

## **Non-tariff Barriers Restricting Arab Trade in Light of WTO and GAFTA Agreements**

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### **ABSTRACT**

According to the GATT agreement, states cannot impose any barriers to trade, but there are some other barriers states may impose in order to fulfill several objectives. They serve as a balance between what GATT imposes and the interests of the states.

This article is a try to analyze some examples of the NTBs that restrict the Trade between Arab countries by identifying different forms of NTBs that restrict free trade under World Trade Organization (WTO) agreements, including TBT, dumping, safeguards and analyzing the Agreement to Facilitate and Develop Trade Among the Arab States and how they handle these examples of NTBs, in order to evaluate the harmonization between WTO /TBT agreement and the agreement to facilitate and develop trade among the Arab States."

**Keywords:** Trade Barriers, WTO, GAFTA, TBT, Dumping, Safeguard Measures.

### **Introduction**

Non-tariff measures (NTMs) could be defined as "Policy measures, other than ordinary customs tariffs, that can potentially have an economic effect on international trade in goods, changing quantities traded, and prices or both". (Nicita :2009) According to the GATT agreement, states cannot impose any barriers to trade, but there are some other barriers states may impose in order to fulfill several objectives. They serve as a balance between what GATT imposes and the interests of the states, for example, the protection of national production and to protect the health and safety of the people.

Non-Tariff Barriers (NTBs) refer to restrictions states imposed to serve several objectives aiming to make import or export of products more difficult and/or costly. NTBs also include unjustified and/or improper application of measures (NTMs) such as sanitary and phytosanitary (SPS) measures and other technical barriers to trade (TBT) when those measures are applied beyond their objectives. Both measures were imposed by government to favor domestic over foreign suppliers.

Some says that the definition of NTMs should include all measures that alter the conditions of international trade including policies and regulations that restrict trade, as well as those that facilitate it. ( Nicita :2009) The researcher do agree with this opinion because some of these measures could be used to facilitate the trade not only to restrict it. Measures such as technical barriers to trade (TBT) subsidies for antidumping and safeguards can be abused for protectionist purposes as political tools in times of economic crises and in view of national policy challenges. (UNCTAD:2013)

In this article objective is to analyze some examples of the NTBs that restrict the Arab Trade by identifying different forms of NTBs that restrict free trade under World Trade Organization (WTO) agreements. Some of these include TBT, dumping, safeguards and analyzing the agreement to facilitate and develop trade among the Arab States

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and how they handle these examples of NTBs, in order to evaluate the harmonization between WTO /TBT agreement and the agreement to facilitate and develop trade among the Arab States.

This is will lead us to compare NTBs under WTO / TBT with those that agreed upon by Arab states in agreements to facilitate and develop trade among the Arab States, in order to reach a conclusion and recommendations. In the following two sections the research will cover different forms of NTBs that restrict free trade under both World Trade Organization (WTO) and Great Arab Free Trade Area (GAFTA) agreements.

#### Study Problem:

This article is a try to Identify the different forms of NTBs that restrict Arab trade within the framework of the WTO and GAFTA agreements in order to evaluate the harmonization between WTO /TBT agreement and the agreement to facilitate and develop trade among the Arab States.

#### Study Methodology:

Objective of this study may be achieved by analyzing the text of WTO multilateral agreements as well as the text of the GAFTA agreement to compare the NTBs in WTO / TBT with what those Arab states agreed on agreement to facilitate and develop trade among Arab States, to analyze the different forms of NTBs that restrict Arab trade.

The study will adopt the descriptive and analytical inductive method, by analyzing the provisions of WTO multilateral international agreements, comparing them with the GAFTA agreements with a review to the different jurisprudence opinions regarding each topic and provide the personal opinion of the researcher.

## 2. Non Tariff Barriers and WTO

### 2.1 The TBT Agreement

The TBT agreement was conducted at Tokyo Round as conclusion to efforts started in the 1970s. The TBT Agreement was signed on 12 April 1979 then entered into force on 1 January 1980. The TBT Agreement deals with technical regulations, standards and conformity assessment procedures in general, but it does not include any measures aiming at food, human, animal and plant safety or health. Such topics are subject of another multilateral agreement on the application of sanitary and phytosanitary measures (the SPS Agreement). (WTO:2015)

The TBT Agreement applies to:

- Technical regulations: Measures which lay down product characteristics or their related processes and production methods, with which compliance is mandatory.
- Standards: Measures approved by a Recognized Body that provide, for common and repeated use, rules, guidelines or characteristics for products or related processes and production methods.
- Conformity assessment procedures: Procedures used, directly or indirectly, to determine the fulfillment of relevant requirements contained in technical regulations or standards.

According to the TBT agreement, such measures and procedures must not be prepared, adopted or applied to create unnecessary obstacles to international trade. The prevention of unnecessary obstacles to international trade is a principle applicable to technical regulations, standards and conformity assessment procedures, but its application is not necessarily identical in all three areas.

The obligation to prevent unnecessary obstacles to international trade is set in the following Articles of the agreement:

Article 2.2 of the TBT agreement clarifies what are unnecessary obstacles to international trade by setting three points as standards that the regulations must meet:

- (1) “such regulations must limit the restriction to trade in the scope of necessary to achieve a policy goal that the regulations set to achieve, according to (the least-trade-restrictive measure),”

For example, the conformity assessment procedures shall not be more strict, or be applied more strict than is necessary, in order to give the importing states necessary confidence that products are according to the applicable technical regulations or standards. (WTO - THAILAND:1990)

The term "reasonable" does not appear in the definition of "necessary" in the TBT 'Agreement but there is no little doubt that a requirement of reasonableness must be read into Article 2.2 of the TBT Agreement, as it was in Article XX of the GATT (In both the Korea-Beef" and the BC - Asbestos" decisions the Appellate Body examined what constitutes a "reasonably available" measure for purposes of the exceptions (predicated on the necessary test) set forth in Article XX(b) and (d).)

(2) Such regulations must fulfill a legitimate objective,

And as a clarify to the term of legitimate objective Article 2.2 set forth a non- exclusive list. Legitimate objectives examples include: (UNCTAD:2013)

- national security requirements,
- prevention of deceptive practices,
- protection of human health or safety,
- protection of animal life or health,
- protection of the environment, and
- Other undefined objectives.

(3) Changed circumstances.

Article 2.3 of the TBT Agreement dealt with the situation of circumstances change: (UNCTAD:2003)

"2.3 Technical regulations shall not be maintained if the circumstances or objectives giving rise to their adoption no longer exist or if the changed circumstances or objectives can be addressed in a less trade-restrictive manner, the more restrictive trade measure must be removed".

In order to find out if the circumstances are changed, an estimation and decomposition of tariff equivalent of NTBs can be reviewed. Four approaches to measure Non- Tariff Barriers can be distinguished: (Abdelbasset:2008)

1. "Price-differential approach". The height of NTBs is calculated as the difference between the import price and the domestic price of each commodity.
2. Disparity between domestic and foreign prices at the consumption level.
3. Estimating gravity equation and treating the unexplained residual error as tariff and non-tariff barriers.
4. Comprehensive list of individual NTBs, and use a frequency measure based on the number of cases as the basis for an international comparison.

All of these approaches have positive and negative impacts.

The first method, the price-differential approach, is considered as a means of quantitatively measuring NTBs. It has been widely applied. This approach has some problems. For example, it is necessary to make sure that the quality and the detailed commodity composition of the imports and the demand in domestic country that are the subject of the comparison are in fact identical. Another caveat is that although subsidies for domestic production impede imports we cannot measure effects by using this approach. (Abdelbasset:2008)

The second approach to estimating the height of NTBs is problematic: many estimates concerning absolute purchasing power parities are on an expenditure basis. This results in various problems, including the fact that it is not easy to create data on an industry-by-industry basis and to take account of differences in distribution margins and trading costs among countries. With this approach, it is also difficult to treat tariff barriers and Non- Tariff Barriers separately.

As for the third method, describing the unexplained error to tariffs and Non- Tariff Barriers leads to an over-estimation of their height since there are a number of other factors that are responsible for residual errors (such as imports from overseas affiliates).

There are many estimates of gravity models at the macro-level, the number of estimates at the dis aggregated commodity level is limited. The fourth approach, for example, has the following drawback: because it is based on qualitative and not quantitative information on NTBs, it is difficult to estimate either the tariff equivalent of NTBs or the welfare gain from their removal. (Abdelbasset:2008)

Therefore, given the prevalence of quantitative restrictions in Arab trade regimes, the estimation of tariff-equivalents of non-tariff barriers is required for any comprehensive analysis of trade reform in Arab countries.

## 2.2 Anti-dumping.

International trade law contains some exceptions that allow states leniency - particularly developing countries - in order to protect their local industry. Exceptions such as anti dumping measures. Some of these exceptions could be found in (GATT) Agreement and Agreement on Implementation of Article VI of (GATT). (Sikander:2014) Antidumping measures prohibit foreign industry from "dumping" their stock at low prices (even below cost) in the imported countries. (Sikander:2014)

Under Article VI of GATT 1947, dumping could be the cause of injury suffered by a domestic industry. The Article allowed an "anti-dumping duty" to be imposed in order to reduce the impact of dumping. (Morgan:1996)

Article VI requires a determination of material injury, but does not contain any guidelines as to determine the impact of such injury, it is very clear that the scope of these measures are unclear, countries therefore can enact numerous NTBs under the umbrella of the antidumping measures. (Schottn :1994)

Article VI of GATT and the Agreement authorizes the Members to impose specific measures on imports under certain conditions. These conditions can be summarized by demonstrating that the dumping is causing injury the national industry by the importing Member, which can be determined after conducting an investigation. (Morgan:1996)

Under Article VI of GATT 1994, and the Agreement, WTO Members can impose anti-dumping measures if a determination is made: (Bown:2007)

- (a) That dumping is occurring;
- (b) That there is an injury occurring, or threat of injury, to the domestic industry producing a like product as the importing country.
- (c) That there is a causal link between dumping and injury.

In addition to substantive rules governing the determination of dumping, injury, and causal link, the Agreement sets forth detailed procedural rules for the initiation and conduct of investigations, the imposition of measures, and the duration and review of measures.

The text Article VI of the GATT reads in relevant portion:

Anti-dumping and countervailing duties.

"1. Members recognize that dumping, by which products of one country are introduced into the commerce of another country at less than the normal value of the products, is to be condemned if it causes or threatens material injury to an established industry in the territory of a Member or materially retards the establishment of a domestic industry."

"2. In order to offset or prevent dumping, a Member may levy on any dumped product an anti-dumping duty not greater in amount than the margin of dumping in respect of such product. For the purposes of this Article, the margin of dumping is the price difference determined in accordance with the provisions of paragraph 1."

Further, the Anti-Dumping Agreement states: Article 1 (Principles)

"An anti-dumping measure shall be applied only under the circumstances provided for in Article VI of GATT 1994 and pursuant to investigations initiated and conducted in accordance with the provisions of this Agreement. The following provisions govern the application of Article VI of GATT 1994 in so far as action is taken under anti-dumping legislation or regulations".

Determination of Dumping.

Any dumping calculation will include the following four steps: (Taylor:2009)

- The export price;
- The normal value;
- The adjusted normal value and the adjusted export price; and

- The margin of dumping.

Anti-dumping and countervailing measures were not prohibited under the WTO Agreements, but were subjected to some restrictions and conditions. States employed these protections at times to protect its manufacturers from dumping. However, some states abuse these protections in a way has not been in the benefit of free trade. (Olivier and Mariem:2012)

Therefore, to avoid any abuse of anti-dumping and as an example of transparency, all states have to provide detailed semi-annual reports regarding their anti-dumping measures, explain which Members and products are affected and the dates when the measure was imposed and when it will be terminated.

### **2.3- Safeguard Measures.**

As mentioned before there are some measures set as exceptions in trade law for protecting local industry: one of these exceptions is safeguard measures. GATT (Article XIX) and WTO Safeguards Agreement allow Members to derogate from the obligations of Article II (bindings) or Article XI (prohibition of quantitative restrictions) on a temporary basis and under certain conditions. (Marco:1998)

To ensure that this right to take safeguard measures does not undermine the basic market access disciplines central to the WTO system; Members have defined the conditions and limits of the use of the right to take safeguard measures. (Sykes: 2003)

#### **Definition of Safeguards.**

In summary, the Safeguard principle is defined as: "certain measures available to Members to protect, conditionally and temporarily, their domestic industry against unexpected economic circumstances". (Sykes: 2003)

Specific safeguard provisions could be found in the GATT and in several other agreements regarding trade in goods, and in the GATS - for trade in services. (Marco:1998)

Safeguard measures are usually taken to protect domestically produced goods.

The conditions and applicable principles are included in: (Sykes: 2003)

- GATT Art. XIX (General Safeguard). The rules were clarified and complemented by the Agreement on Safeguards, which is an integral part of the WTO Agreement;
- GATT Arts. XII and XVIIIB (Balance-of-Payment provisions);
- Art. 5 of the Agreement on Agriculture, which is an integral part of the WTO Agreement (Special Safeguard for certain agricultural products)

#### **GATT Article XIX and the Agreement on Safeguards.**

Emergency Action on Imports of Particular Products,

"1. (a) If, as a result of unforeseen developments and of the effect of the obligations incurred by a Member under this Agreement, including tariff concessions, any product is being imported into the territory of that Member in such increased quantities and under such conditions as to cause or threaten serious injury to domestic producers in that territory of like or directly competitive products, the Member shall be free, in respect of such product, and to the extent and for such time as may be necessary to prevent or remedy such injury, to suspend the obligation in whole or in part or to withdraw or modify the concession".( GATT Article XIX.)

In addition, the Agreement on Safeguards, adopted as part of the Uruguay Round package in 1994 stipulates in part: **Conditions of Safeguards**

"1. A Member may apply a safeguard measure to a product only if that Member has determined, pursuant to the provisions set out below, that such product is being imported into its territory in such increased quantities, absolute or relative to domestic production, and under such conditions as to cause or threaten to cause serious injury to the domestic industry that produces like or directly competitive products".

2. "Safeguard measures shall be applied to a product being imported irrespective of its source."

Conditions for application the Safeguard Measures Article 3 (Investigation).

According to Article 3 of Safeguard Agreement a Member may apply a safeguard measure only following an investigation, under the following circumstances:

"... as a result of unforeseen developments ..."

The unforeseen developments term in the article mean that safeguard measures could only be taken in unexpected circumstances.

"... if, ..., any product is being imported ... in such increased quantities and under such conditions ..."; and

"... if, ... that such product is being imported ... in such increased quantities, absolute or relative to domestic production, and under such conditions ..." (Agreement on Safeguards Article. 2.1.)

The reference to increased quantities being imported, either in absolute or in relative terms, is an indication of a "surge in imports".

The "surge in imports" should be examined in the light of the following:

- In contrast first, to the prevalent period prior to the safeguard measure sought to be undertaken; and
- Second, in respect of a like domestic product.

"Sudden increase" is therefore a relative term to be determined by the unusual situation of a given case. An import "surge" justifying safeguard action can be a real increase in imports (an absolute increase); or it can be an increase in the imports' share of a shrinking market, even if the import quantity has not increased (relative increase"). (Sykes:2003) "... to cause or threaten (to cause) serious injury to domestic producers ..."

Therefore, in order to impose safeguard measures Member must have determined that: (Sykes: 2003)

- The increasing in quantity of imported products.
- Serious injury occurring or about to the like domestic or competitive industry.
- Causality link between the serious injury (or threat thereof) and the increase in imports.

Article (9) of safeguard agreement describe how quotas can be allocated among supplying countries, in the case were imports came from many counties. (Agreement on Safeguards – WTO Article (9).)

Safeguard measures can take the form of an increased tariff (customs duty) - at a higher level than the bound rate, or if necessary a quota. In principle, safeguard measures have to be applied irrespective of source so generally, the MFN principle must be followed in the application of Safeguard measures. (Ehlermann:2003)

Safeguard measures must, in principle, be applied to all imports including regional imports, this rule of parallelism has been applied, and found to be violated, in only one set of circumstances, and namely where a WTO Member takes account of all imports in the injury determination, but then excludes regional imports from the application of the safeguard measure.(Joost:2003)

One example is Argentina – Safeguards (EC) case, when Argentina claimed an injury based on all its imports, including those from MERCOSUR countries. When Argentina applied the safeguard measure, it excluded the MERCOSUR countries. In this case the Appellate Body found as follows: (WTO: Appellate Body report on Argentina – Safeguards :1999)

"Argentina's investigation 'which evaluated whether serious injury or the threat thereof was caused by imports from all sources, could only lead to the imposition of safeguard measures on imports from all sources. Therefore, we conclude that Argentina's investigation, in this case, cannot serve as a basis for excluding imports from other MERCOSUR Member States from the application of the safeguard measures.' Governments may use the Safeguard as a hidden cover to protect their national industry which could lead to more restriction to international trade.

### **3. Non-tariff barriers and Great Arab Free Trade Area (GAFTA)**

#### **History of GAFTA Agreement**

On the 19th of February 1997, seventeen of the twenty-two Members of the League of Arab States signed an agreement in order to facilitate and develop trade among Arab States. This agreement was called the Great Arab Free

Trade Area (GAFTA) and entered into force on the 1st of January 1998. As a result it eliminated all tariffs among its Members as of the 1st of January 2005. (Ministry of Industry and Trade Jordan:2015)

The major objective of this agreement was to remove the tariff and non-tariff barriers on intra-GAFTA trade on manufactured goods. The agreement required at least 40% to be local value-added for products imported from GAFTA members in order to make them qualify for preferential treatment. Other bilateral trade agreements between some Arab countries and the US require 35% to be local value-added.

### **Non tariff barriers and performance of GAFTA.**

For many technical barriers to intra-Arab trade such as taxes and charges, the lists of exemptions and rules of origin have not been addressed by the GAFTA agreement. Therefore, we could say that the impact of GAFTA on Non-tariff measures (NTMs) among Arab regional trade has been very limited. ( Awad:2008)

GAFTA allows numerous commodities to be subject to tariff exemptions and left the door open for more to be introduced, which something that had been subject to much criticism by economists. Most of these exemptions have been applied to agricultural commodities. Each GAFTA country was allowed to use protectionist measures for, at most, ten agricultural products for seven months out of twelve months a year, with a maximum of 45 months, total, for a specific commodity.

The protectionist measures restrict intra-regional trade and its impact is expanding to counter the liberalization process. Their major reason to stand behind such exemptions is to protect certain commodities from competition from other countries in the region, particularly those participating in GAFTA. On the other hand, some GAFTA members, fearing strong competition from outside the region, are abusing the exemption list by adding products, which are subject to non-Arab competition, to their exception list. This hinders the effectiveness of GAFTA. (Zarrouk and Zallio:2000)

One possible solution to the problem is to amend the agreement in such a way to clarify standards recognizing what kind of products and commodities would be allowed on the exemptions list.

Most of the countries that are Members in the GAFTA agreement are currently pegged to the United States dollar mainly because the oil prices are quoted in dollars. When a currency is pegged, its value depends on the value of the stable currency as well as how much of the stable currency the country has in its possession. This is taking into account that some see this peg as disadvantageous to the area due to the falling value of the dollar and the gaining importance of other currencies, such as the euro.

The greater Arab region spans a great distance as well as consisting of difficult terrain. This is another major difficulty and could be responsible for the GAFTA agreement not achieving its full potential. The lack of transportation infrastructure is insufficient to support any increase of intra-regional trade. It is obvious that minimally paved roads and few rail links across countries, combined with border closures and customs bureaucracy will restrict the movement of goods and services throughout the region. GAFTA currently has no provisions to counter these factors. (Zarrouk and Zallio:2000)

There are few provisions in GAFTA concerning NTBs specifically, some of the very important domestic elements that could affect the trade in the region was ignored by GAFTA such as import licensing for safety and health standards, customs, subsidies, countervailing measures, safeguards, most favored nation status, and intellectual property rights. Therefore, we could say that even though most tariffs, with the exception of exempted commodities tariffs, were removed, intra-regional trade has not increased significantly because the NTBs are still having their impact on the Arab trade. (Abdmoulah:2011)

We need to take into consideration that not all GAFTA states are WTO Members. Therefore, they do not have any obligation regarding the WTO agreements to adhere to these standards. In addition, many of the GAFTA countries have entered into sub-regional and/or bilateral trade agreements that may have affected the ability of GAFTA to increase intra-regional trade throughout the region.

There is currently no mechanism in the GAFTA agreement that regulates bilateral agreements, and such agreements could have negative impact on GAFTA because preferential trading agreements do not work for the benefit of liberalizing trade in the region. They disrupt the concept of comparative advantage and cause a trade diversion. Reality is that there are staggering number of bilateral trade agreements between the regions countries, and this does create a concern if all of these agreements would be compatible with GAFTA and even between each other.

### Compatibility of GAFTA and WTO Agreements

GAFTA and the WTO are not directly compatible but neither violates each other (see Table 1). This is because GAFTA was actually created to be in line with WTO regulations; this is shown when GAFTA calls for the application of international rules for non-tariff barriers such as subsidies, countervailing measures, safeguards and anti-dumping. On the other side of the coin we could say that the compatibility of GAFTA with other sub-regional, bilateral free trade agreements and World Trade Organization (WTO) regulations is not yet fully agreed upon among economists.

**Table (1): Compatibility of GAFTA and WTO agreements.**

GAFTA Main regulation	WTO Compatibility
Gradual reduction in tariff rates, fees, and taxes with similar implications at an annual rate of 10%	Compatible with WTO agreements.
Removal of all non-tariff barriers	Compatible with WTO agreements.
Products that are forbidden to be traded for religious, environmental, security and health reasons are exempted from the Execution Program of GAFTA.	Compatible with WTO agreements.
Application of the “Agricultural Calendar” and agricultural exemptions	Compatible with WTO agreements.
Rules of Origin: a local-value-added content of 20% is required in order to qualify for preferential rules of origin within the framework of the GAFTA	NOT Compatible with WTO agreements. GATT has no specific rules governing the determination of the country of origin of goods in international commerce
The possibility of exempting a number of industrial products from the Execution Program of GAFTA, subject to certain rules and conditions	NOT Compatible with WTO agreements. No such provision

Source: Based on the provisions of GATT and GAFTA agreements.

### 4. Conclusions and recommendations

Non-tariff measures (NTMs) are policy and or measures that covers a wide variety of policy tools, both traditional and new, including SPS measures, TBTs, quotas, import and export licenses, export restrictions, customs surcharges, anti-dumping and safeguard measures. NTMs can be abused for protectionism purposes as political emotions outweigh experiences and the intellectual foundations of trade policy measures.

By comparing NTB under WTO / TBT with those that are agreed upon by the Arab states in the agreement to facilitate and develop trade among Arab States we conclude and recommend the following:

- Anti-dumping and countervailing measures are allowed under the WTO Agreements, but subject to certain restrictions and situations. These are enacted in situations in which the domestic industry is threatened by serious injury dumping or subsidized imports.
- States employ these protections at times to protect its manufacturers from dumping. However, how some states use these protections have not always been judicious and has not been in the interests of free trade; concerns

have been received regarding transparency and due.

- Safeguard measures are used to stem a rapid increase in imports that may cause "serious injury" to a domestic industry. Allowances for developing states allow such states to implement "measures affecting imports" to raise the "general standard of living" of their people. The main concern for this measure regarding the restriction of trade is that countries can enact NTBs under the garb of a recognized exemption to protect their national industry against the imports.
- Governments may use the safeguard as a hidden cover to protect their national industry and this will lead to more restrictions to international trade.
- Empirical evidence showed that the impact of the GAFTA on NTBs among Arab regional trade has been very limited. There are few provisions in GAFTA concerning NTBs specifically, though GAFTA does attempt to streamline intra-regional trade by making certain trade policies uniform.
- GAFTA and the WTO are not directly compatible but neither violates each other.

The study recommends:

- The estimation of tariff-equivalents to NTB is required for any comprehensive analysis of trade reform in Arab countries, given the prevalence of quantitative restrictions in Arab trade regimes, this may lead to an amendment to GAFTA agreement.
- Regional policies should shift from trade liberalization to the development of production capacities with structural linkages between production cycles and systems among the Arab countries.
- The region needs to develop its available resources, including human resources, and political mechanisms for governance.

This will automatically result in enhancing development cycles and increasing trade among Arab countries and their exports to foreign markets. Consequently, the right way forward is building production linkages and pursuing complementary development policies. By doing this, Arab countries can start to take on common regional projects with greater potential and with states that are ready for such initiatives.

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## المعوقات غير الجمركية التي تقييد التجارة العربية في ضوء اتفاقية منظمة التجارة العربية الكبرى

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### ملخص

وفقاً للاتفاقية العامة للتجارة والتعريفة (الجات)، فلا يمكن أن تفرض الدول أي حواجز أمام التجارة، إلا أن هناك عدد من العوائق التجارية التي يمكن للدول أن تفرضها لتحقيق توازن بين مصالحها ومتطلبات اتفاقية الجات. و من هنا تحاول الدراسة استعراض و تحليل بعض الأمثلة على العوائق غير الجمركية المقيدة للتجارة بين الدول العربية من خلال استعراض و تحليل عدد من هذه العوائق بما في ذلك التجارة بين الدول العربية من خلال تحديد أشكال مختلفة من الحواجز غير الجمركية التي تحد من التجارة الحرة في إطار منظمة الحواجز التقنية أمام التجارة، الإغراق و تدابير الحماية و مقارنة هذه العوائق مع ما تضمنته اتفاقية منطقة التجارة الحرة العربية الكبرى لبيان أوجه التشابه و الاختلاف بين ما تضمنته كلاً الاتفاقيتين من عوائق قد تحد من التجارة العربية.

**كلمات الدالة:** التجارة العالمية، اتفاقية منطقة التجارة الحرة العربية الكبرى، العوائق الفنية أمام التجارة، الإغراق ، تدابير الحماية.

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