

WORLD TRADE ORGANIZATION

TN/MA/W/9/Add.1
4 March 2003

(03-1242)

Negotiating Group on Market Access

Original: English

WTO NON-AGRICULTURAL MARKET ACCESS

Non Tariff Barriers

Communication from Canada

Addendum

The following communication¹, dated 13 February 2003, has been received from the Permanent Mission of Canada.

1. As Members are aware, market access may be impeded and/or restricted not only by tariffs, but also by non-tariff barriers (NTBs). Such barriers, which may include price and quantity effects on trade and production, may have a significant impact both on exporting countries and on the country applying them.

2. Ministers at Doha therefore mandated us to include in our negotiations the aim of reducing or eliminating NTBs. In this context, the NAMA NG would appear to have a natural interest in examining how some types of measures normally considered as NTBs, or potentially constituting NTBs, should be addressed.

3. Canada has consulted its trading community, and has received a number of submissions which indicate that certain types of generic NTBs are indeed perceived to pose significant market access problems. Those that are of particular note fall into a number of main categories:

- Quotas;
- Import Licensing;
- Rules of Origin;
- Customs Valuation;
- Sanitary and Phyto-Sanitary (SPS) Measures;
- Technical Barriers to Trade (TBT), including regulations, standards, testing and certification procedures and labelling
- Tariff classification;
- Border-related measures including customs procedures, fees and administration.

4. It is evident that there are some market access problems occurring in these areas on which this Organisation and a number of others have been working for various periods of time, and to varying

¹ Please note that this communication was included in the advance copy of document TN/MA/W/25, which contains a listing of non-tariff barriers notified by participants, but will not be included in the final version of that document.

degrees. However, the solutions appear to lie in different directions, depending on the specific NTB area in question:

- Quotas:

These, in principle, would appear to be a legitimate area for the NAMA negotiations.

- Import Licensing; Rules of Origin; Customs Valuation; SPS; and TBT:

Given the existing Agreements covering these areas, it would appear that problems of implementation may exist. These could perhaps best be examined by the relevant Committees themselves.

- Tariff classification:

This may be an area where the World Customs Organization could be involved in helping to resolve some outstanding problems. Ongoing WCO work, including periodic revisions of the Harmonised System (HS), may provide opportunities for changes which can facilitate better commonality of interpretation amongst customs administrations. In addition, however, some concerns appear to involve consistency in treatment within single customs administrations.

- Border-related measures including Customs procedures, fees and administration:

Problems cited in these areas seem to point to the basket of issues being discussed under the Trade Facilitation umbrella. It might be appropriate for the NAMA NG to support the initiation of negotiations on Trade Facilitation in order to promote more commonality in, and simplification of, practices, standards and criteria.
