

ALERT

U.S. Trade Representative Releases Comprehensive Lists of Foreign Trade Barriers in More than 60 Countries

April 3, 2012

As part of its effort to address and eliminate global trade barriers, the Obama Administration released its annual catalog of trade barriers in more than 60 countries around the world.

On April 2, 2012, the Office of the United States Trade Representative (USTR) released the 2012 National Trade Estimate Report on Foreign Trade Barriers (NTE). The Office of the USTR is required by statute to submit an annual report on significant foreign trade barriers to the President and to key Congressional committees. This year's report is more than 400 pages in length, surveying and analyzing foreign barriers to exports from the United States.

The section dealing with China is approximately 40 pages long. Other countries with particularly detailed lists of barriers include the European Union, India, Japan and Russia.

The NTE inventories those foreign barriers most significantly affecting U.S. exports of goods and services, foreign direct investment by U.S. persons and protection of intellectual property rights. This inventory, in turn, helps to facilitate negotiations to reduce or eliminate such barriers.

The barriers are listed in nine general categories:

- Import policies (e.g., tariffs, quotas, import charges, import licensing and customs barriers);
- Government procurement (e.g., "buy national" policies and closed bidding);

Authors

Alan H. Price
Partner
202.719.3375
aprice@wiley.law

Timothy C. Brightbill
Partner
202.719.3138
tbrightbill@wiley.law

Practice Areas

International Trade
Trade Policy and Trade Negotiations

- Export subsidies;
- Lack of intellectual property protection;
- Services barriers (e.g., limits on the range of financial services offered by foreign financial institutions, regulation of international data flows, barriers to the provision of services by foreign professionals);
- Investment barriers (e.g., limitations on foreign equity participation, local content requirements, technology transfer requirements and export performance requirements);
- Anticompetitive conduct of state-owned or private firms that restricts the sale or purchase of U.S. goods or services in the foreign country's markets;
- Trade restrictions affecting electronic commerce; and
- Other barriers (barriers that encompass more than one category, e.g., bribery and corruption, or that affect a single sector).

[Click here](#) for a link to the country-by-country list on the USTR site.

Along with the NTE, the USTR published its annual Technical Barriers to Trade Report (TBT Report). The TBT Report compiles non-tariff trade barriers to U.S. exports, including imposition of testing requirements, product standards and other technical requirements that limit trade in goods and services.