-related measures:
    - Export restrictions and export subsidies have ambiguous effects

Utilization
- NTMs in the shape of SPS measures and TBT are essential regulators of food safety

EXPORTS
IMPORTS
Policy implication of complex interactions: coherence and convergence

- Coherence:
  - SDGs may lead to increased regulatory activity to "directly" regulated sustainability...
  - but "indirect" linkages must not be ignored
  ➔ Coherent policy making requires that responsible agencies/ministries assess costs and benefits of NTMs

- Convergence:
  - Harmonization of requirements can reduce trade costs (of adapting products to different market requirements)
  - ..while maintaining beneficial sustainability effects
  - Convergence and coherence can support each other
Cost benefit analysis

- Protect consumers, quality, safety, protect environment
  - Address market failures

- Overregulate, unnecessary burden, protectionist

- Affect competition, efficiency, welfare
- Coordination mechanism among several ministries
- Particularly important for SME
Trading into Sustainable Development

Trade, Market Access, and the SDGs

Miho.shirotori@unctad.org (30.June.2016)
SUSTAINABLE DEVELOPMENT GOALS
The 2030 Agenda for Sustainable Development and the Sustainable Development Goals (SDGs) are an integrated agenda.

→ For the SDGs, trade growth should contribute to the economic AND to the social and the environmental dimensions of sustainable development.
Trade as a "means of Implementation" of SDGs

- **GENERATE**
  - Revenues for Public Financing
    - Revenues from imports
      - Customs tariffs
      - Para-tariff measures
    - Revenues from exports
      - Export tax
      - Revenues from commodity exports

- **MOBILIZE**
  - Private-sector Finances
    - Incentive to invest
      - Domestic investment
        - e.g., in sustainable productive capacity
    - FDI
      - e.g., in commodity exports or via GVCs
    - Bottoming up economic viability
      - e.g., increased incentive to receive higher education
      - Improved access to food and other essential goods and services

**Aid-for-Trade:** Official Development Assistance in support of trade-related development
Chapter I. Trade Policymaking and the SDGs

Chapter II. Tariffs and the SDGs

Chapter III. Non-tariff measures and the SDGs

Chapter IV. Physical Market Access and Trade Costs
The focus is on market access because...

- Customs tariffs and non-tariff measures are formal and measurable elements of a country's trade policy.

- Market access is the core component of trade agreements, which are important vehicles for making trade "equitable and mutually advantageous" (UNCTAD I, 1964).

- Market access conditions influence consumer welfare and economic viability of a country, which form the basis of sustained and sustainable development.
**FINDINGS1:** Developing countries’ exports of “environmental goods” are on the rise

- Better market access for environmental goods contributes to the SDG Target 17.7: “Promote the development, transfer, dissemination and diffusion of environmentally sound technologies to developing countries”.

- Developing countries has increased the share in world trade in environmental goods:
  - **Import share** from 10% in 2002 to 26% in 2014
  - **Export share** from 25% in 2002 to 38% in 2014.

**Value of imports of environmental goods (US$ billion, 2002 and 2014)**

<table>
<thead>
<tr>
<th></th>
<th>North</th>
<th>South</th>
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<td>145.8</td>
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<td>2014</td>
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</table>

Source: WITS/TRAINS
Tariffs on environmental goods are relatively low (on average below 3 per cent) across all income groups. But those facing low income countries’ exports are generally higher than the exports of other income groups.

Trade in environmental goods tend to face NTMs, particularly TBT.
**FINDINGS**

NTMs are the key determinant of market access conditions in international trade and the source of trade costs.

Most NTMs are legitimate **domestic regulatory measures** aiming at securing the well-being of the country's population.

As countries move into “implement” the SDGs, this may increase the number of NTMs in the international market.
Most NTMs are legitimate domestic regulations aiming at achieving sustainable development in the social and the environmental dimensions.

Regional or international coordination in domestic regulatory measures can:

- Reduce trade costs associated with NTMs; and
- Help countries collectively improve sustainable development in all the 3 dimensions.

Example:

- UNCTAD estimates that 25% reduction in NTM-related trade costs in the Southern African Development Community (SADC) among the 15 members can generate US$ 6 billion trade gains.
Way Forward
UNCTAD’S WORKS ON TRADE AND THE SDGs INCLUDE…

Providing data and analysis to the SDG Global Indicators

- In collaboration with WTO and ITC.

Improving the information transparency on NTMs

- UNCTAD collects and disseminates the NTM data – covering the countries accounting for over 90% of world trade – based on the international taxonomy of NTMs (classifies NTMs into 170 distinct measures under 15 broad category)

- Continue analysis on impacts of NTMs on trade flows

- Provide policy recommendations towards achieving the win-win condition, i.e. for countries to jointly reduce trade-distorting effects of NTMs while collectively achieving sustainable development outcomes.
UNCTAD’s Works on Trade and the SDGs include…

Working with countries to make trade contribute to the SDGs:

e.g.

- The BioTrade Initiative
- Programs in support of organic agriculture
- Inter-agency activities under the United Nations Forum on Sustainability Standards (UNFSS) focusing on trade and environmental impacts of private/voluntary sustainability standards on products and services
THANK YOU

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