



# Non-Tariff Measures in ASEAN

Bangkok, 12-16 Dec  
2016

**ERNAWATI MUNADI**

WTO/ESCAP-ARTNeT Capacity Building Workshop for  
Trade Research on “Empirical Methods in Trade:  
Analyzing Non-tariff measures”,

# Outline:

1. Introduction
2. NTMs Data Collection in ASEAN
3. ASEAN NTMs Database
4. Some Findings
5. Conclusions

# 1. Introduction

- To gain market access opportunities depends on the compliance with non-tariff measures (NTMs).
- Many NTMs have primarily non-trade objectives, they may affect trade and represent a major challenge.
  - To understand the use of NTMs and their implications is important.
- Comprehensive, systematic and reliable information about NTMs is unfortunately scarce to obtain.
  - The collection of NTM data is a highly resource-intensive task and requires specific, technical knowledge.

## 2. NTMs Data Collection in ASEAN

**National team of ASEAN countries** (economists and government officials)–ERIA–UNCTAD

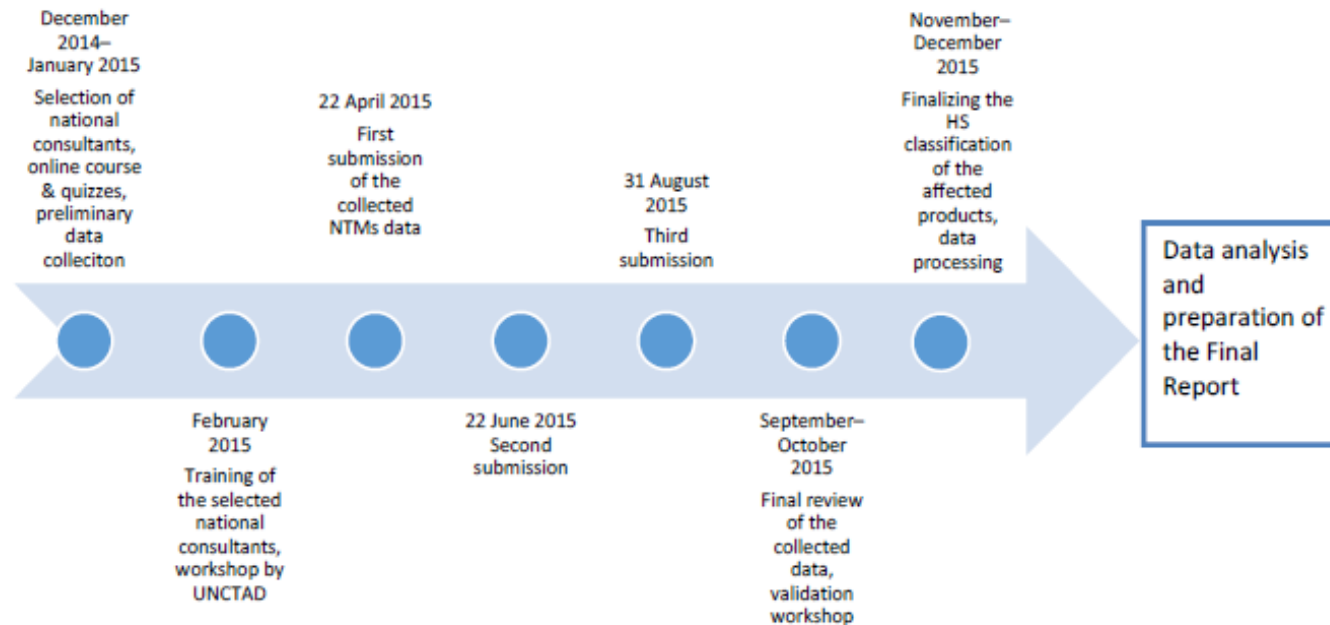
Objectives:

1. To upgrade the ASEAN 2009 database and update it regularly
2. To provide insights on NTMs and take necessary policy actions to maintain a conducive trade environment

Project Outputs

1. Phase I: Database (Jan 2016) and Country Report (Apr 2016)
2. Phase II: Analyses on NTMs in ASEAN (Jan 2017)

## 2. Project Time Frame:



HS = Harmonized System; UNCTAD = United Nations Conference on Trade and Development.

Source: Prepared by the authors.

## 2. ASEAN-ERIA-UNCTAD Team

Project Coordinators:

Lili Yan Ing (ERIA) and Santiago de Cordoba (UNCTAD)

### **Output 1. NTM Database (January 2016) and Country Report (April 2016)**

National team (10 ASEAN countries: economists and government officials)

1. Brunei: MOFA (Yusri Yahya) and Prasetya Mulya (Ruth Elisabeth)
2. Cambodia: CICP (Chap Sotharith)
3. Laos: NERI (Amphaphone Sayasenh)
4. Indonesia: Wijaya Kusuma University (Ernawati Munadi)
5. Malaysia: University of Malaya (Evelyn Devadason)
6. Myanmar: Yangon Institute of Economics (Daw Zin Zin Naing)
7. Philippines: CATIF, University of Philippines (Loreli deDios)
8. Singapore: SIIA (Hank Lim)
9. Thailand: TDRI (Chedtha Intaravitak)
10. Vietnam: CIEM (Anh Duong)

The core team: Rizqy Anandhika, Fabien Dumesnil, Denise Panello Rial, Michelle Kristy, Maxim Gubarev, Chi Le Ngo

## 2. NTMs ASEAN Database

The main value added of 2016 ASEAN NTM database:

1. Cover all regulations including all international conventions that have been in effect by January 2015
2. Use the national tariff lines (up to 8 digit level for most of ASEAN countries, and can be up to HS 9- or 10-digit level for a number of countries)
3. Use the MAST-Classification February 2012, which makes the data internationally comparable.
4. The work is conducted by national experts (local think tanks) in collaboration with government officials

# 3. ASEAN NTMs Database

PDF ERIA-UNCTAD\_Non-Tariff\_M UNCTAD - Integrated Tr +

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Available search criteria

Selected search criteria

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

Member(s) imposing: Any

Partner(s) affected: Any [Include the category "All members"]

Date(s): 03/12/2016 [in force]

Modify

Search result

Numbers cannot be compared

HS Code	Product description	TBT	SPS	INSP	CTPM	QC	PC	EXP	OTH
	<b>Total</b>	<b>2528</b>	<b>1938</b>	<b>151</b>	<b>122</b>	<b>157</b>	<b>194</b>	<b>759</b>	<b>32</b>
▶ Sec. I	Live animals and products	277	746	27		21	51	247	8
▶ Sec. II	Vegetable products	414	773	55	2	37	53	252	14
▶ Sec. III	Animal and vegetable fats, oils and waxes	162	321	10		12	29	141	7
▶ Sec. IV	Prepared foodstuff; beverages, spirits, vinegar; tobacco	663	851	24		34	72	201	11
▶ Sec. IX	Wood, cork and articles; basketware	64	65	12		10	21	127	7



# 3. ASEAN NTMs Database

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Member(s) imposing:

Any

Partner(s) affected:

Any [Include the category "All members"]

Date(s):

03/12/2016 [in force]

Product(s):

Any

Modify

Search result

Numbers cannot be compared

NTM Code	Description	AFRICA	ASIA	EUROPE	LAC	NORTHERN AMERICA	OCEANIA
▶ A	Sanitary and Phytosanitary		<a href="#">1938</a>				
▶ B	Technical Barriers to Trade		<a href="#">2528</a>				
▶ C	Pre-shipment inspection		<a href="#">151</a>				
▶ D	Contingent trade-protective measures		<a href="#">121</a>				
▶ E	Quantity control measures		<a href="#">157</a>				

# 3. ASEAN NTMs Database

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Member(s) imposing:

Any

Partner(s) affected:

Any [Include the category "All members"]

Date(s):

03/12/2016 [in force]

Product(s):

Any

Modify

Search result


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		CTPM	EXP	INSP	OTH	PC	QC	SPS	TBT
Asia	Brunei Darussalam		<u>46</u>	<u>1</u>		<u>18</u>	<u>2</u>	<u>161</u>	<u>288</u>
	Cambodia		<u>70</u>	<u>1</u>		<u>12</u>	<u>3</u>	<u>36</u>	<u>121</u>
	Indonesia	<u>44</u>	<u>74</u>	<u>53</u>	<u>4</u>	<u>5</u>	<u>8</u>	<u>125</u>	<u>321</u>
	Lao People's Democratic Republic		<u>82</u>	<u>14</u>	<u>1</u>	<u>48</u>	<u>26</u>	<u>38</u>	<u>82</u>
	Malaysia	<u>24</u>	<u>72</u>	<u>5</u>		<u>12</u>	<u>9</u>	<u>260</u>	<u>331</u>
	M		<u>25</u>	<u>2</u>	<u>1</u>	<u>12</u>	<u>5</u>	<u>75</u>	<u>41</u>


# 3. ASEAN NTMs Database

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**Available search criteria**

☒ Product(s) affected by the measure

☒ Member(s) imposing the measure

☒ Partner(s) affected by the measure

☒ Measures

☒ Date(s)

**Selected search criteria**

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

Member(s) imposing: Any

Partner(s) affected: Any [Include the category "All members"]

Date(s): 03/12/2016 [in force]

Product(s): Any Search

**Search result**

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Measures: Sanitary and Phytosanitary [SPS] [A], Technical Barriers to Trade [TBT] [B], Pre-shipment inspection [INSP] [C], Contingent trade protective measures [CTPM] [D], Quantity control measures [QC] [E], Price control measures [PC] [F], Other measures [OTH] [G,H,I,J,K,L,M,N,O], Export-related measures [EXP] [P]  
Member(s) imposing: Indonesia  
Partner(s) affected: Any [Include the category "All members"]  
Date(s): 03/12/2016 [in force]  
Product(s): Any

Modify

Search result

Your query covers 634 measures and  
Your selection resulted in 634 measures

Export to excel Return to summary

Measures:

Member imposing	Partner affected	Category	Measure description	Also domestic	Product description	HS	Source	National legal basis	In force Withdrawn
Indonesia	China	CTPM D11	Antidumping investigation on Hot-rolled plate from China	No	Hot-rolled plate	720852	WTO iTip and World Bank Temporary Trade Barriers Database -		31/03/2010
Indonesia	Singapore	CTPM D11	Antidumping investigation on Hot-rolled plate from Singapore	No	Hot-rolled plate	720852	WTO iTip and World Bank Temporary Trade Barriers Database -		31/03/2010
Indonesia	Ukraine	CTPM D11	Antidumping investigation on Hot-rolled plate from Ukraine	No	Hot-rolled plate	720851	WTO iTip and World Bank Temporary Trade Barriers Database -		31/03/2010
Indonesia	China	CTPM D11	Antidumping investigation on Tinplate Coil/Sheet from China	No	Tinplate Coil/Sheet	721012	WTO iTip and World Bank Temporary Trade Barriers Database -		25/06/2012
Indonesia	China	CTPM D11	Antidumping investigation on Polyethylene tere-phthalate (PET) from China	No	Polyethylene tere-phthalate (PET)	390760	WTO iTip and World Bank Temporary Trade Barriers Database -		29/06/2012

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## 4. Findings

While tariffs have been reduced, the number of **non-tariff measures** (NTMs) is increasing,

and it is often blamed to be a source of the lack of integration in ASEAN.

## 4. Findings

Tariff in ASEAN has been declined from **8.9% - 4.5%** between 2000-2015, by 2010 tariff have been eliminated on **98% of products lines** by ASEAN 6, and by 2018 by CLMV

Intra-ASEAN trade increased merely from **23% - 25.5%** within 2000-2014 with Good Agreement Preferences suffer from chronic under utilization.

ROO and NTMs, whose number swelled from 1,634 to 9,975.

Indeed, most traded products are today covered by one measures or another, with a number of countries **having all imports covered** (100% coverage ratio).

## 4. Findings

Coverage ratio are all high reflecting a spectacular rise in NTMs where tariff steadily cut

	NTM Coverage (Simple average) <sup>a</sup>	NTM Coverage (weighted average) <sup>b</sup>	Trade Year Used <sup>c</sup>	Remarks
Brunei Darussalam	65%	57%	2014	
Cambodia	100%	100%	2014 (mirrored)	NTMs on all products since 2008
Indonesia	75%	72%	2014	
Lao PDR	100%	100%	2014 (mirrored)	NTMs on all products since 2012
Malaysia	71%	69%	2014	
Myanmar	42%	42%	2014 (mirrored)	
Philippines	100%	100%	2014 (mirrored)	NTMs on all products since 1976
Singapore	100%	100%	2014	NTMs on all products since 1999
Thailand	100%	100%	2014	NTMs on all products since 1992
Viet Nam	100%	100%	2014	NTMs on all products since 2007

Note:

Source: Ing, Cadot, Anandhika and Urata, based on 2016 ASEAN-ERIA-UNCTAD NTM database, *Non-Tariff Measures in ASEAN*

<sup>a/</sup> Simple tariff line means we treat 1 NTM in national tariff line as 1 NTM in 6-digit Harmonized System (HS) code.

<sup>b/</sup> Weighted tariff line means we treat 1 NTM in national tariff line as 1 divided by number of national lines in the respective 6-digit HS code.

<sup>c/</sup> Trade year used is based on latest available import data for HS-6 digit from WITS, World Bank.

# 4. Findings

## Brunei Darussalam Cambodia

Number	Comprehensiveness	Number
1	Total number of coded regulations	58
2	Total number of coded regulations reported to the WTO	2
3	Total number of coded NTMs	516
4	Total affected products (HS lines, national tariff lines)	
	a. Total number of affected products <sup>a/</sup>	5,613
	b. Share of the number of affected products to the number of total products (%) <sup>b/</sup>	56.6%
5	Total number of issuing institutions	29

Notes:

<sup>a/</sup> One product may be affected by more than one measure, but the same HS-coded product will be counted as one product, e.g., HS 840731 has three NTMs, so it is counted as ‘one affected product’.

<sup>b/</sup> Brunei adopts the HS-10 digit at national tariff lines and it has 9,916 tariff lines. Among these 9,916 products, 5,613 products are affected by NTMs, so the share of the affected products to the number of total products is 56.6 percent.

Source: Authors’ calculation based on the newly constructed 2015 NTM database ASEAN-ERIA-UNCTAD raw data

Number	Comprehensiveness	Number
1	Total number of coded regulations	52
2	Total number of coded regulations reported to the WTO	3
3	Total number of coded NTMs	243
4	Total affected products (HS lines, national tariff lines)	
	Total number of affected products <sup>a/</sup>	9,558
	Share of the number of affected products to the number of total products (%) <sup>b/</sup>	100%
5	Total number of issuing institutions	14

Notes:

<sup>a/</sup> One product may be affected by more than one measure, but the same HS-coded product will be counted as one product, e.g., HS 840731 has three NTMs, so it is it will be counted as one affected product.

<sup>b/</sup> Cambodia adopts the HS-8 digit code at national tariff lines and it has 9,558 tariff lines. All 9,558 products are affected by NTMs, so the share of the affected products to the number of total products is 100 percent.

Source: Authors’ calculation based on the newly constructed 2015 NTM database ASEAN-ERIA-UNCTAD raw data.



## 4. Findings

Indonesia  
LAO PDR

Number	Comprehensiveness	Number
1	Total NTM-related regulations	199
2	Total NTM reported to the WTO	–
3	Total number of coded NTMs	638
4	Total affected products (HS lines, national tariff lines)	
	a. Total number of affected products	5,712
	b. Share of the number of affected products to the number of total products (%)	57.05%
5	Total issuing institutions	14

Source: Authors' calculation based on the newly constructed 2015 NTM database ASEAN-ERIA-UNCTAD raw data.

Number	Comprehensiveness	Number
1	Total NTM-related regulations	70
2	Total NTM reported to the WTO	12
3	Total number of coded NTMs	301
4	Total affected products (HS lines, national tariff lines)	
	a. Total number of affected products	9,558
	b. Share of the number of affected products to the number of total products (%)	100%
5	Total issuing institutions	14

Source: Authors' calculation based on the newly constructed 2015 NTM database ASEAN-ERIA-UNCTAD raw data.

# 4. Findings

Malaysia

Myanmar

No.	Comprehensiveness	Number
1	Total NTM-related regulations	64
2	Total NTM reported to the WTO	252
3	Total number of coded NTMs	713
4	Total affected products (HS lines, national tariff lines)	
	a. Total number of affected products	5,127
	b. Share of the number of affected products to the number of total products (%)	54.44%
5	Total issuing institutions	13

Notes: The total number of notifications made at the WTO by Malaysia for TBTs is 216 and for SPS, 36.  
Source: Authors’ calculation based on the newly constructed 2015 NTM database ASEAN-ERIA-UNCTAD raw data.

Number	Comprehensiveness	Number
1	Total NTM-related regulations	36
2	Total NTM reported to the WTO	0
3	Total number of coded NTMs	172
4	Total affected products (HS lines, national tariff lines)	
	a. Total number of affected products	4,663
	b. Share of the number of affected products to the number of total products (%)	48.8%
5	Total issuing institutions	8

Source: Authors’ calculation based on the newly constructed 2015 NTM database ASEAN-ERIA-UNCTAD raw data.

# 4. Findings

Philippines  
Singapore

Comprehensiveness Indicator	Number
Total number of coded regulations	295
Total number of coded NTMs	854
Total number of coded NTMs reported to the WTO	542
Total number of affected products (HS lines)	9,820
Proportion of products affected (%)	100%
Total issuing institutions	37

Source: Authors’ calculation based on the newly constructed 2015 NTM database ASEAN-ERIA-UNCTAD raw data.

	Comprehensiveness Indicator	Number
1	Total NTM-related regulations	115 regulations
2	Total NTM reported to the WTO	32 regulations
3	Total number of coded NTMs	529 measures
4	Total affected products (HS lines, national tariff lines)	
	a. Total number of affected products	9,558 products
	b. Share of the number of affected products to the number of total products (%)	100%
5	Total issuing institutions	25 institutions

Source: Authors’ calculation based on the newly constructed 2015 NTM database ASEAN-ERIA-UNCTAD raw data.

# 4. Findings

## Thailand Vietnam

	Comprehensiveness	Number
1	Total number of coded regulations	425
2	Total number of 'NTMs' reported to the WTO (measures in force)	250
3	Total number of coded NTMs	1630
4	Total affected products (HS lines, national tariff lines)	
	a. Total number of affected products <sup>a</sup>	9558
	b. Share of the number of affected products to the number of total products <sup>b</sup>	98.9%
5	Total number of 'regulatory agencies'	26

Note: a. A product may be affected by more than one measure, but the same HS-coded product will be counted as one product, e.g. HS 840731 has three NTMs; it will be counted as 'one affected product'.

b. Thailand adopts the HS-8 digit at national tariff lines and has 9,664 tariff lines.

Source: Authors' calculation based on the newly constructed 2015 NTM database ASEAN-ERIA-UNCTAD raw data.

	Comprehensiveness	Number
1	Total number of coded regulations	121
2	Total number of 'NTMs' reported to the WTO	142
3	Total number of coded NTMs	379
4	Total affected products (HS lines, national tariff lines)	
	a. Total number of affected products <sup>a</sup>	9,558
	b. Share of the number of affected products to the number of total products <sup>b</sup>	100%
5	Total number of 'regulatory agencies'	15

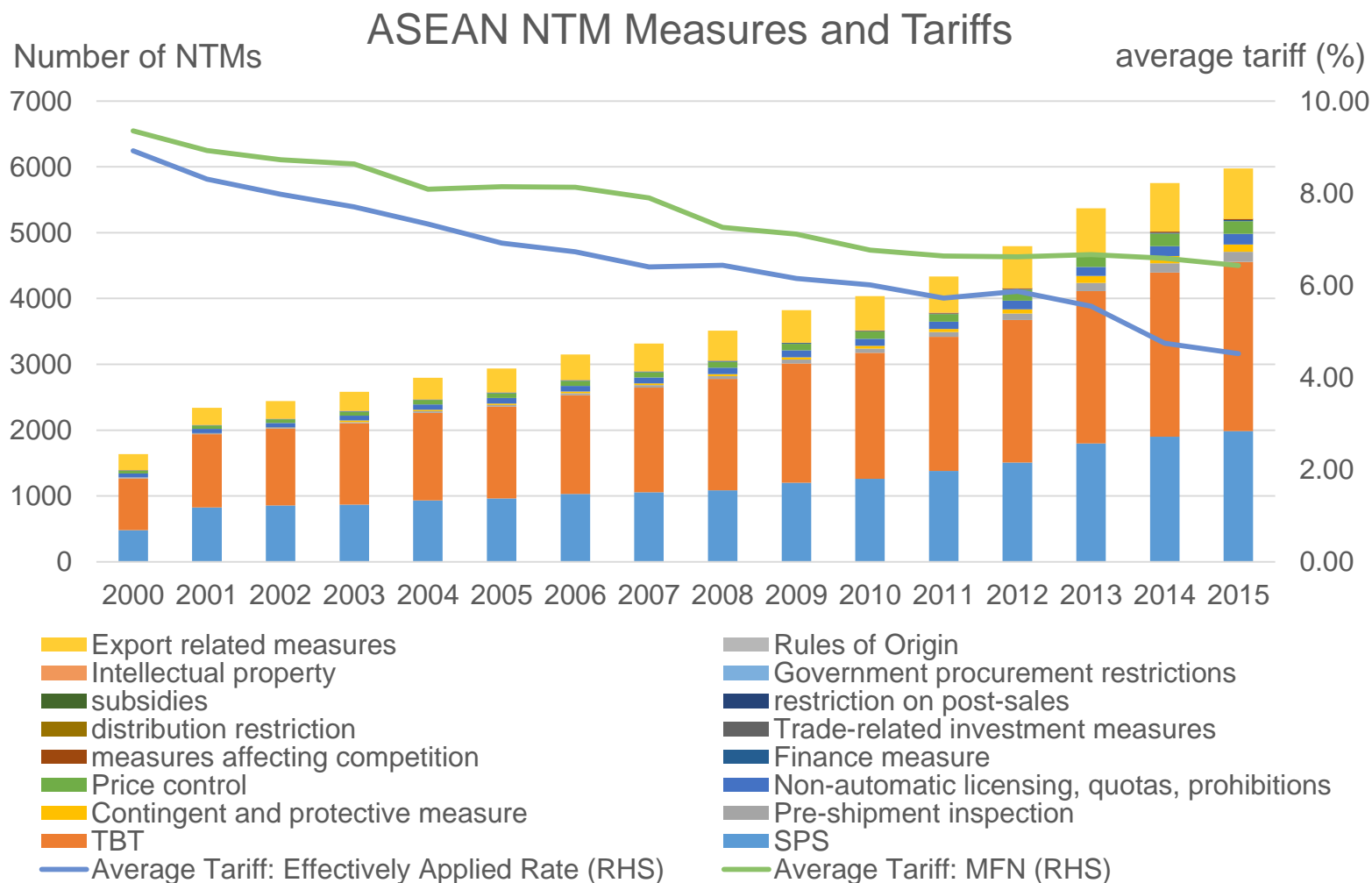
HS = Harmonized System; NTM = non-tariff measure; WTO = World Trade Organization.

Note: a. A product may be affected by more than one measure, but the same HS-coded product will be counted as one product, e.g., HS 840731 has three NTMs; it will be counted as 'one affected product'.

b. Viet Nam adopts the HS-8 digit at national tariff lines and has 9558 tariff lines.

Source: Authors' calculation based on the newly constructed 2015 NTM database ASEAN-ERIA-UNCTAD raw data.

# 4. Findings



Source: Ing, Cadot, Anandhika and Urata, based on 2016 ASEAN-ERIA-UNCTAD NTM database, *Non-Tariff Measures in ASEAN*

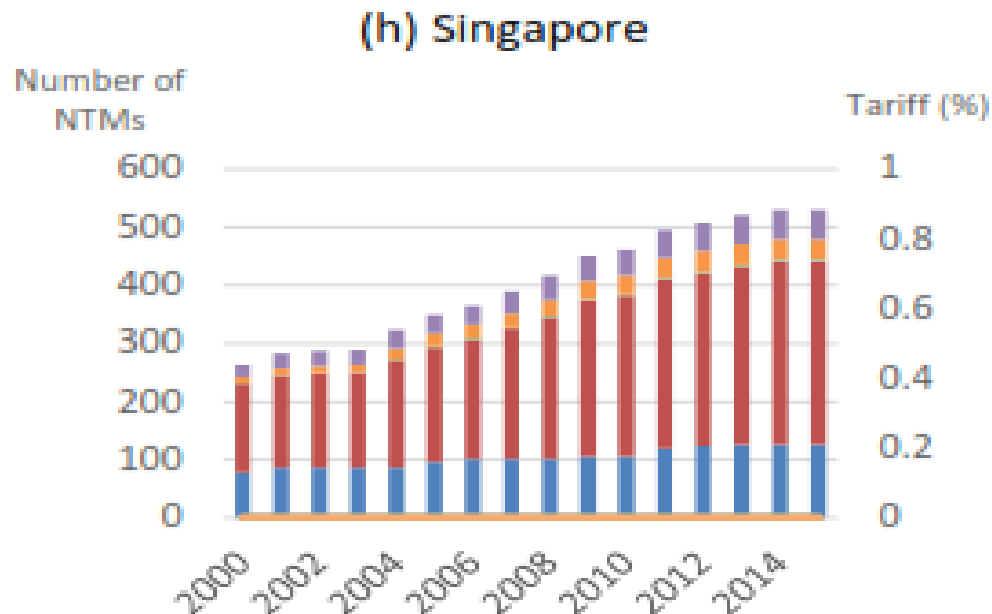
# 4. Findings

Analysis in **two alternative ways**-different implication

- As substitute of shrinking tariff - **PE Hypothesis** – Countries resort NTMs to perform an equal protectionism function as tariff
- **IE Hypothesis** - the two parallel system of modernizing economy – consumer demanding of more product variety and safety
  - **Empirical evidence**: average unit value of country's import increase with its level of income – with or without standard consumer tend to switch higher quality and saver products when their income increase – expanding regulation.
  - **Trade liberalization theory**: (i) growing demand for product variety – regulatory inflation, (ii) leads to more variety of import source – regulatory control

## 4. Findings

Trends by county offer a diverse picture - profile and timing of the decrease in tariffs and rise in NTMs, although the overall trend is qualitatively the same for many.



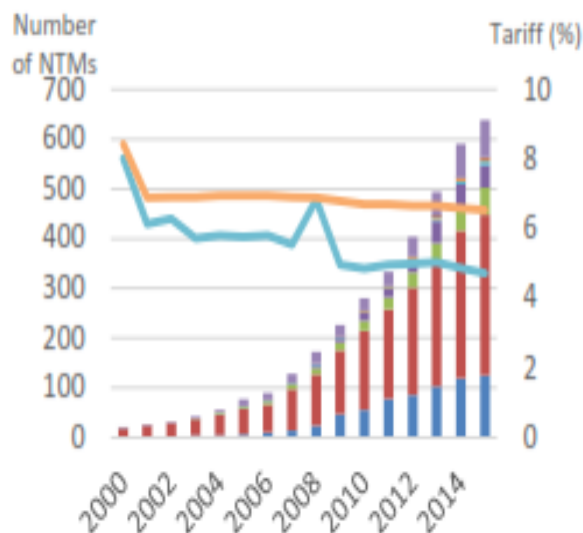
Singapore has seen a rise in the number of its NTMs, even though it had no tariffs to eliminate at the start

# 4. Findings

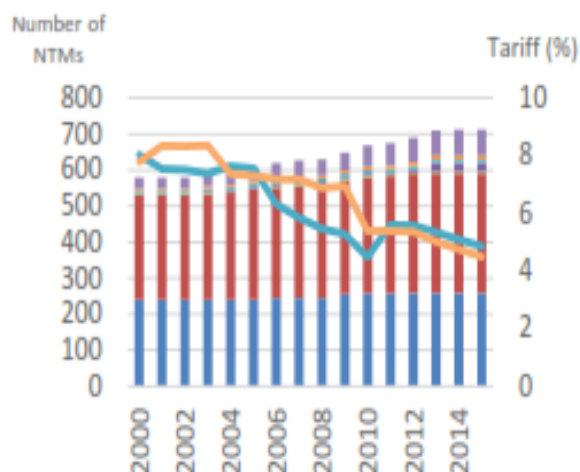
Indonesia, Malaysia and the Philippines are three cases of moderate decreases in preferential tariff with largely unchanged on MFNs.

The rise in NTMs has been steady, a high base in Malaysia

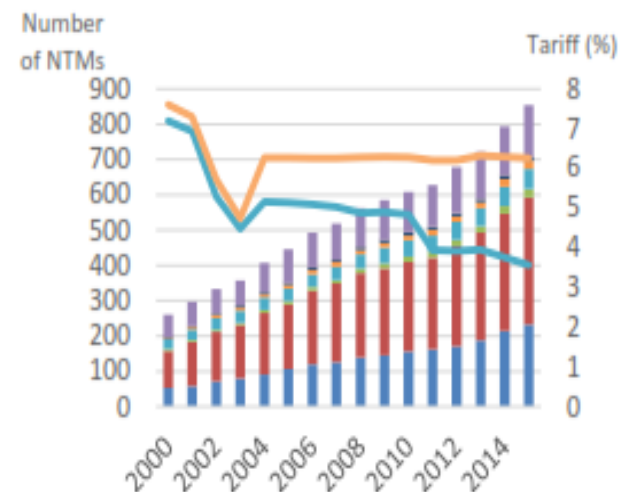
(c) Indonesia



(e) Malaysia



(g) Philippines



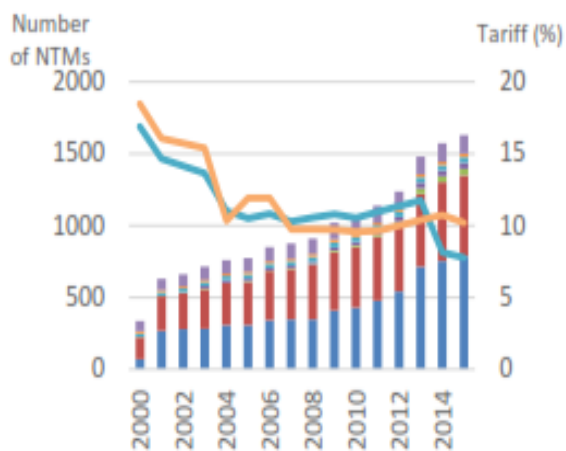
Source: Ing, Cadot, Anandhika and Urata, based on 2016 ASEAN-ERIA-UNCTAD NTM database, *Non-Tariff Measures in ASEAN*



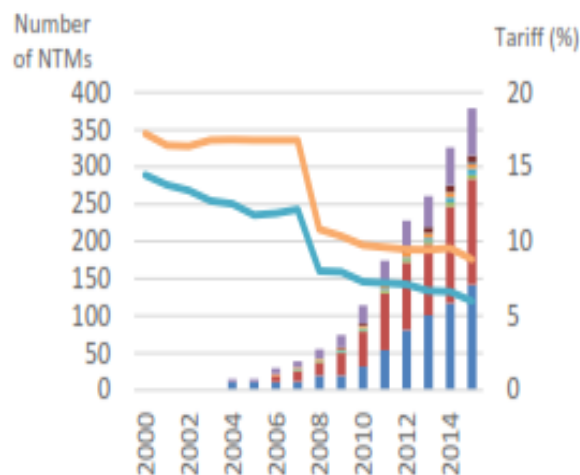
# 4. Findings

Cambodia, Viet Nam, and Thailand have undergone more energetic tariff reductions, they have also had substantial rises in the number of NTMs.

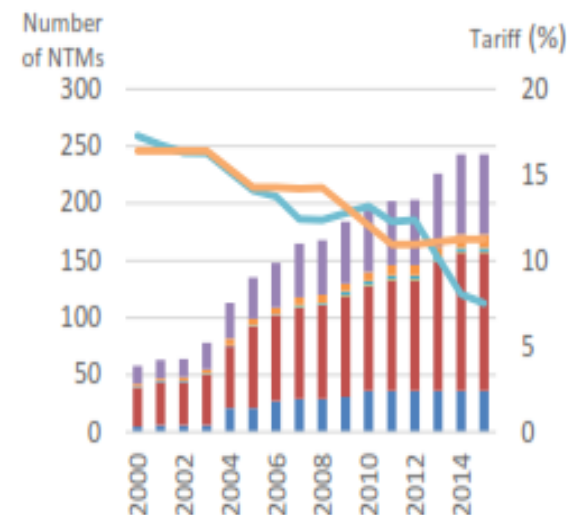
(i) Thailand



(j) Viet Nam



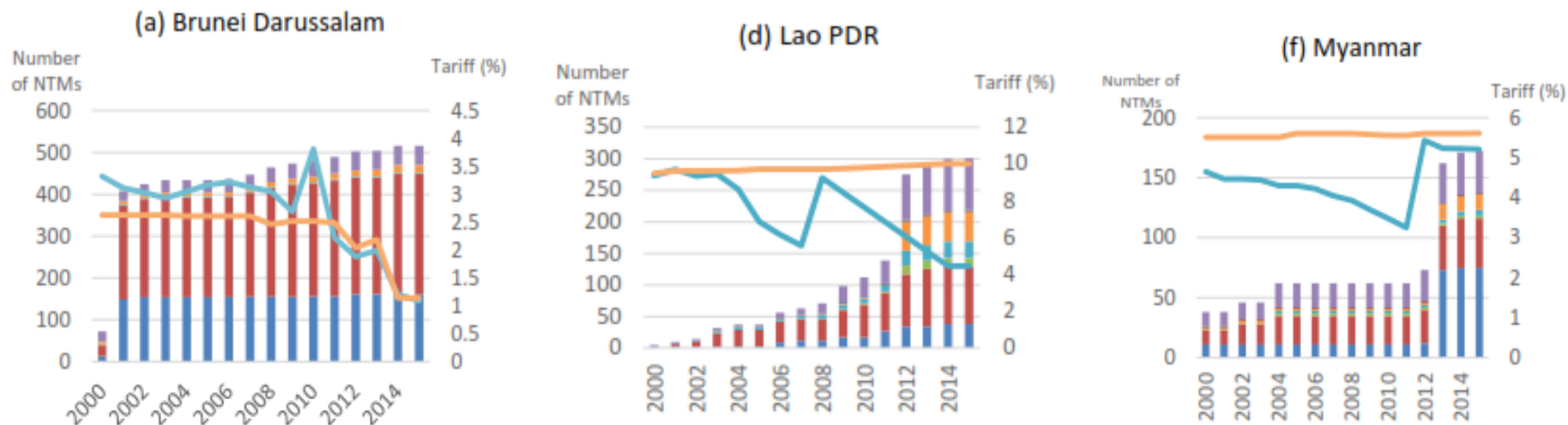
(b) Cambodia



Source: Ing, Cadot, Anandhika and Urata, based on 2016 ASEAN-ERIA-UNCTAD NTM database, *Non-Tariff Measures in ASEAN*

# 4. Findings

Other cases (Myanmar, Lao PDR, Brunei Darussalam) are in between or have idiosyncratic profiles.



Source: Ing, Cadot, Anandhika and Urata, based on 2016 ASEAN-ERIA-UNCTAD NTM database, *Non-Tariff Measures in ASEAN*

## 4. Findings

The breakdown by type of measures helps to discriminate between PE hypothesis and IE hypothesis

- IE hypothesis: NTMs inflation should be attributable primarily to instruments targeting **the quality of products**.
- SPS and TBT reason : **true in average**
- SPS and TBT together **account for 76.3%**

# 4. Findings

Code	NTMs by Type	Number of NTMs	%
A	Sanitary and phytosanitary (SPS) Measures	1,984	33.2
B	Technical Barrier to Trade (TBT)	2,573	43.1
C	Pre-Shipment inspection and other formalities	153	2.6
D	Contingent trade protective measures	112	1.9
E	Non-automatic licensing, quota, prohibitions and quantity control measures other than SPS and TBT reasons	159	2.7
F	Price control measures including additional taxes and charges	195	3.3
G	Finance measures	15	0.3
H	Measures affecting competition	16	0.3
I	Trade-related investment measures	0	0.0
J	Distribution restrictions	2	0.0
K	Restriction on post-sales services	0	0.0
L	Subsidies (excluding export subsidies under P7)	0	0.0
M	Government procurement restrictions	0	0.0
N	Intellectual property	0	0.0
O	Rules of origin	0	0.0
P	Export-related measures	766	12.8
Total Code NTMs		5,975	100

Measures in ASEAN

## 4. Findings

The breakdown by type of measures by country implies that the rise of NTMs in ASEAN is **inline with both PE and IE hypothesis**

- A number of countries is driven by SPS and TBT – **IE hypothesis.**
- A number of countries is driven by measures that have nothing to do with product safety – **PE hypothesis.**

# 4. Findings

The rise in NTMs in the Philippines, Singapore, Thailand and Viet Nam is driven by SPS and TBT measures. In Cambodia, Indonesia, Myanmar, and Lao PDR export-related and other measures that have nothing to do with product safety have also been on the rise

Country	Total (number)	SPS (%)	TBT (%)	Export related measures (%)	Others (%)
Brunei	516	31	56	9	4
Cambodia	243	15	50	29	7
Indonesia	638	20	51	12	18
Lao PDR	301	13	30	27	30
Malaysia	713	36	47	10	7
Myanmar	172	44	24	20	12
Philippines	854	27	42	17	13
Singapore	529	24	59	9	7
Thailand	1630	48	34	8	9
Viet Nam	379	37	37	17	8
Total / average	5975	29	43	16	12

## 4. Findings

The breakdown by product groups, the rise of NTMs in ASEAN has similar pattern, **inline with both PE and IE hypothesis**

- Products is ranging from sensitive from public-health perspective– **IE hypothesis.**
- to strategic economic sectors – **PE hypothesis.**

# 4. Findings

The most heavily regulated products are ranging from sensitive from public-health perspective to strategic economic sectors

HS Code	Product Group	Affected by 1 NTM	Affected by 2 NTMs	Affected by 3 NTMs or more
01-05	Animal & animal products	0%	0%	7%
06-15	Vegetable products	0%	0%	8%
16-24	Foodstuffs	0%	0%	6%
25-27	Mineral products	0%	0%	2%
28-38	Chemicals & allied industries	2%	2%	9%
39-40	Plastics/rubbers	1%	1%	2%
41-43	Raw hides, skins, leather, & furs	0%	0%	1%
44-49	Wood & wood products	0%	1%	6%
50-63	Textiles	1%	2%	6%
64-67	Footwear/headgear	0%	0%	0%
68-71	Stone/glass	1%	1%	1%
72-83	Metals	1%	2%	4%
84-85	Machinery/electrical	3%	6%	11%
86-89	Transportation	1%	1%	5%
90-99	Miscellaneous	1%	1%	3%

Sensitive from public health perspective

Strategic economic sector



## 4. Findings

Government Agencies responsible for issuing NTMs has the same pattern, **consistent with both PE and IE hypothesis**

- PE hypothesis – **Trade and industry ministries** to account for a substantial NTMs
- IE hypothesis – the **Health and Environment Ministries** to issue more
- Both hypothesis – measures issued by **Ministry of Agriculture** as agri-food products are both health sensitive and the object of strong protectionist pressures

## 4. Findings

NTMs is fragmented and spread over a large number of government agencies which has different mandates

Number	Ministry/agency	Number of NTMs	Total Number of NTMs (0%)
1	Ministry of Health	1868	31.3%
2	Ministry of Agriculture (including forestry, plantation, fisheries)	1865	31.2%
3	Ministry of Trade	468	7.8%
4	Other institutions (not mentioned in countries' table)	463	7.7%
5	Ministry of Industry	425	7.1%
6	Ministry of Environment, environmental agencies	178	3.0%
7	Government Office	175	2.9%
8	World Trade Organization (provided by WTO)	87	1.5%
9	Ministry of Finance	86	1.4%
10	Ministry of Energy, energy agency	64	1.1%
11	Other institutions	296	5.0%
Total NTMs		5975	100.0%

Source: Ing, Cadot, Anandhika and Urata, based on 2016 ASEAN-ERIA-UNCTAD NTM database, *Non-Tariff Measures in ASEAN*

# 4. Findings

## Brunei Darussalam

Number.	Issuing Institution	Number of NTMs	Total Number of NTMs (%)
1	Ministry of Health	393	57.46
2	Ministry of Industry and Primary Resources	59	8.63
3	Department of Agriculture and Agrifood	45	6.58
4	Ministry of Religious Affairs	26	3.80
5	Royal Customs and Excise Department	25	3.65
6	Ministry of Finance	18	2.63
7	Department of Forestry	16	2.34
8	Authority for Info-communications Technology Industry	11	1.61
9	Ministry of Communication	10	1.46
10	Department of Land Transport	9	1.32
11	Other institutions	72	10.53
	Total	684*	100

Note: Total number of NTMs is 516, of which 168 were jointly issued by institutions.

Source: Authors' calculation based on the newly constructed 2015 NTM database ASEAN-ERIA-UNCTAD raw data

## Cambodia

Number	Issuing Institution	Number of NTMs	Total Number of NTMs (%)
1	Ministry of Agriculture, Forestry and Fishery	174	49
2	Ministry of Health	46	13
3	Ministry of Industry, Mines and Energy	34	10
4	Ministry of Economic and Finance	23	6
5	Ministry of Industry and Handicraft	21	6
6	Ministry of Interior	12	3
7	Ministry of Commerce	11	3
8	Ministry of Environment	11	3
9	National Steering Committee for Biosafety	7	2
10	National Bank of Cambodia	5	1
11	Other institutions	13	4
	Total	357*	100

Note: \* There are 114 NTMs issued by joint institutions.

Source: Authors' calculation based on the newly constructed 2015 NTM database ASEAN-ERIA-UNCTAD raw data

# 4. Findings

## Indonesia

Number	Issuing Institution	Number of NTMs	Total Number of NTMs (%)
1	Ministry of Trade	186	29.2
2	Ministry of Industry	139	21.8
3	Ministry of Agriculture	92	14.4
4	Ministry of Marine and Fisheries	70	11.0
5	World Trade Organization (the information is provided by the WTO)*	44	6.9
6	Ministry of Industry and Trade	30	4.7
8	Ministry of Energy and Mineral Resources	17	2.7
9	Ministry of Health	23	3.6
10	National Agency of Drug and Food Control	10	1.6
11	Others	27	4.2
	TOTAL	638	100

Note: \*) Data on measures of Antidumping, counter failing duties and safeguards are provided by the WTO.

The WTO does not issue any regulations.

Source: Author's calculations.

## Lao PDR

Number	Issuing Agency	Number of NTMs	Total NTMs (%)
1	Government's Office	55	18.27
2	Ministry of Health	53	17.61
3	Ministry of Finance	22	7.31
4	Ministry Agriculture and Forestry	60	19.93
5	Ministry of Natural Resource and Environment	6	1.99
6	Ministry of Industry and Commerce	56	18.60
7	Ministry of Public Work and Transport	7	2.33
8	Ministry of Energy and Mine	6	1.99
9	Ministry of National Defence	9	2.99
10	Ministry of Information Culture and Tourism	10	3.32
11	Ministry of Telecommunication and Post	6	1.99
12	President's Office	1	0.33
13	Bank of Lao PDR	9	2.99
14	Ministry of Home Affairs	1	0.33
	Total	301	100

Sources: Authors' calculation based on the newly constructed 2015 NTM database ASEAN-ERIA-UNCTAD raw data.

# 4. Findings

## Malaysia

Number	Issuing Institutions	Number of NTMs	%
1	Ministry of Health	502	70.41
2	Ministry of Agriculture and Agro-Based Industry	86	12.06
3	Ministry of Natural Resources and Environment	39	5.47
4	Ministry of Plantation Industries and Commodities	27	3.79
5	Ministry of Human Resources Malaysia	14	1.96
6	Ministry of Finance	13	1.82
7	Ministry of Foreign Affairs	9	1.26
8	Ministry of Home Affairs	8	1.12
9	Energy Commission	5	0.70
10	Malaysian Communications and Multimedia Commission	4	0.56
11	Other Institutions	6	0.84
Total		713	100.00

Source: Authors' calculation based on the newly constructed 2015 NTM database ASEAN-ERIA-UNCTAD raw data.

## Cambodia

Number	Issuing Institution	Number of	Total Number of
1	Ministry of Agriculture and Irrigation	22	13
2	Ministry of Health	18	10
3	Myanma Petroleum Product Enterprise,	9	5
4	Ministry of Livestock, Fisheries, and Rural	85	49
5	Ministry of Forestry and Environmental	19	11
6	Ministry of Communication and Information	2	1
7	Ministry of Home Affairs	16	9
8	Ministry of Commerce	1	1
Total		172	100

Source: Authors' calculation based on the newly constructed 2015 NTM database ASEAN-ERIA-UNCTAD raw data.

# 4. Findings

## Singapore

Number	Issuing Institution	Number of NTMs	Total Number of NTMs (%)
1	Agri-Food & Veterinary Authority	317	59.92
2	Health Science Authority	38	7.18
3	National Environment Agency	22	4.16
4	Ministry of Health	18	3.40
5	Singapore Customs Authority	18	3.40
6	National Environmental Agency, Ministry of the Environment	14	2.65
7	Singapore Armed Forces, Singapore Police Force	11	2.08
8	Singapore Civil Defence Force	10	1.89
9	Minister for Health	8	1.51
10	Ministry of Trade and Industry (MTI), International Enterprise Singapore Board, Customs Authority	8	1.51
11	The rest institutions	65	12.29
	Total	529	100.00

Source: Authors' calculation based on the newly constructed 2015 NTM database ASEAN-ERIA-UNCTAD raw data.

## Thailand

Number	Issuing Institution	Number of NTMs	Total Number of NTMs (%)
1	Agri-Food & Veterinary Authority	317	59.92
2	Health Science Authority	38	7.18
3	National Environment Agency	22	4.16
4	Ministry of Health	18	3.40
5	Singapore Customs Authority	18	3.40
6	National Environmental Agency, Ministry of the Environment	14	2.65
7	Singapore Armed Forces, Singapore Police Force	11	2.08
8	Singapore Civil Defence Force	10	1.89
9	Minister for Health	8	1.51
10	Ministry of Trade and Industry (MTI), International Enterprise Singapore Board, Customs Authority	8	1.51
11	The rest institutions	65	12.29
	Total	529	100.00

Source: Authors' calculation based on the newly constructed 2015 NTM database ASEAN-ERIA-UNCTAD raw data.

## 4. Findings

### Other facts and some consequences:

- Personnel are unlikely to have much in common in term of training and vision – **NTMs are so purely design**
- The externalities would not be taken into account in national decision making – **Outcome wouldn't be optimal**
- **Coordination problem exists** within countries within countries in the area of NTMs – both developing and implementation

### 3. Conclusions

...unlike tariffs, NTMs could play a role of check and balance for the quality of goods.

**Transparency.** There is limited information about NTMs.

**Institution.** The governments know little about incentives and even less about how to design market-based regulations, confusing effective with cumbersome.

**Coordination mechanism.** NTMs typically span the competencies of several ministries, with no coordination mechanisms to make the necessary trade-offs.

Many regulations are poorly designed, failing to protect the public while unnecessarily complicating business



# 3. Recommendations

## **NTMs transparency**

- Accurate data
- Dissemination

## **NTMs streamlining**

- Regional bargaining chips was failed
- National regulatory improvement agenda
  - Set up NTMs national committee

To review NTMs stock + endowed with technical staff capable of performing analytical review and producing recommendations for regulatory reform

**THANK YOU**