

National Stakeholder Meeting on Non-Tariff Measures (NTMs) in Bangladesh

NTM Business Survey (2014 – 2015)

09 November 2015 Dhaka, Bangladesh



Presentation Note



The following slides were used for the National Stakeholder Meeting on Non-Tariff Measures in Bangladesh on 09 November 2015.

The presentation is based on a survey of 1000 exporters and importers in Bangladesh.

The results and recommendations are preliminary.

ITC will conduct additional research and have discussions with key stakeholders before the final report and recommendation is published.



Agenda

MONDAY 09 NOVEMBER 2015, 09:00 – 16:30 DCCI, DHAKA, BANGLADESH

NATIONAL WORKSHOP ON NON-TARIFF MEASURES

08:30	Arrival and registration
09:30	Welcome and opening remarks DCCI, ITC, FBCCI
09:45	SESSION I: BACKGROUND AND OVERALL RESULTS The ITC programme NTMs, survey implementation in Bangladesh, general and sector specific results
12:30	Lunch
13:30	SESSION II: THEMATIC ROUND TABLES - Round table 1: Rules of origin, border clearance procedures - Round table 2: Technical requirements, standards, conformity assessment
15:00	Coffee Break
15:15	Summary of round table discussions
15:30	SESSION III: Recommendation and conclusion
16:30	Concluding Remarks and Closing



SESSION I: BACKGROUND AND OVERALL RESULTS

Introduction to ITC



What is ITC?



UNCTAD

The UN body for design of policy recommendations to achieve economic and social development through trade and investment.



ITC works with local and regional institutions and businesspeople to build trade capacity.



WTO OMC
The forum to negotiate
multilateral trade rules, monitor
their implementation and handle
trade disputes

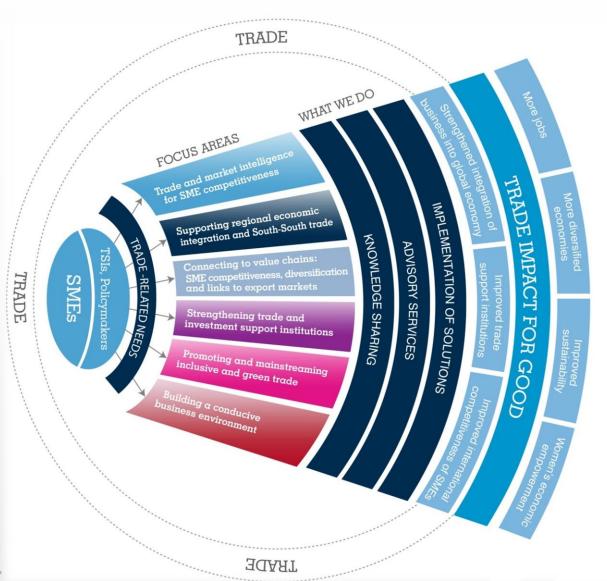
Our mission

To foster inclusive and sustainable growth and development through trade and international business development.



TRADE IMPACT FOR GOOD

ITC's six focus areas and goals





TRADE IMPACT FOR GOOD

ITC's six focus areas and goals

ITC's Market Analysis And Research Services

- 1. Information transparency (Global Public Goods)
 - Trade Map
 - Market Access Map
 - Investment Map
 - Standards Map
- 2. Country-level trade diagnostics & research on global trade trends

(including NTM Business Surveys)

3. Building Capacity in market analysis and research





Understanding Non-Tariff Measures



What are non-tariff measures (NTMs)?

Official policy measures on export and import, other than ordinary customs tariffs, than can potentially have an effect on international trade in goods, changing quantities traded, or prices or both.

Mandatory requirements, rules or regulations legally set by the national authorities of the exporting, importing or transit country (in contrast to private standards which are not legally set)

Can affect both export and import

Include technical measures and standards, as well as regulations on customs procedures, para-tariff measures, financial measures, prohibition, etc.



Example:

France – Product characteristics requirements on oranges

2007R1580 — EN — 01.07.2009 — 006.002 — 90

▼ M8

PART 2: MARKETING STANDARD FOR CITRUS FRUITS

I. DEFINITION OF PRODUCE

This standard applies to the following fruit, classified as 'citrus fruit', to be

Oranges with light green colour are allowed, provided the colour does not exceed one fifth of the total surface of the fruit

(iii) Oranges

Colouring must be typical of the variety. Fruits with light green colour are allowed, provided it does not exceed one fifth of the total surface of the fruit. Fruits must show the following minimum juice content:

Blood oranges:	30 %
Navels group:	33 %
Other varieties:	35 %

- intact,

- free of bruising and/or extensive healed over cut
- sound; produce affected by rotting or deterioration s ch as t unfit for consumption is excluded,
- clean practically free of any visible foreign matter,
- practically free from pests,
- practically free from damage caused by pests,
- free of signs of internal shrivelling,
- free of damage caused by low temperature or frost,
- free of all abnormal external moisture,
- free of any foreign smell and/or taste.

The citrus fruit must have been carefully picked and have reappropriate degree of development and ripeness account being criteria proper to the variety, the time of picking and the grov

The development and state of ripeness of the citrus fruit must be to enable them:

- to withstand transport and handling, and
- to arrive in satisfactory condition at the place of destination

Citrus fruit meeting the ripeness requirements of this Annes 'degreened'. This treatment is permitted only if the other nat noleptic characteristics are not modified.

III. PROVISIONS CONCERNING SIZING

Size is determined by the maximum diameter of the equatorial section of the fruit.

A. Minimum size

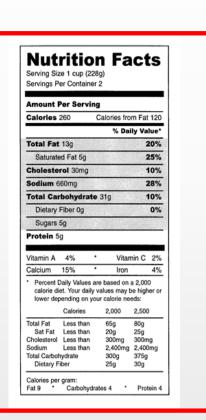
Fruits of less than the following minimum sizes are excluded:

Lemons:	45 mm
Mandarins, excluding clementines:	45 mm
Clementines:	35 mm
Oranges:	53 mm



ENGAGEMENT

Example of a Mayonnaise for a Swiss supermarket – labeling requirements







ITC's Programme on NTMs

Motivation, projects and methodology



ITC's response: Project on NTMs

OBJECTIVE: INCREASE TRANSPARENCY ABOUT NTMS

Pillar 1

NTM Regulatory Mapping

- Codifying and classification of national trade-related regulations
- Data dissemination through Market Access Map (MAcMap)

Pillar 2

Business Survey

Large-scale surveys
 of businesses on
 their experiences
 with government
 regulations when
 exporting or
 importing

Pillar 3

Follow Up Actions

- Design and implementation of actions to address companies' difficulties with NTMs
- E.g.: Trade Obstacle Alert (TOA) mechanism



The Three Pillars

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NTMs and other trade obstacles

NTMs

Regulations on trade and products, other than tariffs, which may negatively affect the international trade of goods.

NTBs: NTMs that have a 'protectionist or discriminatory intent'

Private Standards

demanded by buyers for social, environmental and ethical reasons

Excessively strict/ complex requirements

The requirements are too strict or complex to comply with.

Procedural Obstacles

Practical challenges or administrative hurdles which make compliance with NTMs difficult.

Business Environment

General operating conditions in the country that are not related to NTMs but which may hinder company's ability to trade.



Trade Obstacles

NTM Classification for Surveys

A. – O. **Import-**related measures

Fechnical (product related) A. Technical requirements

B. Conformity assessment

C. Pre-shipment inspection and other entry formalities

D. Trade remedies (anti-dumping, countervailing and safeguards)

E. Quantity control measures (e.g. licences, quotas, prohibitions)

F. Charges, taxes and price control measures

G. Finance measures

H. Anti-competitive measures

I. Trade-related investment measures

J. Distribution restrictions

K. Restriction on post-sales services

L. Subsidies

M. Government procurement restrictions

N. Intellectual property

O. Rules of origin and related certificate of origin

(trade- related) Non-technical measures



P. Export-related measures

II. Procedural obstacles

- ITC survey captures not only NTMs, but also the types of impediments related to a NTM
- Procedural obstacles refer to practical issues rather than the regulatory measure itself
- Procedural obstacles are issues such as <u>processes and procedures</u> which exporters or importers must go through <u>to comply with a given regulation</u> BUT find it <u>problematic</u>.
- For example:

NTM: OA0. Rules of Origin

Kenyan exporters need to submit EUR.1 certificate of origin form when exporting to EU countries. To get this certificate the exporters have to submit a lot of documents to the authorities to prove that the product is made in Kenya.

PO: A1. Large number of different documents

List of Procedural Obstacles (PO) to comply with the measures, and other obstacles to trade

List of procedural obstacles (PO)

PO are related to the regulation and explain why the regulation is burdensome.

Α.	Administrative burdens related to regulations	A1. Large number of different documents A2. Documentation is difficult to fill out A3. Difficulties with translation of documents from or into other languages A4. Numerous administrative windows/organizations involved, redundant documents
В.	Information/ transparency issues	B1. Information on selected regulation is not adequately published and disseminated B2. No due notice for changes in selected regulation and related procedures B3. Selected regulation changes frequently B4. Requirements and processes differ from information published
C.	Discriminatory behavior of officials	C1. Arbitrary behavior of officials regarding classification and valuation of the reported product C2. Arbitrary behavior of officials with regard to the reported regulation
D.	Time constraints	D1. Delay related to reported regulation D2. Deadlines set for completion of requirements are too short
E.	Informal or unusually high payment	E1. Unusually high fees and charges for reported certificate/ regulation E2. Informal payment, e.g. bribes for reported certificate/ regulation
F.	Lack of sector- specific facilities	F1. Limited/Inappropriate facilities for testing F2. Limited/Inappropriate facilities for sector-specific transport and storage, e.g. cold storage, refrigerated trucks F3. Other limited/inappropriate facilities, related to reported certificate/regulation
G.	Lack of recognition/ accreditation	G1. Facilities lacking international accreditation/recognition G2. Other problems with international recognition, e.g. lack of recognition of national certificates
Н.	Other	H1. Other obstacles (please specify)

Important: where further information can be given e.g. number of days of delay, number of documents to be submitted, type of facilities required, please ensure these are specified.

NTMs – Why a concern for exporters and importers?

- Products need to comply with a wide range of NTMs; NTMs often vary across products and countries and can change quickly.
- The nature of NTMs has changed over time they have become less visible and direct, but rather more complex.
- The problems companies face in relation to NTMs and their compliance are often linked to lack of capabilities, infrastructure and efficient procedures ("procedural obstacles") in a country.
- Often there is no transparency and easy access to relevant information about NTMs that are applied by the destination country.
- Policy makers often lack a clear understanding about the current obstacles to trade their private sector is facing. This makes it difficult to define policies and strategies overcoming these challenges.



NTMs: A complex and growing issue

- Trade liberalization: growing international trade but falling tariff rates
- NTMs are omnipresent and are becoming increasingly complex
 - Use of national regulations as a trade policy instruments
 - Increasing consumer awareness: Swift in focus from protection to precaution.
 - Products need to comply with wide range of NTMs; NTMs often vary across products and countries and can change quickly
- Impediments companies face in relation to NTMs and their compliance are often linked to lack of capabilities, infrastructure and efficient procedures ("procedural obstacles") in the country
- No transparency on and easy access to relevant information about NTMs that are applied by the destination market
- Policy makers often lack a clear understanding about the current obstacles to trade their private sector is facing – making it difficult to define policies and strategies overcoming these challenges



ITC business surveys on NTMs

- Business perspective in focus: Exporters (and importers) have to deal with NTMs and other obstacles on a day-to-day basis they know best which challenges they face and to which extent they are affected
- Direct empirical research through company level surveys: Surveying directly the business sector in Bangladesh enables to assess the impact of non-tariff obstacles on products and sectors
- In-depth analysis of survey results as diagnostic of the current situation of companies with regards to NTMs. Results shall help to assess needs and define action plans to overcome obstacles to trade.
- In close collaboration with national and international partners
- In the framework of ITC's programme on NTMs



NTM Business Survey: Why & How

Global methodology

...based on large-scale company level surveys

...representative by sector and company size

...adjusted to countryspecific requirements **Identify trade impediments** faced by companies on product and partner country level.

Enable companies to voice their concerns and needs regarding the identified problems and create dialogue among national stakeholders.

Reinforce country capacity: survey and analysis implemented in collaboration with local specialists, after intensive training.



Surveys Methodology: Scope

Goods

- Covers companies involved in international trade in goods.
- Products from all sectors included except minerals and arms.
- Sectors with more than a 2% share in total exports are included
- Cumulatively, sectors covered account for at least 90% of country's total export value

Services

- The survey <u>does not cover</u> companies involved in cross-border trade in services such as tourism, banking, finance, telecommunication and BPO.
- A survey on trade in services requires a different methodology

NTM Survey covers the following sectors:

- 1. Fresh food and raw agro-based products
- Processed food and agro-based products
- 3. Wood, wood products and paper
- 4. Yarn, fabrics and textiles
- 5. Chemicals
- 6. Leather
- 7. Metal and other basic manufacturing
- 8. Non-electric machinery
- 9. Computers, telecommunications; consumer electronics
- 10. Electronic components
- 11. Transport equipment
- 12. Clothing
- 13. Miscellaneous manufacturing

Two-step interview process

Step 1 Phone Screens (PS)

- 300 1100 samples per country
- 6-8 min per interview
- Identify products exported by the company and partner countries
- Identify if the company face problems with burdensome regulations





Step 2 Face-to-Face interviews (FTF)

- Companies facing problems with NTMs as identified in PS interviewed
- 120-600 face-to-face interviews per country
- 60-90 min per interview
- All details of the problem faced by the company recorded



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NTM Surveys in numbers











More than 21,000 reported trade obstacles...

From over developing countries

+ 28 EU countries

→ A MILLION DATA POINTS
TO EXPLOIT FOR HIGHER
TRTA IMPACT

Facts on ITC's NTM survey

Things to keep in mind...



- 1. <u>Perception data:</u> respondents are asked to report burdensome regulations representing *an impediment* to their exports or imports. They may have different scales for judging what constitutes an impediment (cultural, political, social, economic and linguistic differences);
- 2. <u>Unavailable or incomplete business registers:</u> As a result, it may be difficult to ensure random sampling within each sector, and a sufficient rate of participation in smaller sectors;
- 3. <u>Limited knowledge:</u> for example, exporters may not know the demand-side constraints behind the borders, e.g. 'Buy domestic' campaigns.



Survey results and dissemination

- Discussion and dissemination of survey results in a national stakeholder workshop to foster public-private dialogue
- Survey results provide basis to define national and sectoral action plans
- ■In collaboration with ITC and other regional and international organisations, through technical assistance and capacity building programmes, obstacles to trade can be reduced and removed.



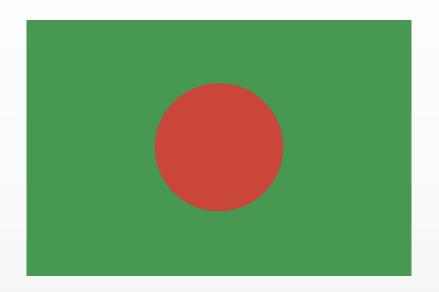
SESSION I: BACKGROUND AND OVERALL RESULTS

Survey Implementation in Bangladesh

Introduction



In close collaboration with national and international partners





National Partner



Survey Implementation Partner





Main Donor

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NTM Survey Implementation: Timeline

March 2015 - September 2015



- Quality control of data
- Data analysis
- First draft of the country report

2016



- Publication of the report "Bangladesh: Company Perspectives. An ITC Series on NTMs".
- Initiation of follow up activities

April 2014



- Training of interviewers by ITC staff.
- SRG Bangladesh contracted to implement the survey

April 2014 – February 2015



- Survey implementation
- 998 companies surveyed in phone screening
- 411 companies in detailed face-to-face interviews

09 November 2015 (Today)



- Stakeholder meeting in Dhaka to discuss main findings and policy options
- Public sector inputs to the report

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Survey Implementation

Survey implemented in Bangladesh by:



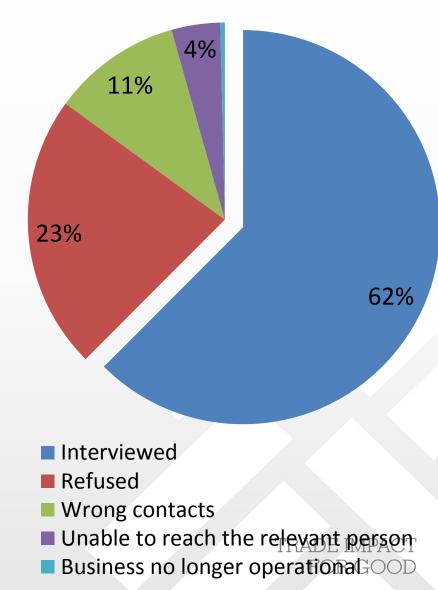
- Selected through a competitive UN Process
- Training of SRGB staff by ITC in April 2014
- SRGB Team:
 - 1 Project Manager
 - 1 Project Associate
 - 15 Field Interviewers



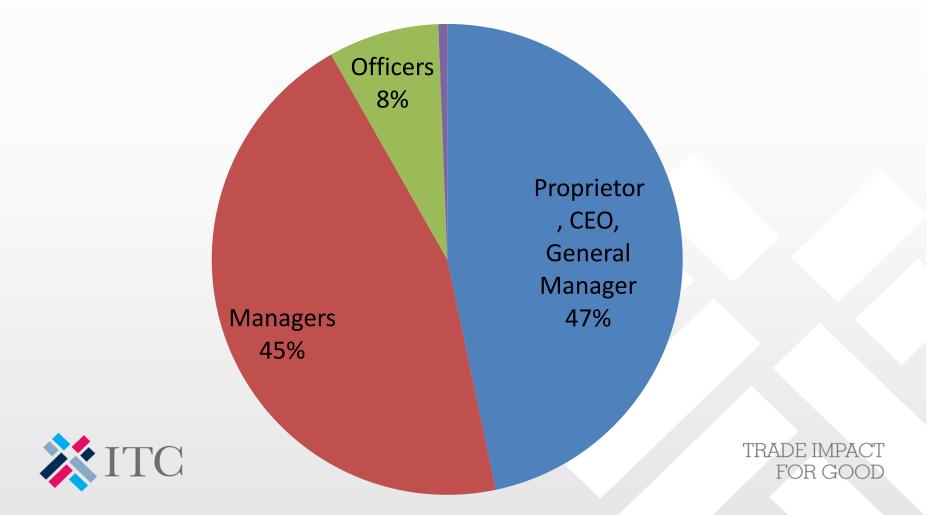
Over 1600 companies contacted...

- Business Registry compiled from various sources
- Original business registry outdated – needed additional sources of contacts
- Companies randomly selected
- A total of 1602 contacted
- Quality Control of data jointly done by SRGB and ITC





The survey targeted high level managers familiar with trade related issues



Survey Implementation

- Survey Questionnaire has 4 sections:
 - Business operation questions about the company
 - Main products and partner countries products export/import and the origin and destination country or countries
 - ➤ Barriers to Trade challenges face with certain regulations or procedures
 - Business environment problems with business environment
- Questionnaires translated into Bangla
- All interviews conducted in Bangla
- Extensive training to the Field Teams jointly given by ITC and SRGB
- Quality Control of Data jointly done by SRGB and ITC





SESSION I: BACKGROUND AND OVERALL RESULTS

Survey Implementation in Bangladesh

Profiles of interviewed companies



Bangladesh NTM Survey: Company Profile

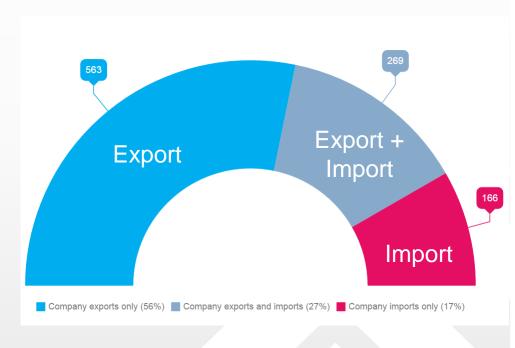


Companies interviewed in initial phone screening (PS) stage

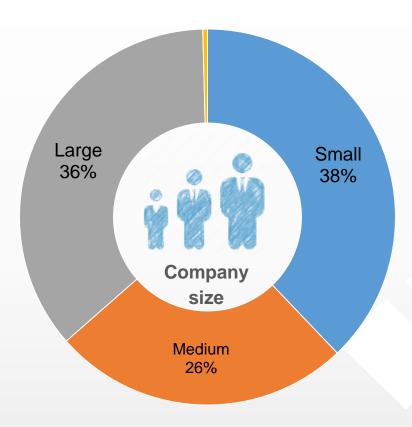


Companies interviewed in detail face-to-face (FTF) stage





Distribution of interviews by company size



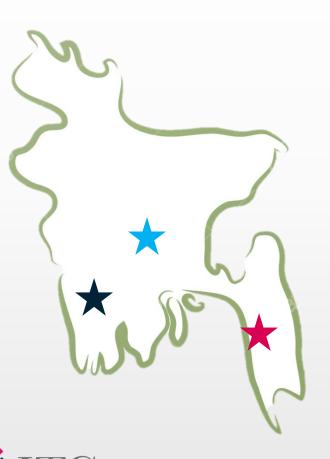
Company size based on number of employees:

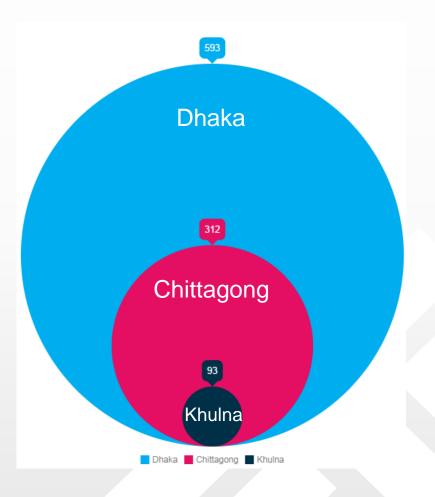


Small: Up to 100 employees **Medium**: 100 – 250 employees **Large**: +250 employees

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Distribution of interviews by company location

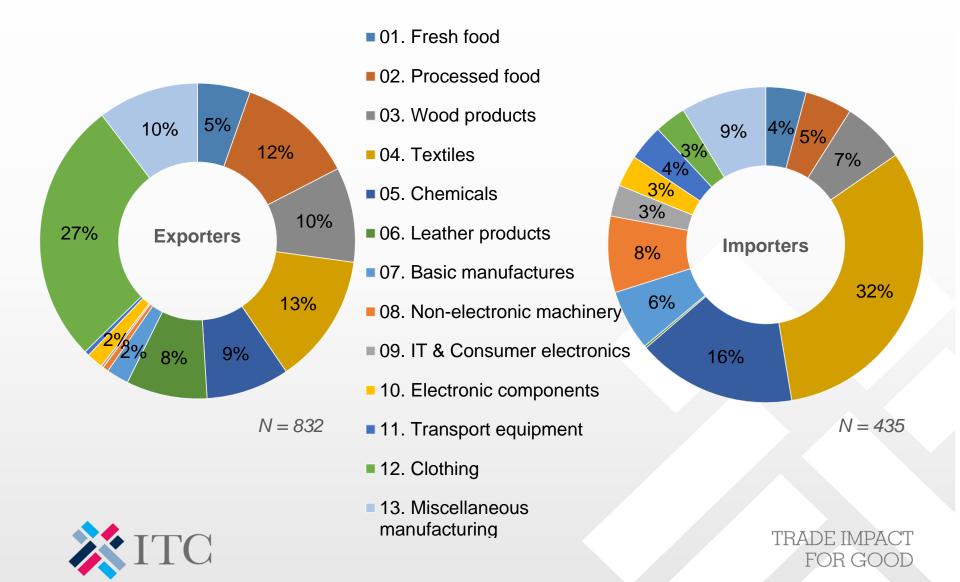




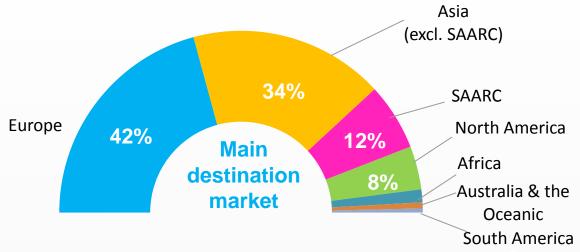


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Survey coverage by import and export sectors



Exporter Profiles





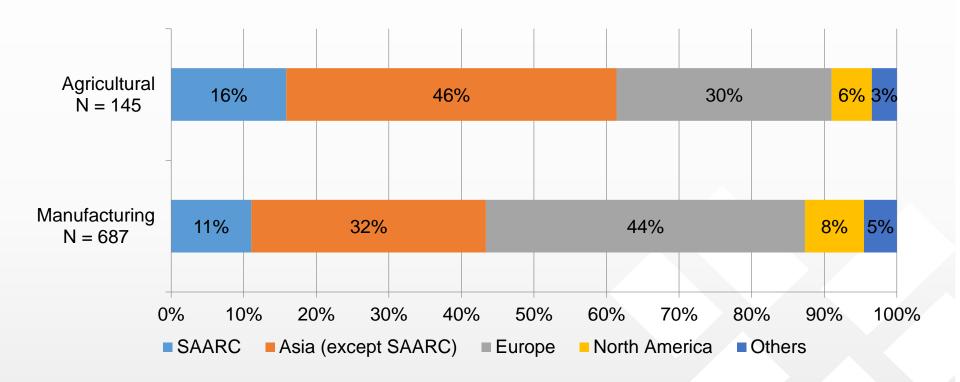
Exporters manufacturing or producing the goods they export



Bangladeshi exporters taking care of compliance to regulations and customs procedures on their own.



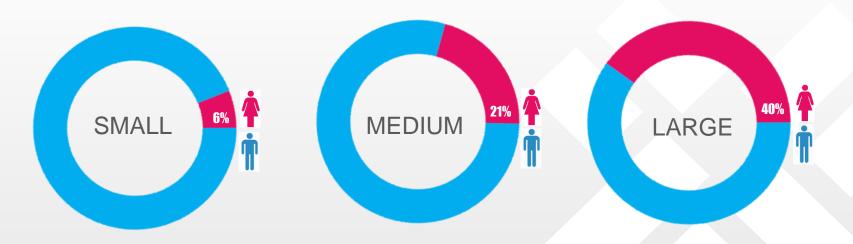
Exporters' main export destination: by sector





Company Profile: Women Employment







Larger companies employ more women

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Company Profile: Women Employment

Companies employed no women

Companies employed more women than men

2%

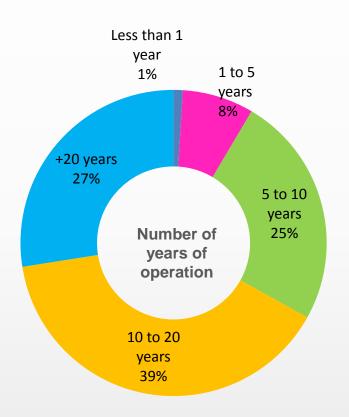
Companies with over 75% of their workforce women

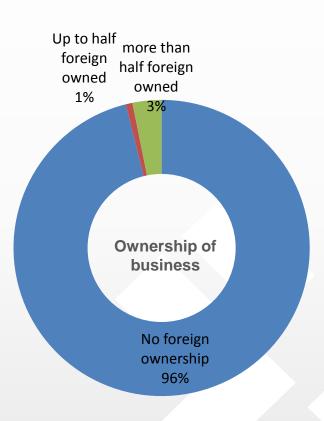






Most exporters have been operational for at least 5 years and are fully Bangladeshi owned







Note: Information based on second stage face-to-face interviews



Aggregate results

Trade barriers affecting Bangladeshi exporters and importers



Existing Literature (1/2)



DOING BUSINESS



189 countries on Ease of Trading Across Borders Rank of Bangladesh out of

EconomyName	Bangladesh	South Asia	OECD high income
Time to export: Border compliance (hours)	100	61	15
Cost to export: Border compliance (USD)	408	376	160
Time to export: Documentary compliance (hours)	147	80	5
Cost to export: Documentary compliance (USD)	225	184	36
Time to import: Border compliance (hours)	183	114	9
Cost to import: Border compliance (USD)	1,294	653	123
Time to import: Documentary compliance (hours)	144	108	4
Cost to import: Documentary compliance (USD)	370	349	25

Source: Doing Business dataset



Existing Literature (2/2)



The Global Enabling Trade Report 2014

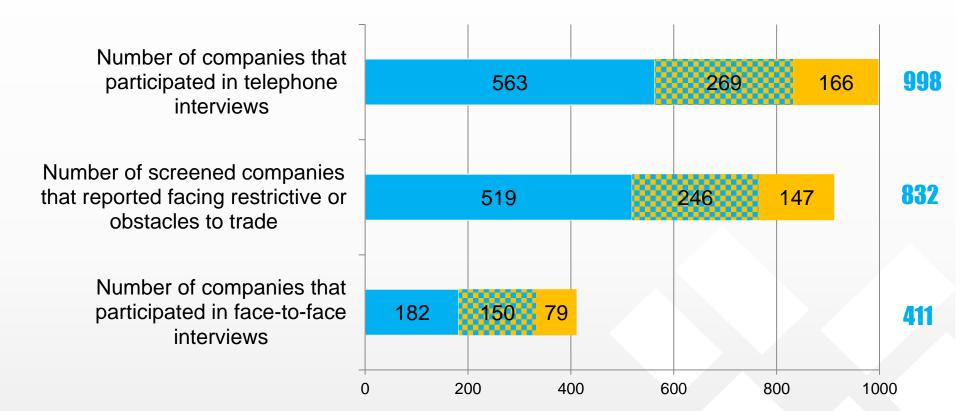
(0	Ranl ut of 138
Enabling Trade Index 2014	115
Subindex A: Market access (25%)	126
Subindex B: Border administration (25%) Pillar 3: Efficiency & transparency of border administration	
Subindex C: Infrastructure (25%)	re . 120 103
Subindex D: Operating environment (25%). Pillar 7: Operating environment	

INDICATOR, UNITS	RANK/138	VALUE
Pillar 3: Efficiency and transparency of border administration (1-7)	123	3.2
Customs services index (0-1)	102	. ■0.35
Efficiency of the clearance process (1–5)	125	. ■2.1
No. of days to import	118	. ■35
No. of documents to import	82	8
Cost to import (US\$ per container)	80	. ■1,470
No. of days to export	105	. ■25
No. of documents to export	65	. ■6
Cost to export (US\$ per container)	58	. ■1,075
Irregular payments in exports and imports*	132	. ■2.0
Time predictability of import procedures*	116	. ■3.1
Customs transparency index (0-1)	107	. ■0.38



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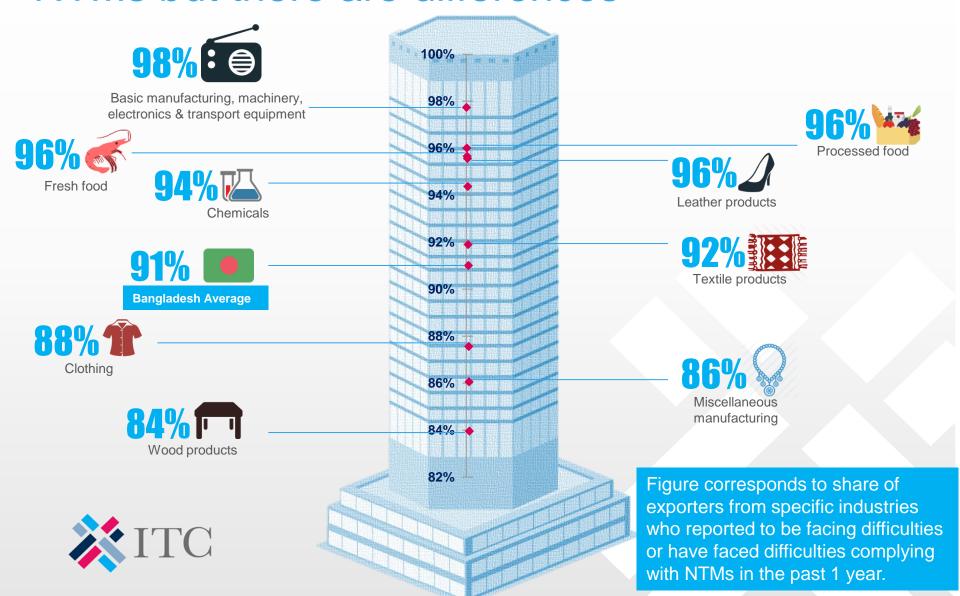
Bangladesh: NTM Sample Frame



■ Exporting companies ■ Exporting and importing companies ■ Importing companies



Exporters from all sector are highly affected by NTMs but there are differences



Most of the NTMs perceived as burdensome by exporters are partner (importing) country regulations

Share of burdensome NTMs applied by partner and home country

Partner countries (77%)

Bangladesh (23%)

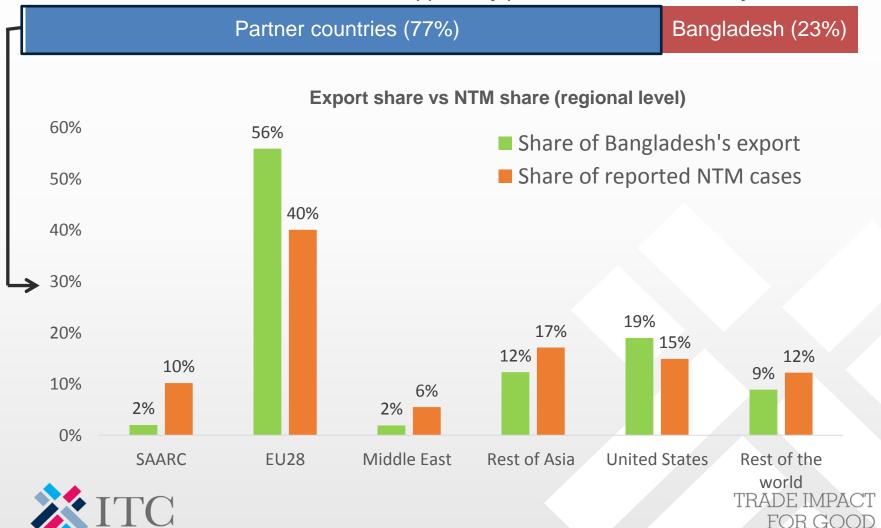






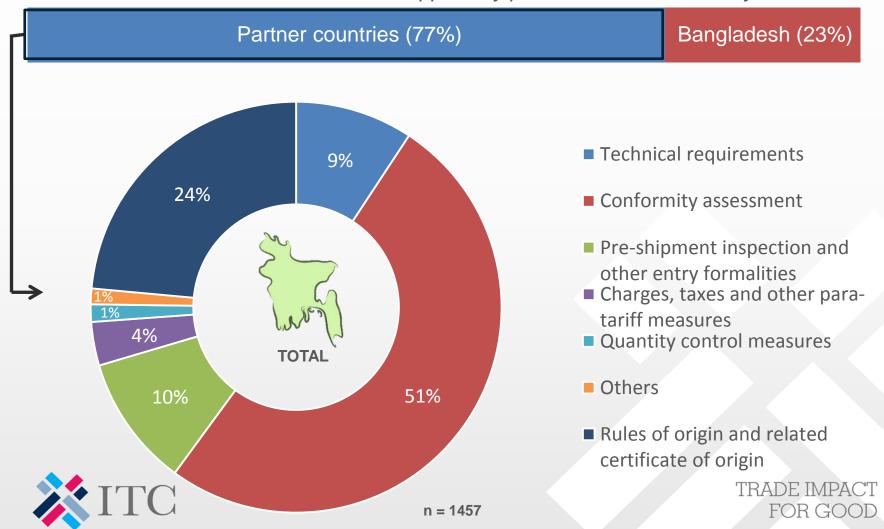
SAARC and Middle-East region perceived as relatively more difficult to export to

Share of burdensome NTMs applied by partner and home country



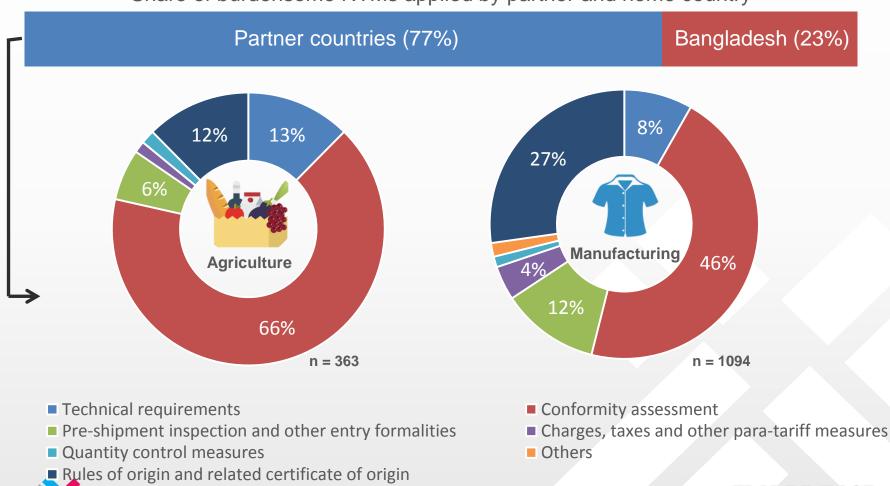
Types of NTMs faced by exporters

Share of burdensome NTMs applied by partner and home country



Types of NTMs faced by exporters: by Sector

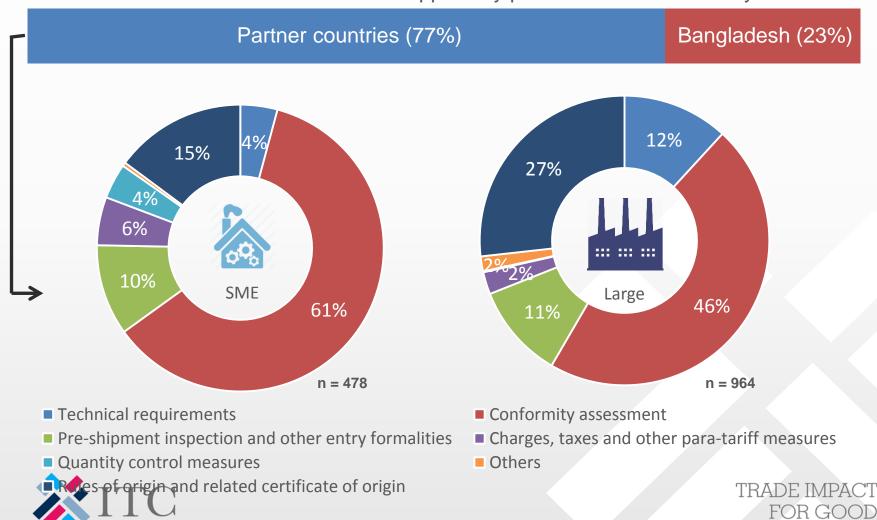
Share of burdensome NTMs applied by partner and home country



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Types of destination market NTMs faced by exporters: by Company size

Share of burdensome NTMs applied by partner and home country



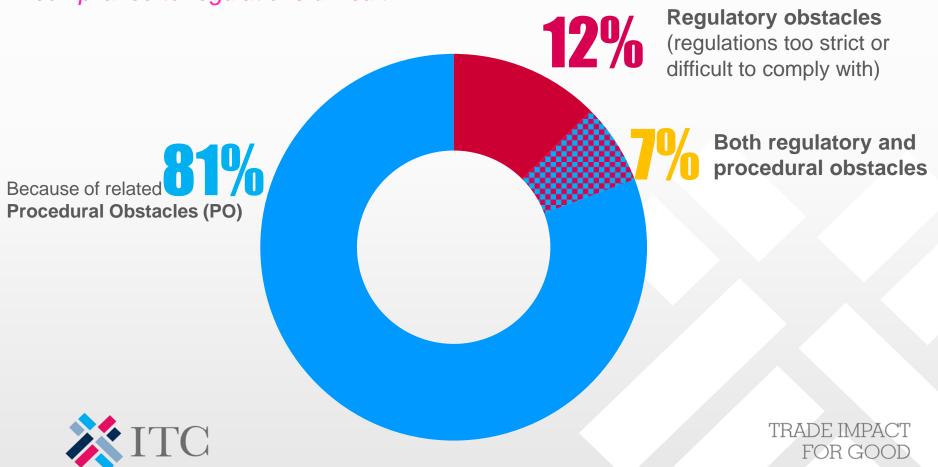
Export clearance is perceived as the most burdensome export regulation

Share of burdensome NTMs applied by partner and home country

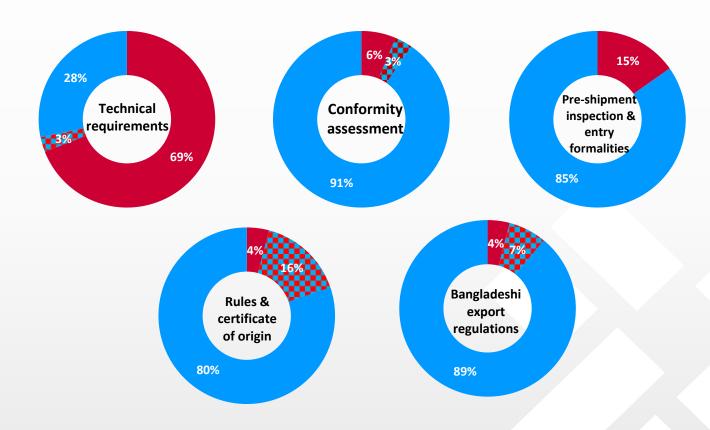


Why exporters find NTMs burdensome

Procedural hinderances is a major concern to exporters that make compliance to regulations difficult



Strict or difficult conditions the main problem for technical requirements; procedural hindrances cause of concern for other NTM types

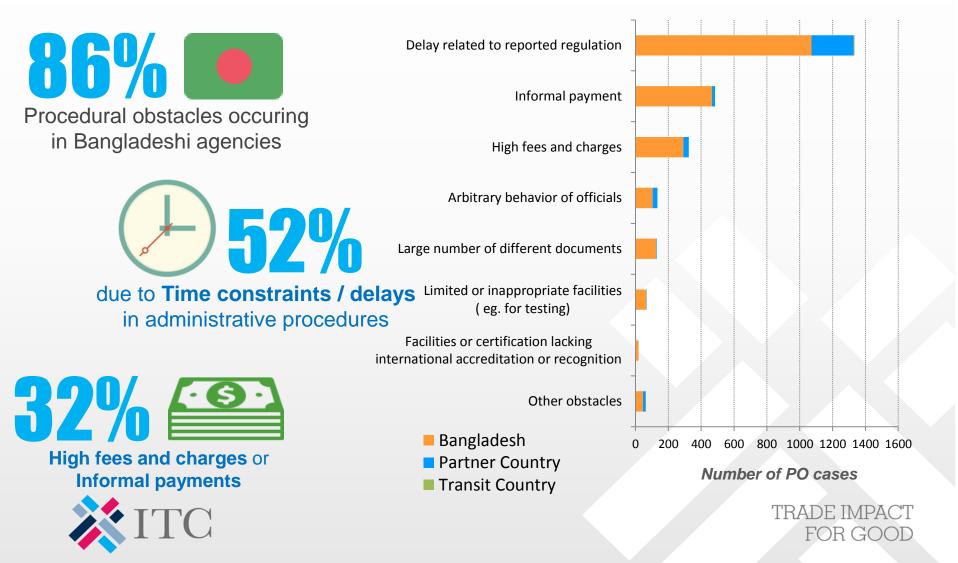




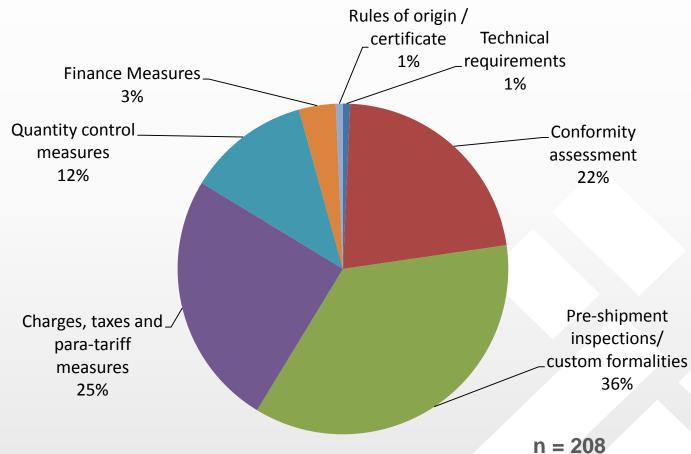
- Regulation too strict/difficult
- Both regulatory and procedural obstacle
- Of The Related Procedural Obstacles

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Types of POs experienced by exporters



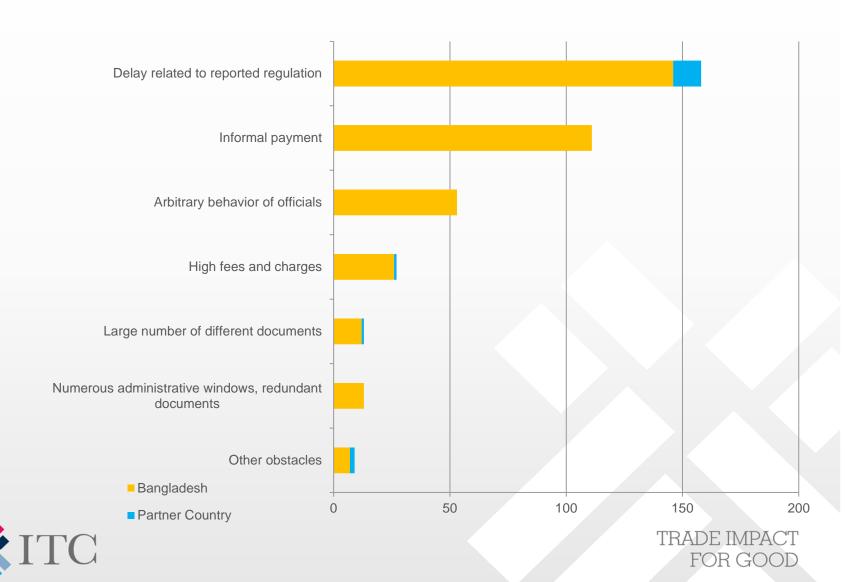
NTMs faced by importers - applied by Bangladesh





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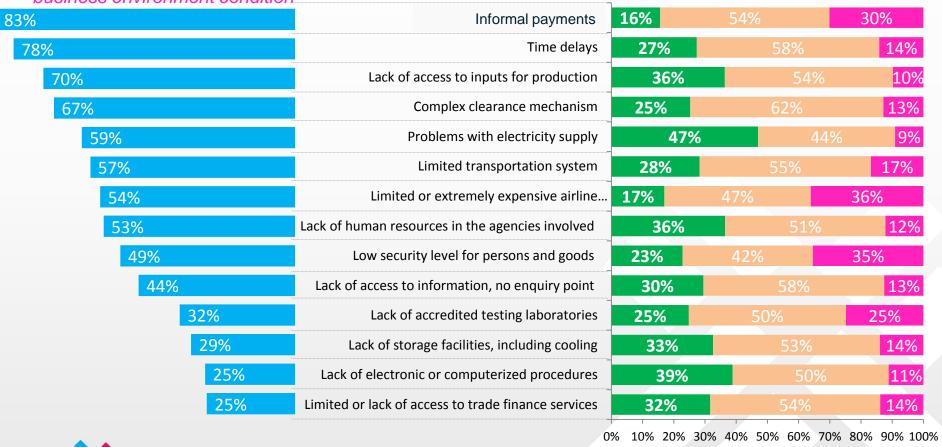
Procedural obstacles experienced by importers



Companies' perception on general business environment in Bangladesh

Share of companies whose business is negatively affected by the current business environment condition

How the business environment conditions have changed in the last 5 years





Improved

Same

Deteriorated

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Non-tariff measures affecting agriculture sector

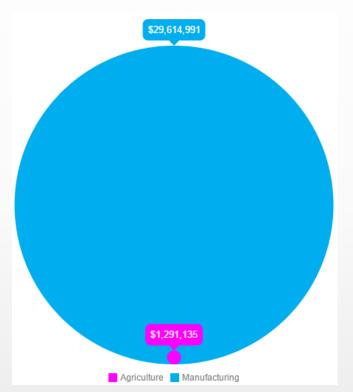
Perception of agro-food exporters





Agriculture Sector – An Overview

Size of the sector



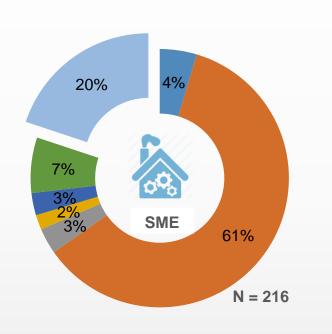
In US\$ thousand

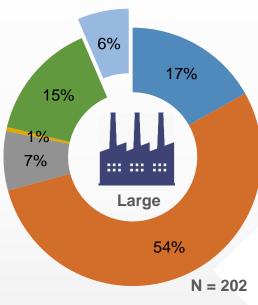
Composition of agricultural exports





Types of NTMs faced by agricultural exporters, by company size



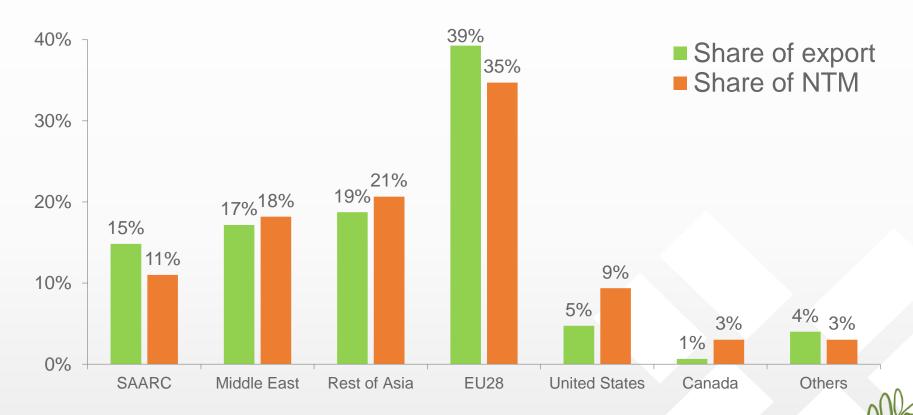


- Technical requirements
- Conformity assessment
- Pre-shipment inspection and other entry formalities
- Charges, taxes and other paratariff measures
- Quantity control measures
- Rules of origin and related certificate of origin
- Export related measures (applied by Bangladesh)





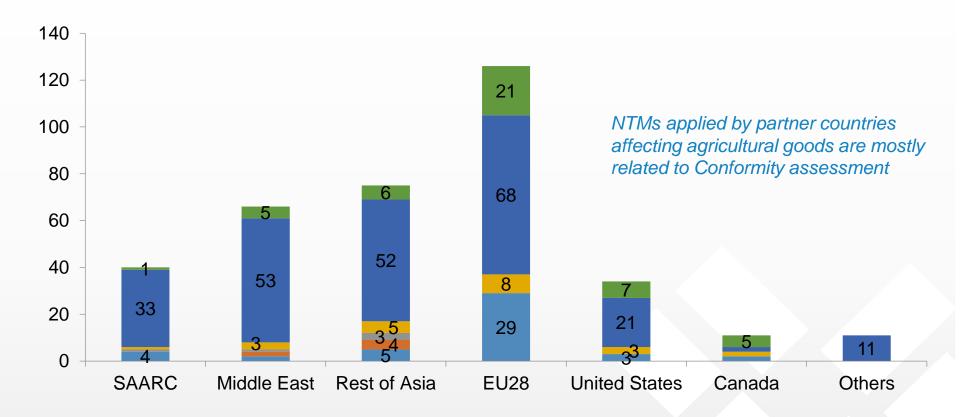
Share of agricultural export and share of NTMs applied by partner countries





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Agro-food export: Type of NTM by partner



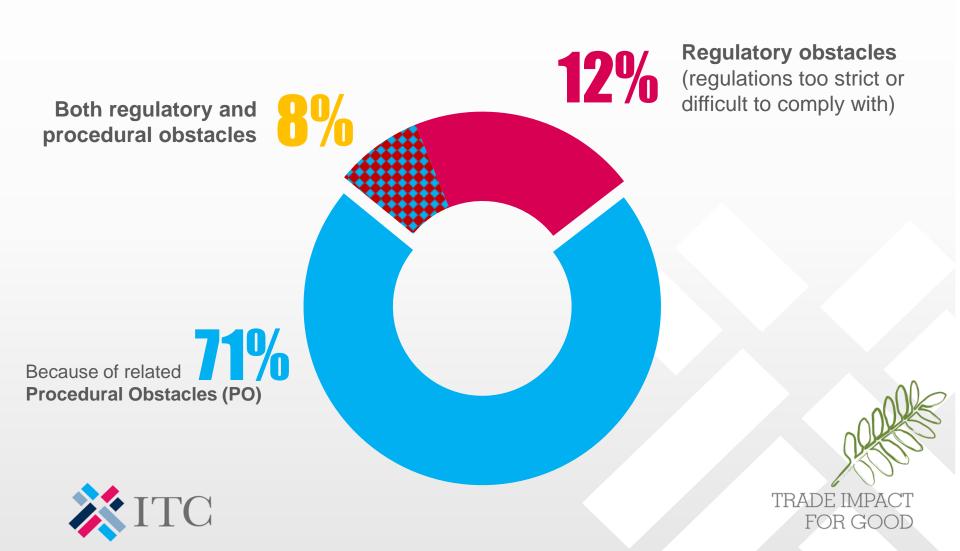
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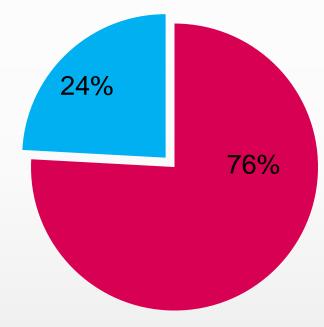
TRADE IMP



NTMs affecting agricultural goods are mostly related to POs.



POs are more at home than in partner countries



- POs at home
- POs at partner countries



TECHNICAL REQUIREMENTS AFFECTING AGRICULTURAL PRODUCTS

Technical requirements refer to product-specific properties.

They are <u>legally binding</u> and usually set by the country where the product is exported to (or imported from) – as opposed to voluntary standards.

Technical requirements define product characteristics, technical specifications of a set of a product or the production process and post-production treatment.

Technical regulations include sanitary and phyto-sanitary measures which are generally implemented to protect human, animal and plant life and health from pests and diseases.



Agro-food exporters do not have adequate capacity to meet the technical requirements

- Partner country (în particular the EU, US, Japan) do not allow preservatives on food products (mostly shrimps).
 - Some exporters find it difficult to comply with this requirement as they claim the products decompose very fast without it.
- Some countries restrict use of colouring agents on food products
- Some partner countries require very detailed information on the product labels (food stuff) – Eg. Product composition, chemicals used, nutrition facts etc.
 - Some companies find it complex and difficult to comply with the labelling requirement
- Tracebility requirements for fresh food products



CONFORMITY ASSESSMENTS

AFFECTING AGRICULTURAL PRODUCTS

Conformity assessments refer to control, inspection and approval procedures - such as testing - which confirm and control that a product fulfils the technical requirements and mandatory standards imposed by the importing country, for example to safeguard the health and safety of consumers.

Conformity assessment is required by the importing country, and either implemented prior to export, in the country of origin, or when the good is entering the importing country.

These measures are normally unavoidable for most agricultural products as they are put in place to meet public policy objectives, such as protection of human health.

- Reported mostly by exporters of rice and cereals, fish products, and fruits and vegetables.
- Exporters find conformity assessment related NTMs difficult to comply with more because of the related procedural obstacles rather than the regulations itself being too strict or complex.
- Delays in obtaining the certificates and the high associated costs seem to be the main procedural obstacle.



Conformity assessment procedures are burdensome to agro-food exporters

- Food items (fresh or processed) have to be tested for various health parameters (such as microbiology, melamine, preservatives etc).
 - Usually done by Bangladesh Standards And Testing Institution (BSTI)
 - Administrative hurdles a concern
 - Time delay (average 6 days)*
 - Informal payments
- Inadequate or expensive testing/certification facilities for some tests in Bangladesh
- In some case, some exporters needed to do the tests abroad or bring in foreign inspectors – costly + time consuming.
 - Eg. British Retail Consortium (BRC), Hazard Analysis and Critical Control Point (HACCP)



Other Issues with partner regulations

- Customs clearance issue in Japan
 - To benefit from GSP preferences from Japan direct consignment shipping required. (Shrimp products)
 - Customs clearance possible only in on port (Yokohama) in Japan. (<u>Bone and horn exporter</u>). According to exporter Osaka would have been easier
- Saudi Arabia temporarily prohibiting import of fruits and vegetables from Bangladesh
 - Lack of adequate cooling facilities



Exporters' experiences with regulations in Bangladesh

- About 14% of the difficult regulations faced by exporters were applied by Bangladesh on its exports.
- Exporters cited 58 NTM cases applied by Bangladeshi authorities, among which
 - 18 on export inspection,
 - 17 on export clearance procedures performed by various Bangladeshi agencies
 - 10 on export taxes and charges
 - 9 on licensing or permit to export.
- Majority of the reported export related measures are difficult due to the associated POs.



Agro-exporters' difficulties in Bangladesh

- Bangladesh Customs takes longer time for verification of documents.
 - It also delays delivering the Customs Clearance Certificate, which in turn, delays export of shipment.
 - During inspection they create "unnecessary hassles" and ask for informal payments.
- Sometimes C&F (clearing and forwarding) agents ask for additional payments.
- Shortage of transportation causes problems in business.
- Exporters exporting to India through the Beanpole port reported that Customs officials often suspend their operation without any notice.
- Some exporters reported that they had to pay different types of charges, such as stamp charge, other service charge etc. Often, exporters have to pay informal payments to Custom officials which add costs to their exports.



Jute exports & subsidy

- Government offers subsidy to Jute traders, BUT
 - Exporters claim:
 - Smaller companies not getting fair share,
 - Most of the subsidy benefiting larger companies
 - Need political consideration or need to bribe to get subsidies.
- New Development
 - India revoking the licenses of importers and asked them to apply for new permits
 - Buyers of imported jute also require registration



Customs Clearance – the MAIN problem

- Very inefficient customs clearance system / process
 - Manual process document checks
 - Slow can be several days of waiting
 - Corruption to clear shipment or expedite it
- Various fees and charges: stamp tax, processing fee etc that add up the trading cost
- The main problem for both exporters and impoters
- Modernization / Automatization of customs procedures needed.



Exporters' experiences with POs related to agricultural products

- Out of the 494 cases of POs
 - 80% involve domestic agencies and institutions.
 - 20% from partner countries.
- 49% of the POs are related to delays in administrative procedures.
 - These delays usually occurred during inspection or while certificates and permits were being issued.
 - Delays in administration process is also the main PO reported by of exporters that occur in partner countries.
- Informal payments make up 26% of the reported PO cases.
 - This problem mainly occurs when obtaining product certification or during customs clearance



General Business Environment: Transportation issues

- Vegetable exporters expressed concerns with current transportation infrastructure / facilities
 - Shipping to EU or US takes too long on cargo ships → products go bad
 - Air Cargo is the only viable alternative BUT
 - It is much more expensive (fine with exporters)
 - Not enough air cargo capacity / facility
- Difficulties with shipping faced by shrimps & lobster exporters in Khulna
 - Mongla is the closest available port, BUT
 - It is not a deep sea port
 - Is not able to handle large ships
 - Hence, exporters cannot ship directly to destination (eg. Japan, EU, USA)
 - Goods need to be shipped via Chittagong port.
 - More expensive and time consuming
 - Not enough container handling facilities







Non-tariff measures affecting agriculture sector

Perception of agro-food importers





TRADE IMPACT

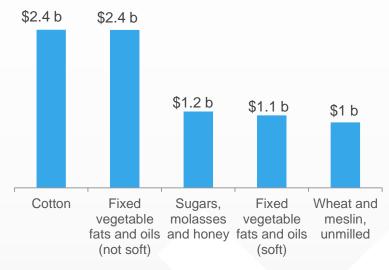
FOR GOOD

Agricultual Imports

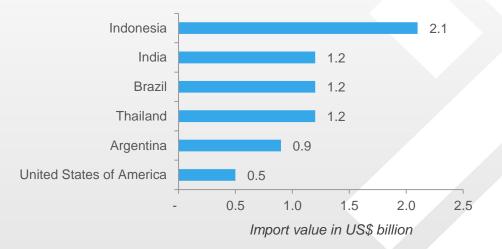
\$11 billion

Value of Bangladeshi agricultural imports

Top 5 imported products



Main import partners





Import of agro-food products – burdensome NTMs applied by Bangladeshi authorities: Examples

Most of the difficulties faced by importers of agricultural products were related to conformity assessment or pre-shipment and other custom formalities.



NTMs applied by Bangladesh and the reasons making them burdensome: Examples

The major POs affecting the imports of agricultural products are related to delays, informal payment, e.g. bribes for reported certificate/regulation, complicated procedures, arbitrary behavior of officials, and limited or inappropriate facilities for testing.



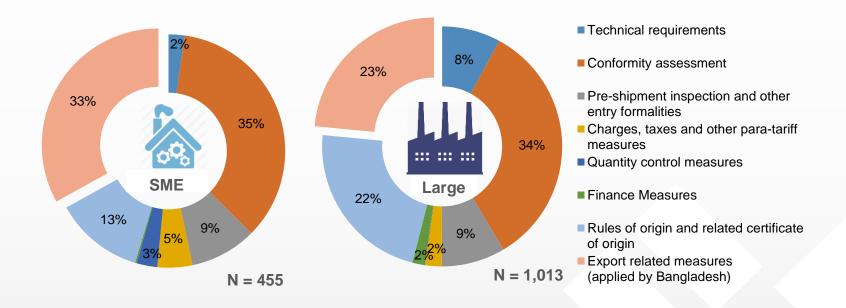
Non-tariff measures affecting manufacturing sector

Perception of exporters





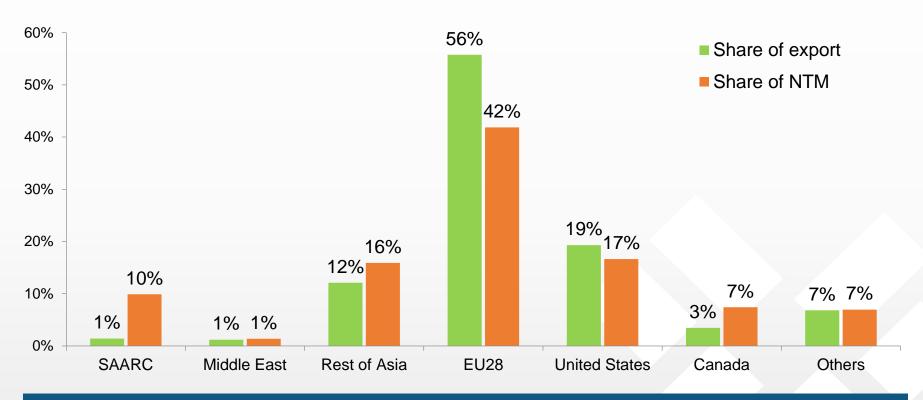
Types of NTMs faced by manufacturing exporters, by company size



Difficulties with are more prominent on SMEs (33% of NTM cases) compared to large companies (23%). Conformity assessment related issues are the major issue for both SME and large firms. Rules of origin is also a concern for both SMEs and large companies.



Share of manufacturing export and share of NTMs applied by partner countries

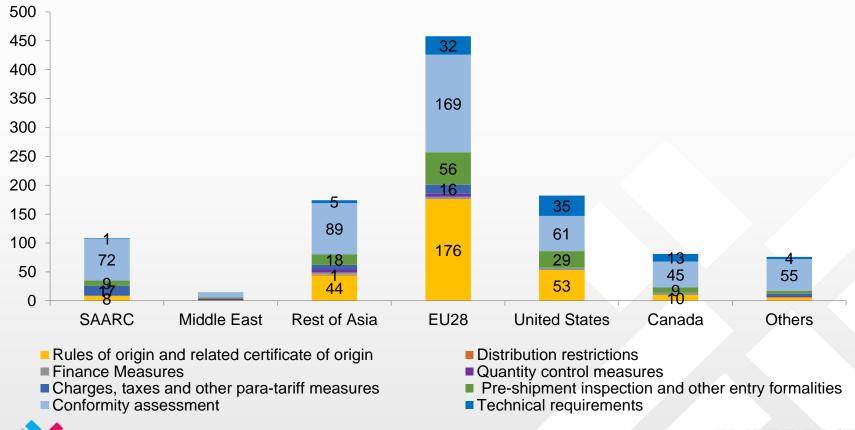


The European Union is the export market that applies the highest number of burdensome NTMs. However, the share of burdensome regulations experienced by exporters in EU is lower than the share of exports to these countries.

Over 10% of the burdensome NTM originate from the SAARC region. This share of NTMs is disproportionately high compared to the regions import share,

NTMs applied by partner countries affecting manufacturing goods are mostly related to Conformity assessment and rules of origin

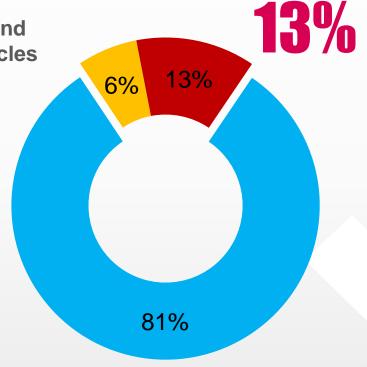
Export of manufacturing products – types of NTMs applied by partner countries





More than 80% of NTMs affecting manufacturing goods are related to POs.

Both regulatory and procedural obstacles



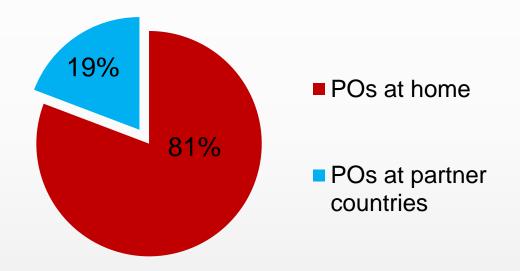
Regulatory obstacles (regulations too strict or difficult to comply with)

Because of related Procedural Obstacles (PO)





81% of the POs are originating at home







Major POs affecting manufacturing goods

NTM (Chapter)	Procedural obstacle	Home	Partner countr
A. Technical requirements	D1. Delay related to reported regulation	21	4
	E1. Unusually high fees and charges for reported certificate/regulation	4	0
	F1. Limited/inappropriate facilities for testing	3	0
B. Conformity assessment	A1. Large number of different documents	21	0
	C1. Arbitrary behavior of officials regarding classification and valuation of the reported product	0	1
	D1. Delay related to reported regulation	265	134
	D2. Deadlines set for completion of requirements are too short	6	0
	E1. Unusually high fees and charges for reported certificate/regulation	145	11
	E2. Informal payment, e.g. bribes for reported certificate/regulation	93	0
	F1. Limited/inappropriate facilities for testing	36	0
	F2. Limited/inappropriate facilities for sector-specific transport and storage	3	0
	G1. Facilities lacking international accreditation/recognition	9	0
	G2. Other problems with international recognition, e.g. lack of recognition of national certificates	10	0
	H1. Other procedural obstacles, please specify	3	0
C. Pre-shipment inspection and other entry formalities	C1. Arbitrary behavior of officials regarding classification and valuation of the reported product	0	7
	C2. Arbitrary behavior of officials with regards to the reported regulation	1	0
	D1. Delay related to reported regulation	56	50
	E1. Unusually high fees and charges for reported certificate/regulation	4	0
	E2. Informal payment, e.g. bribes for reported certificate/regulation	9	10
D. Charges, taxes and other para-tariff measures	C1. Arbitrary behavior of officials regarding classification and valuation of the reported product	0	16
	D1. Delay related to reported regulation	15	16
	E1. Unusually high fees and charges for reported certificate/regulation	15	10
	E2. Informal payment, e.g. bribes for reported certificate/regulation	15	0
E. Quantity control measures	D1. Delay related to reported regulation	1	0
	E2. Informal payment, e.g. bribes for reported certificate/regulation	0	1
	A1. Large number of different documents	12	3
	C1. Arbitrary behavior of officials regarding classification and valuation of the reported product	0	3
O. Rules of origin and related	D1. Delay related to reported regulation	260	0
certificate of origin	E1. Unusually high fees and charges for reported certificate/regulation	63	0
	E2. Informal payment, e.g. bribes for reported certificate/regulation	56	3
	F3. Other limited/inappropriate facilities, related to reported certificate/regulation	8	0
	H1. Other procedural obstacles, please specify	0	1
Total	Total PO Cases	1134	270

Garment sector – obtaining product quality certification can be expensive and time consuming

- Exporters have to prove compliance to various quality / safety standards (AZO, SGS, ISO tests etc.) depending upon the buyer and destination
 - Most expressed <u>no difficulties</u> complying with these product standards

BUT

Obtaining the certification can be time-consuming and expensive for some



TRADE IMPACT FOR GOOD

Garment Sector – difficulties with working conditions

- Increasing number of buyer countries demanding better work conditions + higher wages for labors
 - Increased scrutiny lack of trust
 - Some expressed difficulties / higher cost in complying with multitude buyer demanded conditions
 - Different / conflicting requirements
 - Certification usually obtained from Bangladesh Garments Manufacturers and Exporters Associations (BGMEA)
 - US suspended GSP preferences to Bangladesh due to work condition related issues





Pharmaceutical exporters' difficulties

- Few have proper accreditations to export to large well regulated markets
- Long waiting time to get proper license from Directorate General of Drug Administration (DGDA)
 - Companies raise the issue of insufficient staffs at DGDA given the growing pharmaceutical industry
- Lack of proper national drug standard
 - Companies adhering to different manufacturing quality standards (eg. World Health Organisation standard, UK national standards, etc).
- Limited testing laboratories and insufficient capacity
 - Eg. for bio-equivalance testing



Ceramic Exporters' difficulty – Bangladeshi certification not recognized internationally

- Ceramic exporters need safety (FDA) certification to export to USA and other EU countries.
 - In Bangladesh, BSTI can issue this certificate BUT
 - BSTI issued certificate not recognized by partner country
 - Need to get FDA certification from laboratories in UK more expensive and time consuming





TRADE IMPACT FOR GOOD

Obstacles in the regional SAARC



- Exporting leather products to India requires health certificate and S.G.S test
 - Expensive (at least taka 10,000) and time consuming (4-10 days).
- Exporting cement to India requires permit following testing from Bureau of Indian Standards (BIS) → (4-5 months of waiting time)
- Exporting to India requires a licence (eg. ceramic products)
 - Need to pay State Tax in addition to duty
 - These extra charges a big burden to companies
- Arbitrary behaviour of officers at the Indian Customs:
 - Not granting duty preferences as per the SAFTA agreement (eg. for plastic products).
 - Demanding bribes to clear shipment
- Need to pay transit fee when exporting to Nepal via India
- Denim fabrics to Sri Lanka and Bhutan, different tests, like AZO and SGS tests are required which are costly (10,000 to 20,000 taka) and time consuming.



Exporters' difficulties – Rules of Origin

- Garment exporters benefit from GSP preference (eg. from UK, Germany, Japan)
 - Administrative hurdles to get the certificate of origin
 - Waiting time around 7 days
 - Need to pay extra (informal payments)



Exporters' difficulties

- Difficulties with duty drawback scheme
 - Take as long time to get money back (6 12 months)
 - Difficult to deal with officers at the relevant agency
 - Company usually resorts to paying bribes



Exporters' experiences with regulations in Bangladesh

- Exporters cited 388 NTM cases reported to be applied by Bangladeshi authorities, majority of which were issues related to export clearance procedures.
- Other major issues include license or permit to export, export inspection and high charges.



Exporters' experiences with regulations in Bangladesh

- Majority of the these regulations are related to
 - Export inspection,
 - · Export registration,
 - Export taxes and charges,
 - · Licensing or permit to export,
 - Export clearance measures



Exporters' experiences with POs to manufacturing products

- Out of the 2061 cases of POs
 - 87% involve domestic agencies and institutions.
 - 13% from partner or transit countries.
- 53% of the POs are due to delays related to reported regulation.
 - These delays usually occurred during inspection or while certificates and permits were being issued.
 - Delays in reported regulation is also the main PO reported by of exporters that occur in partner countries.
- Informal payments make up 17% of the reported PO cases.



Non-tariff measures affecting manufacturing sector

Perception of importers





Import of manufacturing products – burdensome NTMs applied by Bangladeshi authorities

- A total of 185 cases of NTMs applied by Bangladesh on imports was recorded, followed by 19 applied by partner (exporting) countries.
- Pre-shipment inspection and customs together with charges, taxes and paratariff measures are the two main types of burdensome NTMs reported by the importers of manufactured products.
- Electronic products and parts (SITC 751 778) in particular faced the most number of burdensome NTMs (44).



Import of manufacturing products – burdensome NTMs applied by Bangladeshi authorities: Examples

Most of the difficulties faced by importers of manufacturing products were related to pre-shipment; other entry formalities, charges, taxes and other para-tariff measures; and conformity assessment.

"While importing Self-adhesive paper and paperboard, surface-coloured, surface-decorate from China, Bangladesh customs requires a preshipment Inspection Certificate which must include information regarding quality, quantity and type of goods. But gaining that certificate is very difficult for us. This is why, it takes a long time (5-7 days) for us to unload pre-shipment Inspection"



NTMs applied by Bangladesh and the reasons making them burdensome

NTM chapter	Number of NTM cases	POs and inefficient business environment making NTMs difficult	Number of cases in home country		
A. Technical	1	D1. Delay related to reported regulation	1		
requirements		E2. Informal payment	1		
B. Conformity assessment		A1. Large number of different documents	2		
	36 	C1. Arbitrary behavior of officials regarding classification and valuation of the reported product	3		
		C2. Arbitrary behavior of officials with regards to the reported regulation	2		
		D1. Delay related to reported regulation	31		
		E1. Unusually high fees and charges for reported certificate/regulation	4		
		E2. Informal payment	26		
C. Pre-shipment		A1. Large number of different documents	6		
		C1. Arbitrary behavior of officials regarding classification and valuation of the reported product	9		
	66	C2. Arbitrary behavior of officials with regards to the reported regulation	6		
inspection and other		D1. Delay related to reported regulation	55		
entry formalities	_	D2. Deadlines set for completion of requirements are too short	1		
		E1. Unusually high fees and charges for reported certificate/regulation	6		
		E2. Informal payment	51		
D. Charges, taxes and other para-tariff measures		C1. Arbitrary behavior of officials regarding classification and valuation of the reported product	15		
	51	C2. Arbitrary behavior of officials with regards to the reported regulation	8		
		D1. Delay related to reported regulation	33		
		E1. Unusually high fees and charges for reported certificate/regulation	15		
		E2. Informal payment	14		
E. Quantity control measures	21	A2. Documentation is difficult to fill out	3		
		A4. Numerous administrative windows/organizations involved, redundant documents	11		
		B1. Information on selected regulation is not adequately published and disseminated	1		
		C1. Arbitrary behavior of officials regarding classification and valuation of the reported product	4		
		D1. Delay related to reported regulation	11		
		E2. Informal payment	8		
F. Finance Measures	8	A1. Large number of different documents	2		
		C2. Arbitrary behavior of officials with regards to the reported regulation	2		
		E2. Informal payment	2		
O. Rules of origin &	2	D1. Delay related to reported regulation	2		
certificate of origin		E2. Informal payment	2		
Total	185		337		

NTMs applied by Bangladesh and the reasons making them burdensome: Examples

The major POs affecting the imports of manufacturing products are related to delays, informal payment, e.g. bribes for reported certificate/regulation, complicated procedures, arbitrary behavior of officials, and unusually high fees and charges for reported certificate/regulation.

"While importing drilling, threading or tapping tools from China, it takes a long time for customs clearance in Bangladesh. We need to show hardware association certificate. We have to pay bribe (10000-20000 TK) to get custom clearance."



Importers' difficulty

- Importer of sodium silicates (to manufacture ceramic product) facing difficulty with product classification
 - Customs officers classify it as medical product (plaster of paris)
 - As a result, need to pay higher duties



Preliminary recommendations and the way forward



Issues to address

- Challenges related to Quality and Standard Requirements
- Difficulties with customs clearance procedures
- Other cross-cutting issues



Challenges related to Quality and Standard Requirements

Lack of company capacity to meet international requirements
 Absence of proper national traceability system of food products
 Inadequate or insufficient capacity of testing and certifying agencies
 Knowledge / communication gap on available quality related services





- Lack of company capacity to meet international requirements
- Capacity building of enterprises can facilitate and expand trade.
- Companies should be made aware and ready to face the new trade realities
 - Quality & safety standards / requirements in most markets are bound to stay
 and become tougher overtime
 - Companies must adapt to the higher requirements and improve their production / shipping process.
- Companies should be provided with:
 - Latest maket access, market requirement and compliance process information.
 - Workshops should include training sessions, such as how to identify new markets, understanding market access conditions, marketing strategies, supply chain management and advocacy.
- ITC can provide targeted SME trainings on Quality, Productivity & Innovation





Absence of proper national traceability system of food products

- National traceability system must be setup
 - One of the key demands from important markets for shrimps
- Scale up the FAO Department of Fisheries (DOF)'s pilot project on semiweb-based traceability system for shrimps and prawn.
 - Funded by the STDF
 - Farmers to be made award of benefits / incentives to produce high quality traceable products





 Inadequate or insufficient capacity of testing and certifying agencies (1/2)

- Strengthening the capacity of Bangladesh Standards and Testing Institution (BSTI) to carry out required accredited testing and certification is critical
- The capacity of BSTI needs to be significantly improved.
 - increasing staffing levels, training and retention
 - increasing investment in equipment and facilities
 - introducing Single Window depository and dissemination of all required documentation
- Bangladeshi authorities should formulate and implement standards, regulations and norms in compliance with international standards, especially for major and potential export sectors.





 Inadequate or insufficient capacity of testing and certifying agencies (2/2)

Insufficient staffs and technical capabilities of Directorate General of Drug Administration (DGDA) has been cited as hurdel given the growing pharmaceutical industry

- Enhance the authority and resources of DGDA to effectively regulate the industry
- Increase the human resources at DGDA and build capacity of its technical staffs
- Develop a proper national drug manufacturing standard that meet international standards
- Establish accredited testing laboratories (Eg. for bio-equivalance testing)





 Knowledge / communication gap on available quality related services

Mapping and audit of quality related certification facilities necessary

- Information availability for companies on testing and certification facilities in the country should be improved.
- ITC working on a catalog of testing and certification bodies / facilities in Bangladesh together with other relevant information, including:
 - Types of services, tests they offer,
 - Types of products covered,
 - Location
 - Their accreditations and recognition in the international market
 - Fees
 - The catalog will be available in April 2016
- Regular monitoring and audit of testing/certification bodies necessary



Difficulties with customs clearance procedures

1

 Inadequate customs infrastructure and inadequate dissemination of information about customs clearance and related documents

2

Issues related to the availability and training of officials

y

Procedural obstacles during customs clearance

4

• Insufficient coordination between agencies within the country





 Inadequate customs infrastructure and dissemination of information about customs clearance and related documents

Speed up customs modernization process in Bangladesh

Difficulties with customs clearance is the most common issue both exporters and importers face in Bangladesh in the form of taking much longer time while inspecting, often assigning inappropriate HS code and informal payments.

- The National Board of Revenue, with the help from the World Bank, IFC, Asian Development Bank and USAID, is implementing a number of reform programs. These programs need to be properly implemented.
- Ongoing:
 - Development of the ASYCUDA World
 - Review of customs processes, risk management and valuation procedures
- Implement the national single window
- Develop and regularly update Business Guide on how to export and import in line with latest customs procedures, regulation and system.
- Clear guidelines on product valuation to reduce ambiguity and misuse of authority by field officials during imports are needed.



2

• Issues related to the availability and training of officials

Insufficient customs officers and highly skilled staff has led to slow customs clearance and slowed down customs modernization

- Additional human resources are urgently required.
- Training facilities for new recruits should be upgraded
 - Current facilities and resources may not be sufficient for the large number of additional staff required
- ITC has a MoU with World Customs Organisation to provide training to customs officials





• Procedural obstacles during customs clearance

Implement the WTO TFA

- Given the high incidents of POs at the border, Bangladesh should consider implementing the WTO's Trade Facilitation Agreement (TFA).
- Bangladesh should formulate projects and approach donors for support to implement TFA measures such as:
 - advance ruling,
 - authorized economic operators,
 - risk management and
 - post-clearance audit.
- The private sector must also be made aware of the various aspects of TFA.



Presenting ITC's integrated TF program

Improving SMEs Competitiveness for exports

Scheduling commitments under the WTO TFA Improving inter-agency coordination and SME involvement in PPD

Enhancing transparency and access to information

Improving efficiency of cross-border procedures

Strengthening SMEs ability to cross borders

A holistic approach beyond TFA

Facilitating public-private dialogue in trade policy formulation

Collaborating with leading public and private TF agencies

Implementing TFA to promote and deepen regional integration





• Insufficient coordination between agencies within the country

• Enhance the scope and capacity of Trade Facilitation Committee for a proper interagency dialogue and coordinated action



Other cross-cutting issues

- Administrative hurdles to obtain licenses, permits and certification (including certificate of origin)
- Lack of information and communication gaps
- Lack of harmonized system / standards in regional trade
- Lack of proper and fast channel for companies to report trade obstacles
- Negative country image of the international markets
- Concentrated export basket





 Administrative hurdles to obtain licenses, permits and certification (including certificate of origin)

Multiple and duplicate documentation, long processing times and common practice of informal payments are the main issues that need to be addressed.

- Relevant authorities must simplify and expedite the processes of issuing export licences, permits and certificates.
 - Online application submission will facilitate the process
 - Electronic payments



2

Lack of information and communication gaps

Many problems encountered during export and import procedures, such as errors, delays and misunderstandings, are due to companies not having a reliable source of information on the trade requirements of partner countries and Bangladesh.

Information is scattered and not updated which often mislead companies.

New developments and services to facilitate trade are sometimes not communicated adequately

- Better and updated information and transparency needed on trade rules and procedures.
 - Bangladesh needs a reliable source and proper dissemination (business guide / trade portal etc.) of information for exporters and importers.
 - Improve communication channels between authorities and business associations; and between business associations and their members





• Lack of harmonized system / standards in regional trade

- Bangladeshi exporters face a considerable number of obstacles when trading within South Asia. Most of the regional NTMs are related to conformity assessment.
- Scope for improvement through regional integration in South Asia
- The establishment of South Asian Regional Standards Organization (SARSO), with its headquarter in Dhaka, has created a great opportunity for Bangladesh to push for harmonization of standards across the South Asian countries and non-conditional acceptance of national certification in every member country.





 Lack of proper and fast channel for companies to report trade obstacles

- Establish an online reporting mechanism and NTM Monitoring Committee.
- To monitor and address the various difficulties faced by exporters and importers, an online reporting mechanism should be established.
 - This portal would allow users to report problems directly via text message or online.
- An NTM Monitoring Committee should be established to monitor complaints and follow up and correct these issues.
- ITC's Trade Obstacle Alert Mechanism (TOAM) successfully implemented in two countries: Mauritius and Ivory Coast – in collaboration with the national governments.
 - Similar exercise a possibility in Bangladesh



5

Negative country image of the international markets

Bangladesh garment industry has suffered from negative image due to labor / work environment conditions.

Rebranding of country image as a safe and fair work place is necessary especially for the Garment industry

- National technical framework on labour / work environment must be reviewed and enhanced that meet high international standards.
 - This will eliminate companies' difficulties complying with multitued of buyer mandated standards that are sometimes conflicting
- Training of regulatory bodies and proper implementations.
- Country re-branding necessary:
 - Effort should be made to promote Bangladeshi garment industry as a safe workplace and fair labour practices following proper review / implementation of national standards.





Concentrated export basket

Bangladesh should diversify its export portfolio and trading partners, and encourage value addition.

- To effectively integrate with the international market and global value chain and to reduce its vulnerability to external shocks Bangladesh should diversify its export portfolio and its export markets.
- These will require further liberalization of tariff and removal of different supply side bottlenecks including access to finance, weak physical infrastructure, inefficient ports and high transport costs, shortage of skilled workers, technological bottlenecks, lack of entrepreneurship and management skills, lack of information, and high costs of doing business.



For more information:



ITC publication series on NTMs

Making Regional Integration Work – Company perspectives on Non-Tariff Measures in Arab States (Oct 2015)

The Invisible Barriers to Trade – How Businesses Experience Non-Tariff Measures (2015)



Country reports

Burkina Faso (French, 2011) Morocco (French, 2012)
Cambodia (English, 2014) Paraguay (Spanish, 2013)

Côte d'Ivoire (French, 2014) Peru (English, 2012; Spanish, 2013)

Guinea (French, 2015)

Jamaica (English, 2013)

Kazakhstan (English, Russian, 2014)

Rwanda (English, 2014)

Senegal (French, 2014)

Sri Lanka (English, 2011)

Kenya (English, 2014) State of Palestine (English, 2015)

Madagascar (French, 2013) Trinidad and Tobago (English, 2013)

Malawi (English, 2013)

Tunisia (French, 2014)

Mauritius (English, 2014)

Uruguay (Spanish, 2013)

Available from: www.ntmsurvey.org/publication







TRADE IMPA FOR GO



ITC Survey results online:

www.ntmsurvey.org

Launched in July 2015



NTM BUSINESS SURVEYS

Giving Small and Medium-sized Enterprises a Voice



HOME NTM SURVEY DATA WHAT WE DO PUBLICATIONS SUPPORT MATERIALS MORE

THE INVISIBLE BARRIERS TO TRADE

How Businesses Experience Non-Tariff Measures







A new ITC publication presenting the NTM Business Surveys - a series of surveys on the perception of exporters and importers on regulatory and procedural obstacles to trade.





NTM Business Survey

ITC surveys companies in developing countries about the regulatory and procedural obstacles to trade they face at home and abroad.

Select a country for more information on the survey implementation and results.

Select...

V

News



ITC highlights SME trade costs at WTO Aid for Trade Review



ITC shines light on how NTMs affect small firms

ANALYSE SURVEY DATA

Identify what are the major types of regulatory and procedural obstacles to trade that companies face, why they are perceived as burdensome and where do these difficulties occur.



COMPARE COUNTRIES

Compare the perceptions of different types of companies (sizes and sectors) from various countries on the regulatory and procedural obstacles to trade they face.



LEARN ABOUT NTMS

Take an online course to learn more about NTMs and its impact on companies, ITC's programme on NTMs, and results of the NTM business surveys in 23 countries.



EVENTS

Upcoming (30 June 2015)
Getting Past Non-Tariff Measures:
Reducing Costs for Business.
ITC side event at the 5th Global
Review of Aid for Trade.



Thank you!









For further information:

ITC Programme on NTMs

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www.ntmsurvey.org/bangladesh





