

WTO WORKSHOP ON NAMA

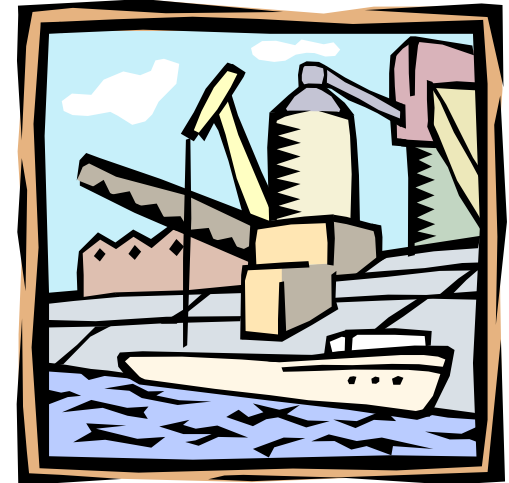
Market Access Related Issues: Some Background

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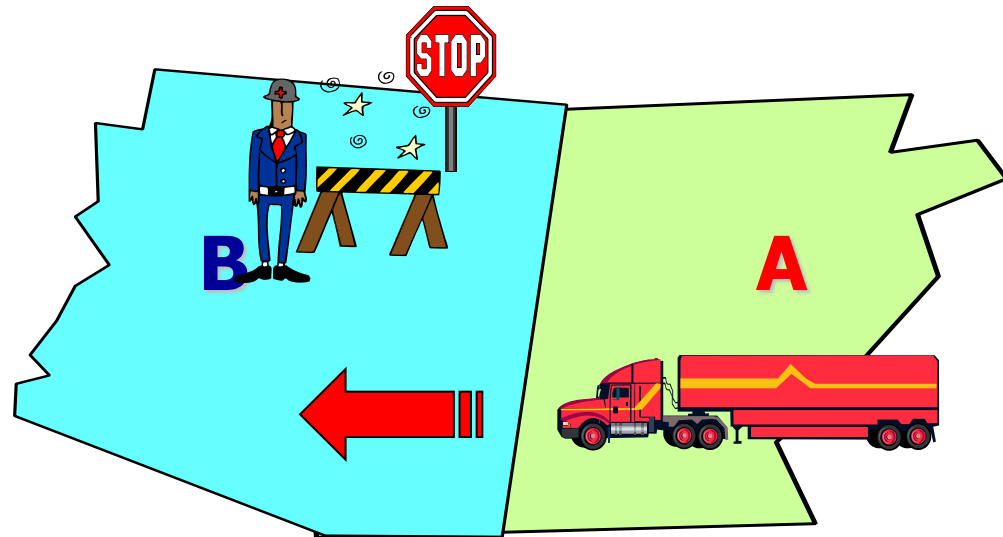
1. What is Market Access?

- In the WTO framework, the term stands for the totality of government-imposed conditions (regulations/measures) under which a product from one country may **enter another country under non-discriminatory conditions**.
- Market access in the WTO sense is regulated most of the time through **border measures** including, inter alia, tariffs, tariff rate quotas, quantitative restrictions and other non-tariff measures.



2. Why do we need a legal framework?

- What market access could an exporter from **territory A** expect to have in territory B?
- How can **territory B** regulate the access of foreign goods into its territory?



3. GATT/WTO: ensuring market access

- Predictable and growing access to markets for goods and services is one of the goals of the WTO
- **Basic Principles:** Non discrimination (MFN / National Treatment) and transparency
- **Predictable:** binding commitments
- **Growing access:** periodic “rounds” of negotiations

Most Favoured Nation (GATT Article I)

Main idea: any advantage, favour, privilege or immunity granted by a Member to any product for any other country shall be accorded to the like product of all other Members

National Treatment (GATT Article III)

Main idea: internal taxes and laws, regulations and requirements affecting the internal sale, purchase, transportation, etc. should not be used to afford protection to domestic production



4. Types of MA barriers on trade in goods

In the GATT/WTO framework there are 2 basic types of barriers to trade in goods:

1. Tariffs
2. Non-Tariff Barriers

