



# WTO Non-Resident Newsletter

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## WTO Meetings

12 May 2014

Council for Trade in Goods

Members look at proposal to update decision on customs valuation of software

The Committee on Customs Valuation, on 12 May 2014, discussed a proposal by Uruguay to update a 30-year-old decision that has allowed members to value, for customs purposes, software and data on the basis of the cost of the carrier media (such as magnetic tapes, CDs and DVDs in which they are transported from one country to the other).

Uruguay proposed updating the 1984 Decision on the “Valuation of Carrier Media Bearing Software for Data Processing Equipment”, which allowed members, for customs purposes, to value software according to the cost of its carrier media (e.g. CD-ROM or magnetic tapes). Uruguay said that under the current decision, customs may value software in a CD-ROM at \$5, while the same software imported using a USB key could be valued at \$1,000. It said the decision must be extended to USB keys or flash drives because of their growing popularity as carrier media for software.

Argentina and Mexico supported Uruguay’s proposal. The United States, Canada, the

European Union, Japan and the Philippines said they are open to the proposal and are reviewing the issue. China said it has no objection to the proposal but noted that the Decision excludes songs and movies from this kind of valuation. It also asked for data on the trade volumes involved.

The chair, Mr Pierre-Emmanuel Brusselmans (Belgium), noted the positive attitude of delegations to the proposal and that there is a need for further discussions. He requested the WTO Secretariat to prepare a study on the trade volumes involved, as requested by China.

Uruguay also proposed the rectification of the Spanish and English versions of Article 8:(1)(b)(iv) of the Agreement on Customs Valuation, which it said has a different meaning than the French version. The issue had already been discussed last year by the WCO’s Technical Committee on Customs Valuation. The Committee agreed on the existence of the linguistic divergence and that it could be corrected as proposed by Uruguay. After giving delegations a month to consult capitals, the Director-General will be requested to issue the proposal for rectification to members.

The Committee reviewed notifications of national legislation on customs valuation from the following members: Bahrain, Belize, Cabo Verde, China, Chile, Costa Rica, Ecuador, The

Gambia, Japan, Laos, Lesotho, Macao China, Mali, Moldova, Nicaragua, Nigeria, Russian Federation, Rwanda, Saint Vincent and the Grenadines, Tunisia, Uruguay and Ukraine. It agreed to conclude the review of China; Japan; Macao, China; and Lao PDR.

The Committee discussed a proposal by Australia, Canada, Chinese Taipei, EU and the US to hold in October an informal seminar on the possible misuse of databases to set reference or minimum prices. A number of members supported the proposal but also made suggestions on the format and content of the seminar. Because some delegations required more time to consult with their capital, a formal meeting will be exceptionally held next June on this issue.

India requested that the item on implementation-related issues concerning customs cooperation remain on the agenda of the Committee. It was supported by Argentina and Ecuador. The US, EU, Canada, Australia and the Philippines supported the removal of this item as they said the matter had been successfully dealt with in Bali with the agreement on trade facilitation.

At the end of the meeting, the Committee elected by acclamation Ms. Joanna K.Y. Cheung (Hong Kong, China) as the new chair

8 May 2014

[Dispute Settlement](#)

[New Zealand, US file disputes against Indonesia on imports of agricultural products](#)

New Zealand and the United States notified the WTO Secretariat, on 8 May 2014, of a request for consultations with Indonesia concerning measures imposed by Indonesia on the importation of horticultural products, animals and animal products into the country.

According to New Zealand and the United States, Indonesia imposes prohibitions or restrictions on imports of horticultural products, animal and animal products; imposes unjustified and trade-restrictive non-automatic import licensing requirements on imports of such products; accords less favourable treatment to imported products than to like products of national origin; has imposed unreasonable and discriminatory pre-shipment inspection requirements; and has failed to notify and publish sufficient information concerning its import licensing measures.

New Zealand and the United States claim that these measures are inconsistent with Indonesia's obligations under the GATT 1994, the Agreement on Agriculture, the Agreement on Import Licensing procedures and the Agreement on Pre-shipment Inspection.

New Zealand and the United States propose to Indonesia that consultations be held jointly.

New Zealand and the United States already requested consultations with Indonesia last year over similar issues. In New Zealand's dispute (DS466) no dispute panel was established and no withdrawal or mutually agreed solution was notified. In the case of the previous United States' dispute (DS455) the panel was established but no action was taken after that. Some of the measures that originated the complaints appear to be still in place.

Further information is available in documents [WT/DS477/1](#) and [WT/DS478/1](#).

23 May 2014

[Dispute Settlement](#)

[Panel established on US-India dispute over solar energy](#)

The Dispute Settlement Body, on 23 May 2014, established a panel to examine a complaint by the United States regarding India's domestic content requirements under its solar energy programme. Brazil, Canada, China, the European Union, Japan, Korea, Malaysia, Norway, Russian Federation and Turkey reserved their third-party right to participate in the panel's proceedings

[DS456: India — Certain Measures Relating to Solar Cells and Solar Modules](#)

The United States reiterated its concern about India's domestic content requirements under its solar energy programme known as the National Solar Mission (NSM). The US emphasized that it was not challenging India's NSM Programme on the basis that it promotes solar power generation. Rather, the US was challenging the domestic content requirements in India's measures that discriminate against imported solar cells and modules in favour of "like" domestic products. The US, for the second time, requested the Dispute Settlement Body (DSB) to establish a panel to examine the matter set out in its panel request. The panel was established. Brazil, Canada, China, the European Union, Japan, Korea, Malaysia, Norway, the Russian Federation and Turkey reserved their third-party right to participate in the panel's proceedings.

[DS470: Pakistan — Anti-Dumping and Countervailing Duty Investigations on Certain Paper Products from Indonesia](#)

Indonesia said it was concerned about Pakistan's initiation of an anti-dumping and a countervailing duty investigation of imports of certain paper products from Indonesia and Pakistan's failure to terminate these investigations in a timely manner.

Consultations were held in February 2014 but they did not resolve the dispute. Indonesia believed that Pakistan's investigations had resulted in estimated losses to Indonesia of approximately USD 1 million and that their continuation beyond the 18 month deadline had a significant adverse effect on imports from Indonesia. Indonesia also believed that Pakistan had failed to take steps to ensure that all its laws, regulations and administrative procedures are consistent with its obligations. Indonesia therefore requested the DSB to establish a panel to examine this matter and said that it remained open to further consultations with Pakistan with a view to reaching a mutually satisfactory solution.

Pakistan regretted Indonesia's request and stated that no provisional or definitive anti-dumping or countervailing duties had been imposed by Pakistan on the products in question. Since the initiation of the investigations by Pakistan, Indonesia's share of the import market had grown and both members had noted that the investigations did not have any economic impact on Indonesia. Pakistan was therefore not in a position to agree to the establishment of a panel and welcomed Indonesia's readiness for dialogue. The DSB deferred the establishment of a panel.

DS413: China — Certain Measures Affecting Electronic Payment Services

The United States said it continued to have serious concerns that China had failed to bring its measures into conformity with its WTO obligations. The US was concerned that China maintained a ban on foreign suppliers of electronic payment services by imposing a licence requirement on them while providing no procedures for them to obtain that licence. China said that it has fully complied with the DSB's recommendations and that actions being sought by the US were beyond China's compliance obligations.

DS285: US — Measures Affecting the Cross Border Supply of Gambling and Betting Services

Dominica, speaking on behalf of Antigua and Barbuda, said that since the previous DSB meeting, the United States had not made any attempt towards resolving this dispute nor had it explained why it failed to submit status reports on this matter. Dominican Republic, Argentina, India, Cuba, Trinidad & Tobago, Jamaica, Brazil, China and Venezuela supported Antigua and Barbuda's concerns and urged the parties to resolve this dispute which affected the interests of a small and vulnerable developing-country member. In response, the US said that it remained committed to resolve this matter and had made multiple offers to Antigua and Barbuda. The US recalled that it had invoked the General Agreement on Trade in Services (GATS)

process to withdraw the gambling concession at issue and had reached agreement with all members except Antigua and Barbuda. With regard to the submission of status reports, the US failed to see the purpose.

#### Appellate Body selection process

Concerning the vacancy in the Appellate Body (due to the departure of David Unterhalter of South Africa), the chair of the DSB, Mexico's ambassador Fernando de Mateo, proposed to members the start of a new selection process.

He also proposed that the candidates nominated for the 2013 process would remain under consideration and it would not be necessary for members to re-nominate them. The new deadline for nominations would be 30 June 2014.

Interviews and hearings would be conducted during July and September 2014 in order to make a recommendation to the DSB no later than 15 September 2014 so that the DSB could take a decision to appoint a new member on 26 September 2014. There was no objection to the chair's proposal.

Australia made a statement in which it confirmed the formal withdrawal of its candidate, Ms Joan Fitzhenry, due to Australia's "disappointment with how the original selection process transpired".

## Implementation

Several members (the United States, the European Union, Thailand and Canada) submitted reports on their implementation of the DSB recommendations and rulings on different disputes.

Twenty members expressed concern for the delay in the implementation of the dispute between the United States and the European Union on “Section 211 omnibus appropriations Act of 1998” (the so-called Havana Club rum dispute). The members called for a prompt resolution to this long-standing dispute (DS176).

## Next meeting

The next regular meeting of the DSB is scheduled for 18 June 2014.



23 May 2014

## Dispute Settlement

### WTO issues panel report on China's duties on US automobiles

On 23 May 2014, the WTO issued the panel report in the case “China — Anti-dumping and countervailing duties on certain automobiles from the United States” (WT/DS440/R).

## Summary of key findings

This dispute involves claims by the United States regarding certain substantive and procedural aspects of the investigations that resulted in the imposition by China of anti-dumping and countervailing measures on certain automobiles from the United States with engine displacements equal to or greater than 2500 cubic centimetres (“cc”).

Regarding China's substantive obligations, the United States raised claims under Articles 3.1, 3.2, 3.5, 4.1, 6.8 and Annex II of the Anti-Dumping Agreement, and Articles 12.7, 15.1, 15.2, 15.5, and 16.1 of the SCM Agreement. The Panel found that MOFCOM erred in its determination of the residual anti-dumping and countervailing duty rates for unknown exporters of the subject product. The Panel thus concluded that these residual duty rates did not conform to the requirements of Article 6.8 and Annex II of the Anti-Dumping Agreement, and Article 12.7 of the SCM

Agreement. The Panel also found a number of inconsistencies relating to MOFCOM's price effects and causation determinations, contrary to the requirements of Articles 3.1, 3.2 and 3.5 of the Anti-Dumping Agreement, and Articles 15.1, 15.2 and 15.5 of the SCM Agreement.

The Panel rejected the US claim that MOFCOM's definition of the domestic industry in the investigations at issue was inconsistent with Article 4.1 Anti-Dumping Agreement and Article 16.1 of the SCM Agreement.

Regarding China's procedural obligations, the United States raised claims under Articles 6.5.1, 6.9, 12.2, and 12.2.2 of the Anti-Dumping Agreement, and Articles 12.4.1, 12.8, 22.3, and 22.5 of the SCM Agreement. The Panel found that MOFCOM erred in failing to provide interested parties with adequate non-confidential summaries of certain confidential information in the petition, contrary to the requirements of Article 6.5.1 of the Anti-Dumping Agreement and Article 12.4.1 of the SCM Agreement. The Panel also found that MOFCOM failed to disclose to US respondents the essential facts which formed the basis of its decision to impose definitive anti-dumping duties, as required under Article 6.9 of the Anti-Dumping Agreement.

The Panel rejected the US claims that MOFCOM's public notices failed to disclose the essential facts and findings and conclusions

reached on all issues of fact and law considered material by MOFCOM in relation to the determination of the residual duty rates. Accordingly, the Panel found that the United States failed to establish that China acted inconsistently with Articles 6.9, 12.2, 12.2.2 of the Anti-Dumping Agreement, and Articles 12.8, 22.3 and 22.5 of the SCM Agreement.

As a consequence of these violations, the Panel also found that China acted inconsistently with the general obligation set forth in Article 1 of the Anti-Dumping Agreement and Article 10 of the SCM Agreement to conduct investigations consistently with the provisions of these Agreements.

On the basis of the above, and pursuant to Article 19.1 of the Dispute Settlement Understanding, the Panel recommended that the Dispute Settlement Body request China to bring its relevant measures into conformity with its obligations under the Anti-Dumping and SCM Agreements.

[21 May 2014](#)  
[Dispute Settlement](#)  
[EU files dispute against Russia over anti-dumping duties on light commercial vehicles](#)

The European Union notified the WTO Secretariat, on 21 May 2014, of a request for consultations with the Russian Federation

regarding anti-dumping duties imposed by the Eurasian Economic Commission on light commercial vehicles from Germany and Italy.

The measures at issue are anti-dumping duties on light commercial vehicles from Germany and Italy, pursuant to Decision No. 113 of 14 May 2013 of the College of the Eurasian Economic Commission.

The EU alleges that the measures are inconsistent with Russia's obligations under various articles of the GATT 1994 and the Anti-Dumping Agreement.

Further information is available in document [WT/DS479/1](#)

[27 May 2014](#)  
[Accessions](#)  
[Yemen to become 160th WTO member](#)

Yemen deposited its "Instrument of Acceptance" on 27 May 2014 with Director-General Roberto Azevêdo, confirming its membership terms. According to WTO rules, Yemen will become a full-fledged member on 26 June 2014.

By depositing the document with Director-General Roberto Azevêdo, Yemen activated the 30-day countdown to its WTO membership which will be effective on 26 June 2014. In the

"Instrument of Acceptance", the Yemeni government declares that the law approving Yemen's Protocol of Accession enacted by Parliament was issued by the President of Yemen on 11 May 2014.

Yemen applied for WTO membership in April 2000. It completed its application process on 26 September 2013 when the Working Party concluded its accessions negotiations and adopted the report of the Working Party ad referendum (ie subject to formal approval by the Ministerial Conference).

Trade ministers of WTO members officially approved Yemen's accession on 4 December 2013 during the Ninth Ministerial Conference in Bali, Indonesia. The Protocol of Accession (document WT/L/905) was signed by H.E. Dr Saadaldeen Talib, Yemeni Minister of Trade and Industry, and WTO Director-General Roberto Azevêdo.

Yemen is the seventh least-developed country (LDC) to accede to the multilateral trading system since the WTO was established in 1995. As an LDC, Yemen will benefit from technical assistance and capacity building from the WTO Secretariat to support the implementation of its accessions commitments, negotiate trade rules and develop the trade-related skills and infrastructure needed to benefit from its WTO membership.

WTO Director-General Roberto Azevêdo's welcoming remarks to Yemen during the Ninth Ministerial Conference are accessible at [http://www.wto.org/english/news\\_e/spra\\_e/spra15\\_e.htm](http://www.wto.org/english/news_e/spra_e/spra15_e.htm).

22 May 2014

### Enhanced Integrated Framework Madagascar Prime Minister asks EIF to boost Madagascar's trading future

In a meeting on 22 May 2014 held at the WTO, H.E. Mr Christophe Roger Kolo, Prime Minister of Madagascar, signalled his country's readiness to re-engage with the multilateral trading system with support from the WTO, the Enhanced Integrated Framework (EIF) and development partners.

"We have gone through a difficult time in Madagascar, but the situation is now settled," H. E. Mr Kolo said. "We are now ready to show that we are committed to good governance and are working to improve the business environment, engaging with various stakeholders, including the private sector, to contribute to trade and development, while drawing on lessons learned from the past."

The Prime Minister emphasized that the country's strong commitment to trade was as an engine for growth and a tool to foster

development. He noted that the EIF process in Madagascar had been reignited with the pre-Diagnostic Trade Integration Study (pre-DTIS) project and with the DTIS Update process currently underway. "We are aware that the EIF is an important programme, from which we have high expectations. In Madagascar, we have many priorities, and we aim to use the EIF as a platform to achieve economic objectives and to reduce poverty." The Prime Minister added that "one of our priorities is to boost the exports of agricultural products, such as vanilla".

WTO Deputy Director-General Mr Yonov Frederick Agah, on behalf of the WTO Director-General, expressed the WTO's commitment to help Madagascar to fully integrate into the multilateral trading system. Mr Agah noted the benefits that Madagascar stood to receive at the multilateral level, including from the operationalization of the Services Waiver and from the Trade Facilitation Agreement as a least-developed country following the WTO Ministerial Conference decisions in Bali.

"For our engagement with Madagascar, we look forward to the next Trade Policy Review in 2015 and Madagascar's participation in the Fifth Global Review of Aid for Trade. In addition to the EIF support, and at Madagascar's request, support can be given from the WTO's Institute for Training and

Technical Cooperation Division," Mr Agah said.

In the EIF, Madagascar was one of the pilot countries selected in 2001 for the earlier Integrated Framework programme and had its DTIS conducted and validated in July 2003. Part of the ongoing EIF work in Madagascar now involves a pre-DTIS project and discussions to kick-start a DTIS Update project.

Drawing on this, the Executive Director for the Executive Secretariat of the EIF, Dr Ratnakar Adhikari, commended efforts made by the Government of Madagascar to put in place policies for a good business environment as a prerequisite for trade expansion.

"We stand ready to support Madagascar to integrate itself into the global and regional economy. Through our work, we have seen first-hand results of trade's important role in poverty reduction and economic development, for example in Mali," Dr Adhikari said. "In Mali, we have supported trade mainstreaming, and as a result, the Government has committed budgetary resources to support trade.

We have also provided support to the mango value chain process, resulting in enhanced exports of mangoes to the European markets by women-led cooperatives.

This has not only led to poverty reduction but also to women empowerment and gender equality.” He concluded that EIF support can also be made available to Madagascar, not only for identifying its trade-related priorities but also to set up the institutional structures required for seeking, obtaining and managing trade-related technical assistance.

H.E. Ms Annick Andriamampianina, Madagascar’s Ambassador and Permanent Representative to the WTO, pledged that the Madagascar Mission in Geneva would follow up with the implementation of the EIF programme in Madagascar. She also noted the positive collaboration with the WTO in supporting Madagascar in undertaking trade-related technical assistance.

Mr Shishir Priyadarshi, Director of the WTO’s Development Division, remarked that the WTO was ready to help Madagascar’s participation in the LDC Group and in the African Group of the WTO.

He said that Madagascar should use the EIF programme through its Tier 1 and Tier 2 funds “as a stepping stone, a trigger and a catalyst to gain wider Aid-for-Trade resources”.

In concluding the meeting, Mr Agah gave the Prime Minister reassurance of the EIF’s commitment in Madagascar. He noted that “if the EIF can do that [delivering results] for the

mango sector in Mali, they can do the same for the vanilla sector in Madagascar”.



## Director General News

5 May 2014

[Azevêdo to push for trade role in future sustainable development goals](#)

Director-General Roberto Azevêdo, in opening the WTO “Geneva Week” on 5 May 2014 for non-resident missions and observers, said that “trade has played a central role in lifting millions of people out of poverty in recent years”. He said that he would work “to ensure that the power of trade to support sustainable development is recognized” in the current

discussions on the post-2015 development agenda. Azevêdo asks members to shift up a gear on Doha preparation

Full speech available at:

[http://www.wto.org/english/news\\_e/spra\\_e/spra17\\_e.htm](http://www.wto.org/english/news_e/spra_e/spra17_e.htm)

12 May 2014

[Azevêdo asks members to be prepared for “a busy June and July”](#)

Director-General Roberto Azevêdo asked members at the General Council meeting on 12 May 2014 to “get ready—it’s time to start putting our Work Programme (on concluding the Doha Round) together”.

He said that in June and July “you’ll be seeing me constantly and I will be inviting you—individually or in groups—for some difficult and frank conversations”.

16 May 2014

[Korea can help bridge the gap between developed and developing countries — Azevêdo](#)

Director-General Roberto Azevêdo, in a lecture at the Institute for Global Economics in Seoul on 16 May 2014, thanked Korea for



playing “a crucial role in delivering the Bali package”.

For the post-Bali work of the WTO, he said that “as a middle grounder in the Doha negotiations, Korea can help to bridge the gap between developed and developing country members”. During his visit to Korea, the Director-General met with President Park Geun-hye.

Full speech available at:

[http://www.wto.org/english/news\\_e/spra\\_e/spra20\\_e.htm](http://www.wto.org/english/news_e/spra_e/spra20_e.htm)

21 May 2014

[Azevêdo: Post-Bali work can help Abenomics succeed](#)

Director-General Roberto Azevêdo told the Keidanren (the Japanese Business Federation) in Tokyo on 21 May 2014 that “trade-and greater economic integration-are among the feathers that will help the third arrow of Abenomics to succeed. And therefore what we do in Geneva can support this work.” He said that in his meeting with Prime Minister Shinzo Abe the previous day, he expressed his thanks for the key role of Japan, including the business community, in delivering the Bali Package.

Full speech available at:

[http://www.wto.org/english/news\\_e/spra\\_e/spra19\\_e.htm](http://www.wto.org/english/news_e/spra_e/spra19_e.htm)



## Technical Assistance

5 and 9 May 2014

**WTO TRAINING COURSES**

[New WTO thematic course on trade policy analysis begins](#)

The WTO Thematic Course on Trade Policy Analysis, attended by 26 participants from around the world, opened in Geneva on 5 May and will conclude on 9 May 2014.

This newly developed course is offered as part of the WTO technical assistance and capacity building courses. It is implemented within the WTO’s Progressive Learning Strategy and represents “level 3” — the highest level of “specialist” training.

The course is based on the joint publication UNCTAD/WTO Practical Guide to Trade Policy Analysis. It has been designed by the WTO Economic Research and Statistics Division and delivered jointly with the WTO Institute for Training and Technical Cooperation.

The ability to conduct high quality analyses of trade data is essential for decision making. Multilateral, regional and bilateral trade negotiations, as well as the formulation and implementation of appropriate policies at a national level, require an extensive analysis of economic data and an assessment of the impact of trade policy decisions.

The purpose of this advanced level, specialized course is for the participants to learn how to select the appropriate approach to answer their trade policy research question, how to collect the data and implement the analysis. During the course, participants will become familiar with sources of data (focussing on trade in goods) and with methodologies for trade and trade policy analysis, including calculation of trade flows and trade policy indicators, the gravity model for trade and the partial equilibrium model.

The course will also be a platform for discussion on ways to enhance the use of research in policy making.

No135. 2014



## Trade Policy Review: Ghana

26 and 28 May 2014

Trade Policy Review: Ghana

The fourth review of the trade policies and practices of Ghana took place on 26 and 28 May 2014. The basis for the review is a report by the WTO Secretariat and a report by the Government of Ghana.

### Concluding remarks by the Chairperson

This fourth Trade Policy Review of Ghana has provided a timely opportunity to analyse developments in its trade and investment policies since its last review in 2008. I would like to thank H.E. Mr. Haruna Iddrisu, Minister of trade & industry; Ambassador Sammie Pesky EDDICO, Permanent Representative of Ghana to the WTO; and the rest of the Ghana delegation, for their full commitment to this exercise. I would also like to thank Ambassador Wiboonlasana RUAMRAKSA, Permanent Representative of

Thailand to the WTO, for her insightful interventions as discussant.

Ghana's political stability, its strong democratic foundations, and the strengthening of legal protection, including through the recent creation of specialized commercial courts, have improved its business environment and contributed to attracting large foreign direct investment. As a result, and also following exploitation of petroleum, Ghana has experienced impressive economic growth and social development in recent years. This has succeeded in halving the level of extreme poverty and placing Ghana in the group of medium income developing countries.

Recently however, serious macroeconomic imbalances have been a cause of concern, and have been jeopardizing Ghana's continued expansion. Members thus asked about Ghana's plans for macroeconomic stabilisation. In particular, clarification was sought about the newly introduced foreign exchange restrictions to address the recent depreciation of the cedi. Noting that the Ghanaian economy relies mainly on the export of primary commodities, namely cocoa, gold and, since 2010, crude oil, whose price volatility is a factor of instability for the economy, Members asked about its plans for diversification, and for a better governance in the oil sector. They urged Ghana to adopt a competition policy with a

view to further improving its business environment.

On Ghana's new investment law, many participants raised concern about, inter alia, the increase in the number of restricted sectors and in the minimum capital amounts to levels that exceed GATS commitments. Members also enquired about the general increase in local participation provisions in Ghana's recent statutes in the shipping and energy sectors, including petroleum.

Members commended Ghana on its renewed commitment to the WTO, but urged Ghana to better meet its notification obligations and improve the transparency in its legal system by making acts and regulation available online. With respect to regional agreements, Members noted that Ghana had actively participated both in ECOWAS negotiations towards a common external tariff (CET), and in an Economic Partnership Agreement with the European Union; however, it was noted that the pace of intra-ECOWAS integration remains slow.

Specific subjects raised by Members during the review include:

- **Trade facilitation:** Members called for rapid and far-reaching reforms of border procedures, in particular inspection, scanning, and port clearance, so as to achieve the standards of a modern

economy. They urged Ghana to reduce the numerous entities which intervene at the border and collect fees. We hope that Ghana would rapidly make the necessary commitments under the Trade Facilitation Agreement.

- Tariffs and other taxes: Members noted the very low level of tariff binding commitments by Ghana, at high rates, and stressed that the large gap between applied and bound rates had made possible the frequent recent tariff increases; they expressed the hope that the implementation of the ECOWAS CET would enhance the stability and predictability of Ghana's tariff. Members also noted that Ghana maintains several other duties and charges, despite their binding at zero under the GATT, and stressed that numerous exemptions from border taxes further complicate the tax regime. More information was sought about Ghana's incentive schemes, including under the Free Zone regime.
- TBT, SPS and IPRs: Members welcomed the perspective for new legislation that would appropriately differentiate between standards and technical regulations, and rationalize the "high risk goods" statute. They noted the 2012 modernization of Ghana's SPS framework; and called for better inter-ministerial coordination, for example via national TBT and SPS

committees. Concerns were raised about the enforcement of IPR legislation.

- Agriculture: Members praised Ghana for the good performance of its agriculture, including food production and cocoa, supported by domestic policies and strong world prices. They praised ongoing land ownership reforms, but invited Ghana to notify the Cocoa Marketing Company to the WTO Committee on State Trading Enterprises. Members also sought explanations for the low growth of the fishing, livestock and forestry sectors.
- Mining: Members welcomed Ghana's announced efforts to manage the new petroleum revenues in a transparent manner for the benefit of its citizens, including through the creation of wealth funds, but asked about implementation challenges. Efforts to deregulate the downstream petroleum industry were commended, as was the increase in electricity production with a view to curbing the still frequent power cuts.
- Services: Members commended Ghana's efforts to accelerate the modernisation of its services sectors, in particular information and communication technology; and also the recent issuing of licences to foreign telecommunication companies. In financial services, Members commended the steps taken through new laws to facilitate access to credit by small operators.

Members appreciated answers to about 150 advance written questions and looked forward to written replies to the outstanding questions no later than one month after this meeting.

In conclusion, I hope that this review will be of use to Ghana to modernize its external trade regime in line with recent domestic achievements, and in so doing boost the competitiveness of its products and services. Economic prospects would be enhanced if Ghana also undertook macroeconomic reforms, and reviewed its investment regime. The participation of a sizeable number of delegations in this Review, despite the holding of concomitant meetings, and the large number of questions posed indicated the importance of Ghana as a trading partner for WTO Members.

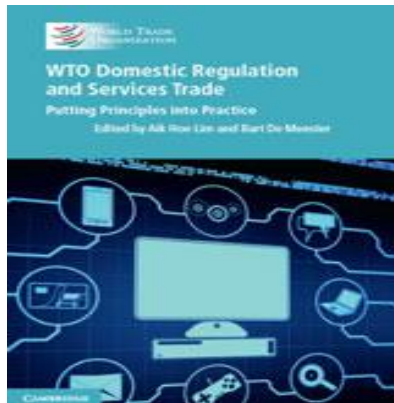
In closing, I would like to thank the delegation of Ghana, all the other delegations, the discussant, the Secretariat and the interpreters; for this successful fourth review of Ghana's trade policies.

Full report accessible at:

[http://www.wto.org/english/tratop\\_e/tpr\\_e/tp398\\_e.htm](http://www.wto.org/english/tratop_e/tpr_e/tp398_e.htm)



## Trade Publications



7 May 2014  
Services

[New book examines regulatory practices in services trade and role of WTO legal principles](#)

A new book co-published by the WTO and Cambridge University Press highlights the key challenges in addressing regulatory issues in services trade. Launched at the WTO on 7 May 2014, “WTO Domestic Regulation and Services Trade” discusses the impact of domestic regulation on services trade and how good regulatory practices and WTO legal principles can help address these issues.

The book delves into the main domestic regulation principles which trade negotiators

have been seeking to craft, under the mandate of the WTO’s General Agreement on Trade in Services (GATS), as a means of reducing the impact of regulatory diversity, simplifying procedures, making procedures more transparent and avoiding unnecessary complexity or disguised restrictions.

The book also includes country and sector-specific case studies, which focus on a particular regulatory experience or challenge; they discuss general approaches, mechanisms or solutions that have been applied across a range of sectors. The case studies help shed light on how some of the issues discussed in the domestic regulation disciplines have been addressed.

Contributors to this volume include WTO staff, academics, regulators and experts from other international organizations. A foreword has been provided by the WTO’s Director-General, Roberto Azevêdo.

The editors of the book are Aik Hoe Lim, Counsellor in the Trade in Services Division of the WTO Secretariat, and Bart De Meester, member of the Legal Service of the European Commission and formerly a Legal Affairs Officer at the WTO.

WTO Domestic Regulation and Services Trade may be ordered from the WTO’s Online

Bookshop and can be purchased locally through CUP stockists across the world.

Further information about the book, including access to the table of contents and the Summary and Overview, is available here: [http://www.wto.org/english/res\\_e/publications\\_e/dom\\_reg14\\_e.htm](http://www.wto.org/english/res_e/publications_e/dom_reg14_e.htm)

16 May 2014

[Technical Barriers to Trade](#)

[New publication explains how WTO disciplines help to address the use of regulations](#)

A new booklet on the WTO’s Technical Barriers to Trade (TBT) Agreement, published on 16 May 2014, highlights the role of the Agreement and the work of the TBT Committee in helping governments address regulations and standards that affect trade in goods. The booklet provides a brief overview of the background, purpose and scope of the TBT Agreement. It describes the types of measures covered, sets out key disciplines and principles (including in light of recent TBT jurisprudence) and describes the mandate, role and work of the TBT Committee. The booklet also contains the legal text of the Agreement as well as a compilation of all the Committee’s decisions and recommendations agreed since 1995.

Governments use regulations and standards to achieve various public policy goals. They may use regulations to protect human health or to protect the environment, setting specific requirements for the importing of goods. For instance, they may set limits on lead content used in paint on children's toys, require compliance with certain quality standards for medical devices or insist on the use of health warning labels on alcoholic beverages. These regulations often affect trade — indeed, this may be the very reason for imposing them in the first place.

A fundamental question is how to distinguish between legitimate reasons for regulation on the one hand and measures that are used to shield domestic producers from competition on the other. Since these non-tariff measures are opaque by nature — as well as technically complex and more difficult to quantify than tariffs — it is all the more difficult to determine their purpose and fully understand their effects. The TBT Agreement, supported by an evolving body of decisions and recommendations from the TBT Committee, is designed to help WTO members meet this challenge.

The work of the TBT Committee, which oversees the implementation of the TBT Agreement, helps promote much-needed sharing of information — or transparency — and predictability in the development of

regulations and standards. Trade officials, regulators and representatives of standards bodies regularly participate in meetings of the Committee to help improve coherence in government policies and to balance more open trade with the pursuit of legitimate public policy objectives. Read about the latest TBT Committee meeting here. The TBT booklet is part of the WTO Agreement series, which aims to assist understanding of WTO agreements. This new edition of Technical Barriers to Trade has been fully revised and expanded.

The TBT booklet may be ordered from the WTO's Online Bookshop. Further information about the booklet is available here: [http://www.wto.org/english/res\\_e/publications\\_e/tbttotrade\\_e.htm](http://www.wto.org/english/res_e/publications_e/tbttotrade_e.htm)

## [Announcements](#)

[28 May 2014](#)  
[WTO Chairs Programme](#)  
[Seven universities added to WTO Chairs Programme](#)

The WTO has announced the addition of seven academic institutions —in Benin, Brazil, Indonesia, Oman, South Africa, Tunisia and Turkey — to its roster of schools participating in the WTO Chairs Programme. The WCP was originally launched in 2010 as a pilot capacity-building project. The programme aims to

enhance knowledge and understanding of the multilateral trading system among academics and students in developing countries through teaching, research and outreach activities in research institutions.

For the second phase of the programme, the number of participating institutions will be expanded to 21. This second phase will run until 30 May 2018 and will be funded with support from the Netherlands. The new Chairs selected will expand the current network of the 14 existing Chairs. The Secretariat will continue to work with current Chairs who will benefit from scientific and trade related technical assistance support.

The seven selected institutions, in alphabetical order by country, are:

- **Benin, University Abomey-Calavi**, Professor Fulbert AMOUSSOUGA GERO,
- **Brazil, Getulio Vargas Foundation, Sao Paulo School of Economics**, Professor Vera THORSTENSEN,
- **Indonesia, University Pelita Harapan (UPH)**, Professor John RIADY,
- **Oman, Sultan Qaboos University**, Associate Professor Houcine BOUGHANMI,
- **South Africa, North-West University (NWU)**, Professor Wilma VIVIERS,

- **Tunisia, University of Tunis, Tunis Business School**, Assistant Professor Leila BAGHDADI,
- **Turkey, Istanbul Bilgi University**, Assistant Professor Pinar ARTIRAN.

The new Chairs were selected from a total of 77 proposals received through a competitive process led by the WTO Secretariat with the support of the WCP Advisory Board, an external advisory body composed by 21 scholars whose role is to ensure the academic quality of outputs generated by Chair-holders and their teams.

The selection process took into account criteria such as: i) potential for developing capacities at the host institution; ii) relevance of research topics to trade policy and WTO-related issues; iii) quality of research proposals; iv) prospect to offer new courses or update current ones; v) potential for interaction with policy-making institutions (such as government departments); vi) ability to establish networks with other academic institutions; vii) future sustainability of the activities; and viii) capability to maintain an appropriate team in the host institution to collaborate with the Chair-holder.

The programme is implemented through partnership agreements between the WTO Secretariat and the selected institutions.

The WTO provides financial, scientific and technical support to its partners in three interdependent pillars: research, curriculum development and outreach activities for a period of up to four years maximum. At the end of this period, it is intended that programmes be consolidated and continued as appropriate, possibly with financial support from other sources.

The WCP will assist national academic institutions in providing students with a deeper understanding of trade policy issues. Through analytical input into the formulation and implementation of trade policy, the WCP will help strengthen the participation of the beneficiary countries in international trade.

**28 May 2014**  
**WTO Public forum**  
**Deadline for submitting proposals for the Public Forum extended to 20 June 2014**

Participants will now have until 20 June 2014 to submit a proposal for the WTO Public Forum on “why trade matters to everyone”, which will be held in Geneva on 1-3 October. Sessions at the Public Forum are organized by participants. In order to qualify for selection, organisers will need to complete an application form available on the Public Forum website: [www.wto.org/pf14](http://www.wto.org/pf14).

The WTO will select the best proposals and allocate the sessions.

The Public Forum is an annual event which was first launched in 2001. It provides a platform for public debate and discussion across a wide range of WTO issues and activities. The Public Forum has become one of the most important platforms for dialogue between the stakeholders of the WTO. Over the years, more than 9,000 representatives from NGOs, civil society, academia, business, the media, governments, parliamentarians and inter-governmental organizations have attended the Public Forum. For more information, please contact us by email at: [PublicForum14@wto.org](mailto:PublicForum14@wto.org)



If you require any documents listed in this newsletter or need further information please contact [fatima.chaudhri@wto.org](mailto:fatima.chaudhri@wto.org)