Ghana: Business perspectives
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INVISIBLE BARRIERS TO TRADE
About the paper

This report examines the experiences of Ghanaian exporters and importers with trade regulations and related procedural obstacles – highlighting their concerns and the challenges they face.

A survey of 960 traders on non-tariff measures found that almost half of exporters in Ghana encounter obstacles. This finding underscores the importance of the solutions proposed in the country’s National Export Development Strategy. The report finds that tackling foreign and domestic trade obstacles such as conformity assessment requirements, export inspections and customs clearance procedures could help Ghana boost its annual exports by up to $4.3 billion by 2025.

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For more information on NTM surveys, see www.ntmsurvey.org

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Ghana is one of Africa’s fastest-growing economies, with vast export possibilities that could open a new chapter in the country’s economic development. Even with the disruptions caused by the COVID-19 pandemic, Ghanaian exports have the potential to increase by up to $4.3 billion by 2025, according to the International Trade Centre’s (ITC) latest assessment. Translating this potential into practice can only happen, however, with better integration with global value chains.

But market frictions – such as non-tariff measures – put these prospects at risk, along with the benefits that they can bring, such as new jobs for women and youth. These market frictions particularly affect small firms looking to trade more across borders. In Ghana, micro, small and medium-sized enterprises make up 95% of companies, meaning that export-led growth cannot happen without them.

ITC business surveys on non-tariff measures identify key trade hurdles that companies face in a given country. They draw from extensive surveys of exporters and importers themselves, helping domestic policymakers determine where to focus their efforts when tackling trade costs and boosting competitiveness.

The results of ITC’s survey in Ghana make clear that many of the obstacles that businesses face are domestic, meaning that better market access can already begin at home. For instance, almost half of Ghana’s exporters face difficulties complying with restrictive regulations or related trade obstacles. Women entrepreneurs also face social constraints and a general lack of opportunities at the highest level of management in Ghanaian businesses.

This report supports the Government of Ghana’s efforts to help small businesses reach their full potential and craft a more inclusive and competitive trade policy that delivers on the country’s development priorities. ITC stands ready to continue working with policymakers and small businesses to make these goals a reality.

Pamela Coke-Hamilton
Executive Director
International Trade Centre
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### Acronyms

Unless otherwise specified, all references to dollars ($) are to United States dollars, and all references to tons are to metric tons.

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
</tr>
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<tbody>
<tr>
<td>CO</td>
<td>Certificate of origin</td>
</tr>
<tr>
<td>ECOWAS</td>
<td>Economic Community of West African States</td>
</tr>
<tr>
<td>EU</td>
<td>European Union</td>
</tr>
<tr>
<td>FDA</td>
<td>Food and Drugs Authority</td>
</tr>
<tr>
<td>GAP</td>
<td>Good Agricultural Practices</td>
</tr>
<tr>
<td>GCNet</td>
<td>Ghana Community Network</td>
</tr>
<tr>
<td>GHC</td>
<td>Ghanaian cedi</td>
</tr>
<tr>
<td>GMO</td>
<td>Genetically modified organism</td>
</tr>
<tr>
<td>GSA</td>
<td>Ghana Standards Authority</td>
</tr>
<tr>
<td>IATA</td>
<td>International Air Transport Association</td>
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<tr>
<td>ICT</td>
<td>Information and communications technology</td>
</tr>
<tr>
<td>ITC</td>
<td>International Trade Centre</td>
</tr>
<tr>
<td>MRL</td>
<td>Maximum residue limit</td>
</tr>
<tr>
<td>MSMEs</td>
<td>Micro, small and medium-sized enterprises</td>
</tr>
<tr>
<td>NAFDAC</td>
<td>National Agency for Food and Drug Administration and Control</td>
</tr>
<tr>
<td>NCA</td>
<td>National Communications Authority</td>
</tr>
<tr>
<td>NTM</td>
<td>Non-tariff measure</td>
</tr>
<tr>
<td>PO</td>
<td>Procedural obstacle</td>
</tr>
<tr>
<td>PPRSD</td>
<td>Plant Protection and Regulatory Services Directorate</td>
</tr>
<tr>
<td>SQF</td>
<td>Safe Quality Food</td>
</tr>
<tr>
<td>TIDD</td>
<td>Timber Industry Development Division</td>
</tr>
<tr>
<td>TRQ</td>
<td>Tariff-rate quota</td>
</tr>
<tr>
<td>UNCTAD</td>
<td>United Nations Conference on Trade and Development</td>
</tr>
<tr>
<td>VAT</td>
<td>Value-added tax</td>
</tr>
<tr>
<td>VEPRs</td>
<td>Voluntary export price restraints</td>
</tr>
<tr>
<td>WTO</td>
<td>World Trade Organization</td>
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</table>
Almost half of Ghanaian exporters face obstacles when exporting to foreign clients

- Non-tariff measures pose major challenges for most Ghanaian exporters of goods and services. Almost one in two of the 960 companies surveyed on NTMs in 2019–2020 said they struggled to comply with regulations or procedures related to trade in Ghana and abroad. These invisible barriers affect exporters (47%) more than importers (33%), with impacts varying across sectors and subsectors.

- Companies in manufacturing and agriculture are the most affected. In manufacturing, 48% of firms encounter difficulties, which slightly more than exporters of agricultural products (43%). These products are highly regulated to protect human health and the environment. In the services sector, almost one in two companies face obstacles when exporting – especially in the information and communications technology (ICT) sector, not only due to licensing requirements, but also when importing key inputs (such as information technology material or electronic components).

- Enterprises of all sizes are affected. About 72% of micro businesses, 48% of small firms, 39% of medium-sized companies and 71% of large businesses have problems with NTMs. But it is microenterprises that struggle the most with shouldering the costs of compliance.

- Both foreign and local regulations are burdensome. For exports of goods, partner (or destination) countries accounted for 69% of problematic regulations, while Ghana accounted for 31%. Similarly, for importers of goods, Ghana accounted for 33% of the troublesome regulations. Exporters generally agree that Ghanian standards and regulations are necessary vis-à-vis food sanitation and safety.

- The European Union (EU) and the Economic Community of West African States (ECOWAS) account for most NTM obstacles. The EU led with 34% of NTMs, followed by ECOWAS at 27%. Yet more NTMs does not necessarily mean greater trade volume. While 40% of Ghanaian exports are destined to Asia, only 11% of companies faced obstacles there. An exception is the EU, which secured a trade volume of 34%, matching its NTM share.
Technical measures and rules of origin requirements are the top challenge for exporters

- **Technical requirements (foreign and local) top the NTM obstacle list for goods exporters.** Technical measures (such as technical requirements and conformity assessment) account for 52% of the binding NTMs observed, followed by rules of origin (32%), export-related measures (10%) and quantity control measures (4%). Companies are struggling to obtain phytosanitary certificates and health certificates, and to meet labelling requirements in certain regions. However, the main concern is related to rules of origin, as regulations pertaining to proving the origin of a product change frequently.

- **Tax measures and technical requirements are a big concern for services exporters.** Technical measures and tax measures each account for 31% of the hurdles, followed by conditions on licensing, qualifications and registration (22%), and movement of natural persons (5%). The main concerns are the restructuring of the value-added tax and the weight of taxes for the tourism services providers, along with the clearing process for the transport services providers. ICT services providers mostly face barriers related to licensing procedures.

Procedures are a major obstacle for goods exporters

- **Domestic procedures can slow down business.** Exporters of goods and transport services often encounter difficulties with a regulation not only because it is too strict or complex, but also – and sometimes only – because of the steps they must take to comply with it. However, they are far more concerned about procedures, which two-thirds of the companies cite as the biggest export obstacle. Moreover, more than two-thirds of these cases occur in Ghana. Key concerns are the slowness of the procedures required for compliance and the high fees and charges needed to obtain certification or tests. Informal payments and administrative problems were also often reported. For example, for a conformity assessment certificate, many exporters pay bribes at each level of the inspection process to speed it up, given lengthy procedures and the multiple agencies involved.

Men own or manage nearly all businesses

- **Men continue to dominate Ghana’s trading companies.** The survey shows that men own or manage more than 90% of exporting and importing businesses. In addition, for almost half of the companies that employ women, less than 20% of the workforce are women. Plus, two-thirds of firms owned or managed by women face obstacles when exporting. The survey also reveals that, for various reasons, obstacles affect women-owned businesses more than men-owned businesses. Where do women stand on ownership and management? The survey shows that women own or manage 3% of companies and they both own and manage 4% of firms.

Box 1: Survey sample is representative of Ghanaian trade

The results presented in this report are based on a large-scale business survey (see Annex I) carried out by the International Trade Centre between October 2019 and June 2020. The NTM Business Survey in Ghana aims to provide a better understanding of the barriers that hold back exporters and importers, and to identify potential bottlenecks in trade procedures and cross-border operations. ITC surveyed 960 companies in Ghana, targeting active exporters.
GHANA COMPANIES: WHO ARE WE?

95% MPME

90% of trading companies are both owned and managed by men.

39% of services providers, less than a fifth of employees are under the age of 35.

44% of employees are under the age of 35.

Africa is the most important trading partner of interviewed companies.

- ECOWAS: 195
- Africa (except ECOWAS): 170
- European Union: 209
- Europe (except EU): 38
- United States: 80
- North America (except US): 26
- South America: 15

Companies interviewed:

- 960 companies surveyed in all regions of Ghana (from October 2019 to October 2020)

**GOODS**

- 338 Agriculture
- 356 Manufacturing

**SERVICES**

- 92 Transport and Logistics
- 105 Tourism and Travel
- 69 Information and Comm. Technology
AT A GLANCE: OBSTACLES

Do they export easily?

- **No**: 47%

Exports

- Regulatory obstacle: 5%
- Both: 26%
- Procedural obstacle: 67%

Imports

- Regulatory obstacle: 11%
- Both: 23%
- Procedural obstacle: 66%

Delays are the biggest procedural obstacle.

- Time constraints: 42%
- Informal or unusually high payments: 26%
- Administrative burdens: 17%
- Discriminating behavior of officials: 17%
- Lack of transparency: 5%
Technical measures for exports of goods account for the largest share of obstacles that hinder both agriculture (58%) and manufacturing (46%) sectors. Rules of origin and export related measures are a huge problem for exporters of manufactured goods (42%).

**Technical requirements (SPS/TBT)**

"We are required to get our wood fumigated to ensure there are no pests or insects and to keep the wood strong before exporting it. But the fumigation process takes a lot of time to complete, delaying exports."

"The company must submit samples to the European Pharmacopoeia to meet the regulation and standard requirements on Maximum Residues Limits when exporting medicinal plants. The procedure costs around 3'000 euros, and is time-consuming (5-18 months)."

**Conformity assessment (SPS/TBT)**

**Rules of origin**

"Besides the large number of different documents (15-16) to be submitted to acquire the Certificate of Origin, and the 21 working days delay, the GCNet system sometimes shuts down."

"Wood exporting companies are required to obtain a plantation permit from the Forestry Commission, before giving clearance to the companies to export. The permit process takes a lot of time and involves a lot of different documents."

**Export related measures**

"Some importing countries put price restriction on our product, called VEPRs (Voluntary export price restriction). As we do not want our production to spoil in the farm storage yard, we are pushed to agree with the terms."

"We export fresh tilapia to China, but currently, we exceed the quota given by the partner country. Sometimes the tilapia takes three months to clear after it arrives at the Chinese port, affecting plans and timelines."

**Other types of obstacles**

"We have difficulties with clearing the goods from the port because of the merchandise handling and storing fees. We are not allowed to clear the goods as soon as it lands at the port, so we need to wait around two weeks, increasing costs. These delays sometimes forced us to pay bribes to ensure the swift clearance of the products."

**Quantity control measures**

"Import obstacles"

<table>
<thead>
<tr>
<th>Type of Obstacle</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Technical requirements</td>
<td>52%</td>
</tr>
<tr>
<td>Conformity assessment</td>
<td>32%</td>
</tr>
<tr>
<td>Rules of origin</td>
<td>10%</td>
</tr>
<tr>
<td>Export related measures</td>
<td>5%</td>
</tr>
<tr>
<td>Other types of obstacles</td>
<td>4%</td>
</tr>
<tr>
<td>Quantity control measures</td>
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</tbody>
</table>
Tax measures highly affect all sectors, in particularly tourism and transport services. Technical requirements are also a burden for trade in transport services. The ICT sector faces additional difficulties with conditions on licensing and the movement of employees.

31%  Technical requirements

"The Government introduced the mandatory paperless port system. Instead of decreasing traffic and easing the movement of people in and out of the port, it caused lots of delays, increasing from 2 to 5 days to complete the process."

31%  Tax measures

"The Demurrage free window is only 7 days, but sometimes it takes up to 14 days before goods are cleared, which means we pay demurage on the extra days. Because of this, we are also required to pay container deposit fees in case required that container deposit fees are paid in case we do not return their containers in time. This makes the whole clearing process expensive."

22%  Conditions on licensing, qualifications and registration

"The Government increased the charges and prices for obtaining sector-specific certificates and licenses, backed by the companies Act 1963 (ACT 179)."

5%  Movement of natural persons

"Procedures involved in obtaining passports and travel certificates are difficult. Companies have to process about 4 documents that are difficult to obtain through the Ghana Immigration Service, Ghana High Commission and the corresponding embassies, taking about 6 days."

3%  Condition on the legal form

"Nigerian laws do not allow the company to open a branch there without engaging the services of local lawyers to submit a statutory declaration, which states compliance with all the requirements for incorporating the company."

5%  Other types of obstacles

"Our company wants to expand its services in Nigeria. However, going through the registration process takes at least four months. You need a letter of Consent from the Governor and there is no guarantee when this letter will be made available."

Obstacles related to the import of key inputs for service exporters

"The number of IT companies that can operate in some partner countries are restricted by quotas. Also, a minimum investment of $300,000 is required to establish a branch."

5%  Other types of obstacles

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"The number of IT companies that can operate in some partner countries are restricted by quotas. Also, a minimum investment of $300,000 is required to establish a branch."

Obstacles related to the import of key inputs for service exporters
MARKET ACCESS BEGINS AT HOME

Relative difficulties when accessing markets:

Almost two thirds of the issues reported by agricultural businesses happen in Ghana, 15% in the partner country and 26% both at the home country and abroad.

For manufacturing companies, 74% of the problems occur in Ghana, and 26% both at home and abroad.

The ICT sector is the most affected by difficult regulations posed by foreign partners. These issues are challenging for two thirds of the companies.

93% of the obstacles faced by transport companies happen in Ghana.

Almost all the problems described by the tourism sector occur in Ghana.

Most trade obstacles can easily be addressed as they mostly occur in Ghana.
### Who can make a difference?

<table>
<thead>
<tr>
<th>Ministry of Industry and Trade</th>
<th>Ministry of Food and Agriculture</th>
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</thead>
<tbody>
<tr>
<td>Ghana National Chamber of Commerce and Industry</td>
<td>Ministry of Lands and Natural Resources</td>
</tr>
<tr>
<td>Ministry of Communications</td>
<td>Ghana Ports and Harbour Authority</td>
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<tr>
<td>Ministry of Tourism</td>
<td>Ghana Revenue Authority</td>
</tr>
<tr>
<td>Ministry of Transport</td>
<td>Ghana Standards Authority</td>
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<tr>
<td>Ministry of Health</td>
<td>Ghana Food and Drugs Authority</td>
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<tr>
<td>Ministry of Energy and Petroleum</td>
<td>... and more</td>
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CHAPTER 1
Company perspectives

Key challenges

INTERNATIONAL COMPLIANCE
Irregular payments, complex requirements

- Customs officers from the Economic Community of West African States (ECOWAS) require irregular payments to accept Ghanaian Food and Drugs Authority (FDA) certificates or respect preferential tariffs associated with a certificate of origin (CO).

- The Nigerian National Agency for Food and Drug Administration and Control (NAFDAC) does not recognize tests conducted by Ghana’s FDA.

- Nigeria has imposed temporary prohibitions and border closures, forcing companies to use other routes or markets, increasing costs.

- To clear goods, companies must pay a bank in Nigeria to get a bill of lading and a Form M, which is costly and whose requirements are unclear.

- Nigeria requires information and communications technology (ICT) exporters to establish foreign branches, using local lawyers; Gambia also requires a physical presence.

WOOD EXPORT HURDLES:
Rules of origin, environmental issues

- Exporters must obtain a plantation permit and a certificate of approval and good practices from the Forestry Commission, but the process is tricky.

- Companies must pay the Forestry Commission 1.5% of each shipment’s total export value.

- Exporters must prove product origin by complying with the US Lacey Act to ensure that wood timber products are legal, a process that takes two months and irregular payments.

- Delays in the Ministry of Health’s product fumigation, high vessel costs and lack of information slow down company activities.

CUSTOMS HARDSHIPS:
Bureaucracy, bribery

- Difficulties with conformity assessment certificate, export licence and physical inspections at customs lead to shipment delays and corruption.

- High fees for custom inspection, processing and servicing hinder company activities.

- Inspections and examinations carried out by the Veterinary Division or narcotic officers are lengthy and involve bribes.

HEALTH AND SAFETY:
EUR.1 certificate, frequent changes

- Obtaining an EUR.1 certificate for manufacturing and agricultural exports – such as cocoa – is essential but costly.

- Strict inspections include detailed evidence of production history to prove the use of good standards, with regulatory changes frequent.
TECHNICAL FOOD CERTIFICATE: Tough, costly standards
- To meet European Union (EU) standards and get an ‘organic certificate’ or other technical certificates, companies must spend a lot of money on testing procedures.
- EU and North American clients demand a global Good Agricultural Practices (GAP) certificate to meet country standards, but requirements are too strict and costly.
- Processing a Safe Quality Food (SQF) global certification, non-genetically modified organism (GMO) certification, food hygiene practices certification or maximum residue limit (MRL) testing is lengthy and costly.

CERTIFICATE OF ORIGIN: Complex process, major exporter headache
- Getting an EUR.1 certificate for agricultural and manufacturing exporters is very expensive and time-consuming.

PRE-SHIPMENT INSPECTIONS: Costly, inefficient
- Pre-shipment inspections by the Ghana Standards Authority (GSA) cause major delays due to inefficient, costly, procedures and the arbitrary behaviour of officials.

PEST CONTROL: Costly, changeable measures
- Plant Protection and Regulatory Services Directorate takes weeks to quarantine products before export and to approve storage warehouses, with high fees and irregular payments.
- Companies need to take products through cool/heat treatment or fumigation to kill pests, and this is time-consuming and expensive.
- Yam-exporting companies must use specific hygienic practices during production (such as using chemicals to kill pests and brushing off soil before packaging), but these cause delays.
- Companies must meet European standards for plant growth processes, but regulations change without notice.

BANK REGULATIONS: Tight deadlines, going paperless
- Companies find it hard to meet the Bank of Ghana’s 60-day deadline for firms to repatriate export proceeds, and the paperless port system is not functioning properly.

LABEL TEMPLATES: Re-design demands, translations
- Companies constantly need to re-design the label templates of products due to changing and conflicting demands from partner countries, boosting costs and delaying production.
- Translating labels into Arabic is complicated, given the lack of trained people. Companies exporting in small quantities are most affected, as label costs are higher than profit margins.

TRADE CONTROL MEASURES: Partner countries impose barriers
- Some European and African countries impose antidumping or safeguard duties or tariff-rate quotas (TRQs) on several Ghanaian goods, making these markets expensive.
- Importing countries use price restrictions – such as voluntary extended price restraint (VEPR) schemes – on Ghanaian products, crimping profits.

ICT REGULATIONS: Bureaucratic, slows down operators
- ICT providers must obtain a type approval licence for equipment, but the cost of the licence hinders the operators.
- Several countries require foreign workers to obtain work permits, which are based on quotas that are highly competitive and scarce.
- Export companies need many documents from the Ghana Immigration Service, the Ghana High Commission and the Embassy of the Republic of Ghana to obtain passport and travel certificates. This process is difficult and time-consuming.
TOURISM REGULATIONS: High taxes and fees

- Rising value-added tax (VAT), the tourism levy and corporate income taxes weigh on the activities of accommodation service providers.

- Tourism service providers face difficulties obtaining licences to operate.

- The Ghana Tourism Authority requires tourists to provide passport and hotel information, which is kept for months, raising concerns about privacy and confidentiality.

TRANSPORT REGULATIONS: Port permits, demurrage fees

- Companies must pay high demurrage charges – fees paid by shippers who exceed the scheduled departure time – as the demurrage free window is too short.

- The involvement of multiple agencies slows customs clearance procedures. The customs valuation method is unclear for transport companies and changes frequently, causing higher costs and delays. Acquiring sector-specific certificates and licences, such as those for passports and travel certificates, typically costs 1,000 to 3,000 Ghanaian cedi (GHC), or $72.50 to $217. This process usually takes around a month.

Box 2: Ghanaian goods exporters less affected by onerous NTMs

Ghana (47%) has the lowest share of goods exporters in the ECOWAS area affected by burdensome NTMs, followed by Senegal (51%), Burkina Faso (53%) and Côte d’Ivoire (54%). In contrast, Mali (65%), Benin (72%) and Guinea (94%) have the highest proportion of affected exporters.

INTERNATIONAL COMPLIANCE: Complicated testing, complex requirements

WHAT IS THE ISSUE?

Companies must cope with procedural obstacles that are related to the acceptance of various certificates in the ECOWAS region. In addition, Nigeria increasingly hinders trade by using import prohibitions, import requirements or restrictions on foreign entry into the market, all of which make starting a new business very time-consuming.

Here are the five most important international compliance cases that firms exporting to African countries reported as burdensome during the International Trade Centre (ITC) non-tariff measure (NTM) survey:

Case N°1: Getting an ECOWAS certificate involves irregular payments

<table>
<thead>
<tr>
<th>NTM type related to the issue</th>
<th>Companies facing this obstacle</th>
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<tbody>
<tr>
<td>Technical requirements: irradiation.</td>
<td>2% (irradiation) and 17% (testing) of the problems reported by agricultural exporters.</td>
</tr>
<tr>
<td>Conformity assessment: testing, product certification.</td>
<td>6% (product certification) of the problems reported by manufacturing exporters.</td>
</tr>
<tr>
<td>Rules of origin and related certificate.</td>
<td></td>
</tr>
<tr>
<td>Quantity control measures: seasonal or temporary prohibitions, quotas.</td>
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<tr>
<td>Conditions on legal form: restrictions on foreign branches.</td>
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</table>
Customs officers in the ECOWAS region demand irregular payments to accept the FDA certificates (whose regulations change without prior notice) or to respect the preferential tariffs associated with the certificate of origin.

Partner countries require some firms to use an irradiation light to kill microorganisms, bacteria, viruses or insects that may be present in their goods. Even if Ghanaian companies do this, some customs officials demand irregular payments before accepting the certificate and allowing the products to cross their borders.

Similarly, companies must present the FDA health certificate to prove that their products are safe and eligible to enter foreign markets. Many tests are carried out before approval is granted and these are costly because officials take several samples of the product that are never returned, plus their requirements and regulations often change.

Companies must obtain a CO from the Ghana National Chamber of Commerce & Industry to export to some neighbouring African countries and benefit from associated preferential tariffs. But officials often behave unprofessionally – facilitating irregular payments, delaying the merchandise’s entry and compromising the clearing process.

Some companies cannot enjoy the preferential benefits that are associated with the CO, paying the non-preferential tariffs at the point of entry.

'We acquired the certificate of origin at the Chamber of Commerce to enjoy some tax cuts, since our exports are within the ECOWAS subregion. However, customs officials in the partner countries demand bribes and treat us unfairly.'

Exporter of Jewelry

About the Food and Drugs Authority (source: fdaghana.gov.gh/)

The Food and Drugs Authority was established in 1992 as the national regulatory body responsible for ensuring the safety, quality and efficacy of human and veterinary drugs, food, biological products, cosmetics, medical devices, household chemical substances and clinical trials, and the control of tobacco products through the enforcement of relevant standards to protect public health.

Case No 2: NAFDAC does not recognize tests conducted by Ghana’s FDA

While tests carried out by Ghana’s Food and Drugs Authority should be adequate to allow the entry of products into Nigeria, this is often not the case. Instead, goods are cleared only after Nigeria’s NAFDAC conducts tests. These tests cost about 200,000 naira (about $140) and take several days, delaying exports. In addition, many documents must be filled out.
‘The test conducted by the FDA of Ghana should be enough to allow the products entry into Nigeria, but this is not the case. The Nigerian NAFDAC conducts its test before clearing the products at customs. The cost involved is very high, around 200,000 naira, and it takes about three working days to complete.’

Exporter of garments

About NAFDAC (Source: nafdac.gov.ng)
Established in 1992, the NAFDAC is the federal agency under the Ministry of Health responsible for regulating and controlling the manufacture, importation, exportation, distribution, advertisement, sale and use of food, drugs, cosmetics, medical devices, packaged water, chemicals and detergents (collectively known as regulated products).

Case N°3: Nigerian prohibitions

The Nigerian government imposes seasonal or temporary bans on firms exporting certain products to Nigeria. To protect the domestic industry, the government closed its borders and halted imports of some items that it deemed overly competitive with local products. Ghanaian exporters have turned to other (maritime) routes, but this is quite costly.

The border closure hinders ICT services providers, who have a difficult time stocking up the goods inputs needed to provide their service – such as communication devices. There are also high setup costs that involve irregular payments and other payments, considered to be sunk costs. This has led to higher business costs because sourcing those inputs is more expensive.

‘We have a challenge while exporting to Nigeria due to the seasonal or temporary prohibition imposed by the government. The measure is taken to half the import of certain products to protect the domestic market. As some of our products seem to compete with the domestic industry, we started using other routes to export, which is very expensive. This has made exporting to Nigeria very unprofitable.’

Exporter of leather shoes

Case N°4: To clear goods, companies must pay a Nigerian bank to get special documents

Exporters need a CO to clear goods, but Nigeria first requires that they obtain a bill of lading and a Form M. These documents are costly, however, and the requirements are not well outlined, exporters say

Products concerned
Centrifuges, disinfectants, plasticware.

Obstacles related to the issue
- Delays
- Informal payments

Issue related to exports to
Nigeria, Togo.
'We need to pay the bank in Nigeria to get the authorization for the bill of lading and a document called Form M. Without bank authorization, our goods will not be allowed entry into the country. The documents are expensive and the requirements are not well outlined, making it difficult to trade with this market.'

**Exporter of disinfectants**

About Form M (Source: exports-to-nigeria.com)

An E-Form M is part of a mandatory documentation process put in place by the Government of Nigeria through the Federal Ministry of Finance and the Central Bank of Nigeria to monitor imports and enable the collection of import duties, where applicable.

A Form M is valid for 180 days for general merchandise and 365 days for plant and machinery, after which the authorized dealer can grant an extension. All importers must complete and register a Form M with an authorized dealer when orders are placed, regardless of whether the transaction is valid for foreign exchange. Today, this is initiated electronically on a trade portal provided by the Central Bank of Nigeria in conjunction with the Nigeria Customs Service.

**Case N°5: Nigeria requires ITC exporters to set up foreign branches**

Strict laws and regulations hinder ICT services providers trying to establish a foreign branch. Nigerian law does not allow companies to open a branch in the country without engaging the services of a local lawyer, who must submit a statutory declaration that the company has complied with all national requirements. Also, there is a bias in public tender processes to benefit locals, making starting a new venture in Nigeria unattractive.

In the Gambia, ICT companies must have a local business presence if Ghanaians want to do business with residents. This adds to the cost of doing business in the country.

'It provide IT services to Nigerian customers, but the law does not allow us to open a branch of the company there without engaging the services of a local lawyer and submitting a statutory declaration which states compliance with all requirements. This puts us at the mercy of expensive lawyers, increasing our costs and making starting a new venture there unattractive.'

**Provider of website development services**

**HEALTH AND SAFETY:**
EUR.1 certificate, frequent changes

**WHAT IS THE ISSUE?**

Firms say the procedures to determine if a product or a process complies with a technical requirement imposed by importing countries to safeguard the health and safety of consumers are time-consuming and costly. Moreover, these regulations change without prior notice or are not adequately published.

Here are the two most important health and safety cases that companies exporting to Africa reported as burdensome during the survey:
Case N°1: Getting an EUR.1 certificate for manufacturing and agricultural exporters – such as cocoa – is essential, but costly

<table>
<thead>
<tr>
<th>NTM type related to the issue</th>
<th>Companies facing this obstacle</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conformity assessment: testing.</td>
<td>4% (inspection requirements) of the problems reported by agricultural exporters.</td>
</tr>
<tr>
<td>Rules of origin and related certificate.</td>
<td>4% (hygienic practices during production) of the problems reported by manufacturing exporters.</td>
</tr>
<tr>
<td>Conformity assessment: inspection requirement.</td>
<td></td>
</tr>
<tr>
<td>Technical requirements: hygienic practices during production.</td>
<td></td>
</tr>
</tbody>
</table>

Cocoa-exporting firms must get EUR.1 certification from Chamber International. This certificate, considered as a CO, allows companies to enjoy some tariff waivers under current EU preferential trade policies. Obtaining this certificate is time-consuming to process (about a week) as firms need to prove that the right conditions were used to produce the chocolate (among which, no child was employed in the production process). The regulation also changes frequently.

Other companies that need to have a CO to enable exports face delays, as they must process 15 to 16 different documents, after which the Chamber of Commerce takes 21 working days to process.

‘To export, we need the phytosanitary certificate, to ensure our clients that our products are free from pests, diseases and contaminants. This certificate is expensive. It costs GHC 600 per product and takes seven working days to complete, delaying the exports.’

Exporter of cocoa powder

About the EUR.1 certificate (Source: chamberinternational.com)

The EUR.1 movement certificate is a form used in international commodity traffic. It is most importantly recognized as a certificate of origin in the legal sense, especially within the framework of several bi- and multilateral agreements of the pan-European preference system (the European Union Association Agreement). It enables importers in certain countries to import goods at a reduced or zero rate of import duty.

What are conformity assessment requirements?

The World Trade Organization (WTO) Agreement on Technical Barriers to Trade defines conformity assessment as any procedure used, directly or indirectly, to determine that relevant requirements in technical regulations or standards are fulfilled. These requirements include procedures for sampling, testing and inspection; evaluation, verification and assurance of conformity; and registration, accreditation and approvals (ITC, 2005).

Exporters must present a certificate of conformity of their goods, a mark on the product label or both. National standards bodies, trade and industry associations, or third-party certification bodies usually issue the certifications. Though the importing country requires the certificate, it may be issued in either the exporting or the importing country.

In the context of the NTM survey, the term ‘conformity assessment’ is also used for procedures to prove compliance with sanitary and phytosanitary measures.
Case N°2: Strict inspections include detailed evidence of production history to prove the use of good standards, with frequent regulation changes

Companies face strict inspection requirements from the importing country. These change regularly without prior notice. Some firms are required to submit samples of their products for testing. The test is done to ensure that the cocoa products are safe and pose no threat to human health.

WOOD EXPORTERS: Rules of origin, environmental issues

Wood exporting firms face obstacles when trying to acquire the plantation permit or the certificates to export from the Forestry Commission in Ghana. They must prove that the origin of the wood is legal and that it is not harming the environment.

Also, many of these goods must be fumigated before exporting, to prevent pests and insects from reaching partner countries. Further, to keep the products in perfect shape, companies must pay for containers that keep them in the right temperature and humidity; however, the fees are high.

Here are the four most important wood exporting cases that companies reported as burdensome during the survey:

‘An inspection is conducted on our production process to ensure that we adhere to the standard hygienic practices, from the start of the production to the final consumer. These include the production process, handling, storage and preparation. The cost involved in the inspection is high, about GHC 500 per product, and the regulation changes frequently with no prior notice. There are also delays when the officers in charge of the inspection are not available.’

Exporter of cocoa powder

Case N°1: Exporters need a plantation permit and a certificate of approval and good practices from the Forestry Commission, but the process is complicated

Companies must obtain a plantation permit from the Timber Industry Development Division (TIDD) of the Forestry Commission to be allowed to fell, log and trade lumber. Due to the illicit felling of trees and to mitigate deforestation and climate change, only authorized firms are allowed to do so. TIDD checks that companies are in compliance by inspecting the logs and ensuring that the right procedures are taken before giving clearance to exports.
TIDD also conducts stock enumeration to establish quantitative information that will be used to determine whether a given compartment can be harvested. And it conducts a post-harvest check – a monitoring exercise to check compliance with harvesting practices and ensure that any unacceptable methods, particularly provisions in the logging manual, have not been violated. But the permit process takes a lot of time and involves many different documents.

Obtaining the certificate of approval and good practices (such as the EUTR for the EU) from the Forestry Commission is tricky, as companies must ensure that the methods and origin of wood and handicraft products are safe and do not damage the environment. This is required for product-specific properties that might damage or risk the health and safety of consumers, plants or the environment.

Companies complain about the nature of the process and the delays (about a month) in getting Forestry Commission personnel to check and validate the raw materials. Firms that need a CO to export must provide up to 15 different documents to the Forestry Commission, which also causes delays.

‘We must prove that the methods and origin of the wood we use are safe and did not damage the environment. We find the process tedious, as there are delays of one month when getting the personnel from the Forestry Commission to carry out the checks and validations on our raw materials. It also involves a lot of bureaucracy.’

Exporter of wood handicrafts

Case N°2: Firms must pay 1.5% of the total export value to the Forestry Commission for every shipment

As part of the procedures associated with the export permit for timber issued by TIDD, companies have to pay a 1.5% export levy of the total value of every shipment. This is an important requirement for getting the final approval from the Customs Division of the Ghana Revenue Authority to export timber.

Products concerned
Beads, carvings, charcoal, contemporary artefacts, decorated wooden masks, lumber, mahogany wood, odum wood, plywood, red oak logs, sculptures, teak, wawa wood, yellow poplar.

Obstacles related to the issue
- Delays
- Informal payments
- Large number of documents
- Unusually high fees

Issue related to exports to
Brazil, Belgium, China, Egypt, France, Germany, India, Malaysia, Portugal, South Africa, Togo, United Arab Emirates, United Kingdom, United States.

About the Forestry Commission (source: fcghan.org)
It is responsible for regulating the use of forest and wildlife resources, the conservation and management of those resources, and the coordination of policies related to them. The commission embodies the public bodies and agencies that were individually implementing the functions of protection, management and regulation of forest and wildlife resources. It includes the Forest Services Division, the Wildlife Division and the Timber Industry Development Division.

A major policy reform in the forestry sector is the introduction of a competitive system of allocation of timber resources. These reforms are based on Legislative Instrument (LI 1721) and its parent law, Act 547. Under the new system, allocation of timber utilization contracts will be based on public bidding for rights to harvest timber in each area based on an annual timber rights fee. Timber utilization contracts for forest reserves will have a term of 40 years, while those for other lands will have a term of 5 years.
'We are required to meet the timber laws of the importing country by adhering to the standards, meaning getting the products certified and approved. Acquiring the certification takes time to complete, as we are also required to pay 1.5% of the total value on exports to the Forestry Commission for every shipment, which we feel is expensive to sustain.'

Exporter of timber logs

Case N°3: Companies must obtain a CO, plantation permit, plantation log measurement and conveyance certificate from the Forestry Commission, according to US Lacey Act, which takes months

To export wood to any country, companies first must prove the origin of the product, by complying with the US Lacey Act. It ensures that wood timber products exported are legal, but getting the CO from the Forestry Commission takes about two months.

Exporting to the United States is especially challenging, as firms need to prove that the wood coming from Ghana is not illegal. To do this, they need a CO from the Forestry Commission, along with a plantation permit and plantation log measurement conveyance certificate. It takes time to obtain these documents and, sometimes, firms face irregular payments.

'We need a CO from the Forestry Commission and other documents, like a plantation permit and plantation log measurement conveyance certificate. Acquiring these documents takes time and sometimes you have to pay your way through to get the certificate. It takes forever and it slows business.'

Exporter of plywood

About the Lacey Act (source: forestlegality.org)

The Lacey Act is a 1900 US law that bans trafficking in illegal wildlife. In 2008, the act was amended to include plants and plant products such as timber and paper. This landmark legislation is the world’s first ban on trade in illegally sourced wood products. There are two major components to the plant amendments: a ban on trading plants or plant products harvested in violation of the law; and a requirement to declare the scientific name, value, quantity and country of harvest origin for some products.

Case N°4: Companies face several weeks’ delay in product fumigation by the Ministry of Health, high vessel costs and a lack of information

The Ministry of Health in Ghana fumigates wood and wood items before they can be exported, because of requirements from the partner country to prevent pests and insects. Companies must show evidence that the product has been fumigated, but the process is expensive, around GHC 500–GHC 1,000 ($36 to $72), and takes weeks.

Also, wood must be stored at certain humidity or moisture levels to keep it safe from damage. Many firms prioritize proper temperature control, but a temperature-controlled container or vessel is very costly.

Products concerned
- Plywood

Obstacles related to the issue
- Delays

Issue related to exports to
- Germany, United States

Products concerned
- Drum sets, wooden carvings, wooden dining table

Obstacles related to the issue
- Delays

Issue related to exports to
- Belgium, Benin, Côte d’Ivoire, Germany, Kenya, Liberia, Nigeria, Türkiye, United Arab Emirates, United States
'Our wooden products need to be stored and exported under certain humidity or moisture to keep the products from damage. We have already suffered the consequences of not exporting products under the right condition before and so we place priority on the temperature control condition of the products. But the charges for a temperature control container or vessel are very expensive.'

Exporter of wood carvings

CUSTOMS HARDSHIPS: Bureaucracy and bribery

Exporters face delays and irregular payments at customs when dealing with the export certificate or the export licence. Officials also require product samples for the conformity analysis and inspection, but these are not returned. Irregular payments are required to speed up the process. Customs inspection, processing and servicing fees can be quite high.

Here are the three most important cases involving customs travails that exporting companies reported as troublesome during the survey:

**Case N°1: Difficulties at customs with conformity assessment certificate, export licence and physical inspections lead to shipment delays and corruption**

<table>
<thead>
<tr>
<th>NTM type related to the issue</th>
<th>Companies facing this obstacle</th>
</tr>
</thead>
<tbody>
<tr>
<td>Export related measure: licensing or permit to export, export inspection. Charges, taxes and price control measures: customs surcharges. Conformity assessment: inspection requirement.</td>
<td>2% (export inspection) of the problems reported by manufacturing exporters 4% (inspection requirements) of the problems reported by manufacturing exporters.</td>
</tr>
</tbody>
</table>

Ghanaian companies encounter challenges at the border as customs delays the shipments when processing the export certificate. They need to get a certificate that proves that goods meet the requirements on analysis and conformity, but inconsistent and arbitrary behaviour of officials makes it challenging.

Firms must submit samples (which are not returned) of their products to grant the inspection certificate. Upon arrival, and depending on the risk assessment rating, the goods are taken through visual examination of the product label and assessment of relevant quality attributes at the port. Three agencies conduct these inspections: National Security, Ghana Standards Authority and Customs Service. Companies say the inspection process takes time, about a day, and officials demand irregular payments at each level of inspection to speed up the process.

Additionally, customs officials inspect the products to ensure the health and safety of consumers. However, officials demand high fees and irregular payments of about GHC 1,000 ($72) to clear the products. Companies also complain about the length of the inspection process (at least two working days).

The slow and costly inspections done at customs harm importing companies. To obtain the import licence from the Customs Service, firms must wait about a month, process several documents and pay around €400 per product.
'We find it inconvenient the number of days used for the inspection of our goods, as it delays the clearing process. It takes about two working days or more. These inspections are done to ensure the health and safety of consumers in the partner countries, but customs officials demand irregular payments of about GHC 1,000.'

Exporter of tables and desks

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### WHAT ARE THE RULES OF ORIGIN?

Rules of origin set out the criteria that determine the country of origin of a product. They are applied by governments of importing countries and are needed to assess the eligibility of a product for preferential treatment within the framework of a bilateral or regional free trade agreement. Rules of origin are important in implementing trade policy instruments such as preferential market access, antidumping and countervailing duties, origin marking and safeguard measures.

The related certificate of origin provides official proof of compliance with the rules of origin. While the importing country demands the CO (often checked at customs), it is usually issued in the exporting country (for example, by the Chamber of Commerce). But obtaining the CO may be burdensome, even if the rules of origin are observed.

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**Case N°2: High fees for customs inspection, processing and servicing hinder company activities**

Exporting companies face high customs inspection, processing and servicing fees. For example, the GHC 1,000 VAT, national health insurance and the ECOWAS levy are added to the actual duty. Small firms find it difficult to meet clients’ deadlines, as they are unable to pay the export charges on time.

Exporters must also cope if a currency is devalued. For example, if the price of the US dollar rises, companies buying with Ghanaian cedi get less of a profit, making it difficult to pay high taxes and charges.

High import charges and unfair treatment by customs officials affect importers (e.g. uncertainty about when their goods will arrive at the port). They also face irregular payments and customs surcharges on imports, making it difficult to compete.

The lack of transparency on the valuation of imported goods hinders transport providers. Companies importing intermediary goods to Ghana incur extra costs as the valuation based on the cargo tracking note is imprecise. The method of valuation is supposed to be calculated on transactional value, but at times it is calculated on benchmarked values, leading to inconsistencies and higher import costs.

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**About Ghana Revenue Authority** *(source: gra.gov.gh)*

The core mandate of the Ghana Revenue Authority, which was established in 2009, is to ensure maximum compliance with all relevant tax laws to guarantee a sustainable revenue stream for the government, trade facilitation and a controlled and safe flow of goods across the country’s borders.
We find the customs surcharges at the port very outrageous, as these additional duties levied on us are too expensive. This includes GHC 1,000 VAT, NHI and ECOWAS levy, which is added to the actual duty. Customs officials also demand some irregular payments of about GHC 1,500.”

Exporter of monitors and projectors

Case N°3: Bureaucracy and bribery slow inspections and examinations carried out by the Veterinary Division or narcotics officers

Firms must present samples of their products for inspection or examination before exporting. This ensures that the requirements are met in terms of product quality to protect consumer health and safety. The Veterinary Division inspects skin or hide used in producing certain articles to check if the right procedure was used. Narcotics officers inspect products to ensure there is no contraband and containers only carry what has been declared on the documents.

But these inspections take about three working days, coupled with institutional bureaucracy. Some narcotics and veterinary officers also covertly ask for irregular payments to speed up the process and some inspection officials are late for work or fail to show up. These delays directly affect company costs, with price hikes by the meridian port services and the Ghana ports and harbour authority (GHC 1,600 per product).

‘Our products are physically inspected and examined to ensure that the requirements are met. The Veterinary Division for instance inspects the skin or hide used in producing our drums, to ascertain if the right procedure was adopted. The narcotics officers also inspect the products to ensure that no contraband is hidden. But the inspection takes too much time to complete, about three working days, coupled with the bureaucracy at the institution and bribes.’

Provider of storage and warehousing related services

TECHNICAL FOOD CERTIFICATE: Lack training to implement regulations

Companies must cope with high costs and delays to get some certificates necessary to export, such as the organic certificate, GAP certification or the MRL. Testing procedures cost about GHC 6,000 ($432) or €400 for each product and take four working days. SGS laboratories conducts some of the tests as local labs may lack international recognition.

Here are the three most important technical food certificate cases that exporting companies reported as burdensome in the survey:

<table>
<thead>
<tr>
<th>Products concerned</th>
<th>Obstacles related to the issue</th>
<th>Issue related to exports to</th>
</tr>
</thead>
<tbody>
<tr>
<td>Black soap cream, clothing, cane woven basket, drum sets, kente bow tie, paintings, shea butter, raw yarn, wooden tables, masks-stools.</td>
<td>Arbitrary behaviour of officials, Delays, Irregular payments</td>
<td>Australia, Belgium, France, China, Germany, South Africa, Nigeria, United Kingdom, Sierra Leone, United States, Zambia.</td>
</tr>
</tbody>
</table>
Case N°1: Companies must pay for costly testing procedures to meet EU standards and get an organic certificate

<table>
<thead>
<tr>
<th>NTM type related to the issue</th>
<th>Companies facing this obstacle</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conformity assessment: testing, product certification.</td>
<td>7% (testing) of the problems reported by manufacturing exporters and 11% (product certification) of the problems reported by agricultural exporters.</td>
</tr>
</tbody>
</table>

Firms need to test their products to obtain an organic certificate that meets the importing country’s standards before being allowed entry to certain regions, especially Europe. But meeting the regulation is difficult as the testing for the products is costly. Some firms are not sure if the test performed in Ghana will satisfy foreign standards. The European Commission also requires a technical certificate for the safety and health of Ghanaian products, but it takes four working days to complete and costs GHC 110 ($8) per country.

‘We need to get a testing procedure done to obtain an ‘organic certificate’ which meets European standards before we can export to this region. The testing for the products costs 6,000. Meeting the regulation is difficult also because we use firewood in preparing the product and this generates some smoke, causing the product to be downgraded. Because of the way the product is made, it does not meet the standard.’

Exporter of shea butter

Case N°2: EU and North American clients require GAP certification, which is tough and costly to get

Ghanaian firms must obtain a GAP certificate to sell to EU and North American clients. It ensures that the exporter has followed good agricultural practices, thereby facilitating exports and sales in foreign markets. Micro, small and medium-sized enterprises (MSMEs) find that the tests conducted by SGS laboratories take too much time and are strict and expensive (costs GHC 4,560)

About GLOBALG.A.P. (Source: globalgap.org)

This internationally recognized standard for farm production is aimed at sustainable agricultural production to benefit farmers, retailers and consumers. The certificate covers food safety and traceability; environment and biodiversity; workers’ health, safety and welfare; and animal welfare. The standard demands greater efficiency in production, better business performance and less waste of vital resources.

Products concerned
Black soap, cashew nuts in shell, cosmetic shea butter, herbs, dried peel of citrus, shea buttercream.

Obstacles related to the issue
- Delays
- limited/inappropriate facilities
- Unusually high fees

Issue related to exports to
Belgium, China, France, Germany, Netherlands, Italy, United Kingdom.

Products concerned
Canned fish, cashew nuts in shell, garri, groundnut paste, palm-nut paste & oil, papaya, processed cassava, processed cocoyam, raw yam, seeds, sunflower oil, wholly milled rice.

Obstacles related to the issue
- Delays
- Unusually high fees

Issue related to exports to
Canada, France, Germany, India, Italy, United Arab Emirates, United States.
‘We export garri, but we are required to obtain AGOA (African Growth and Opportunity Act) certification and global GAP certification to enable us to penetrate the American and Canadian markets easily. These certifications are required by importing countries to ensure that the products are of the highest standards and quality to protect the health and safety of their citizens. However, this product certification takes time to complete.’

Exporter of garri

Case N°3: Difficulties securing certificates for safe quality food, non-GMO, food hygiene practices

Before firms are allowed to export, they must get a product certification from SQF Global that ensures specific requirements are met for safety and fitness to use. This measure also helps protect consumers’ health and safety. But companies say the process takes too much time to complete – as the products are sent to the United Kingdom for certification, taking at least a week – and is expensive (about €2,000 per product).

Others must send their products to a recognized US laboratory to get a certificate of analysis, as there are no testing facilities in Ghana. Companies also need to get the non-GMO logo after testing their products, which is expensive.

As a requirement from the EU, other companies must present samples of their products to the GSA to be tested against MRLs and performance levels before exporting them. It takes more than 21 working days to complete and the fees involved are high (GHC 300 per product).

Some officials show up a few days after the agreed date for the test, further delaying the export timeline, as it takes at least four working days to conduct the test. This delay causes the product to rot, due to excessive fertilizer preservation. Plus, irregular payments are present throughout the process. And firms complain about the limited number of facilities available for the testing, which puts pressure on the officials conducting the test.

Samples of our products are sent to the Ghana Standards Authority to be tested to ensure that the maximum residues limits and the performance level are met, and also to guarantee the safety of consumers. But the fees for the test are expensive, GHC 300 per product. The testing process also takes time to complete, about 21 working days.

Exporter of papaya

About MRL certification (Source: ec.europa.eu)

This is the highest level of pesticide residue that is legally tolerated in food or feed and that will not be a concern to human health. The number of residues found in food must be safe for consumers and must be as low as possible. In the EU, the European Commission fixes MRLs for all food and animal feed. National authorities in the EU and the Middle East control and enforce MRLs by taking samples and checking pesticide levels.
About SQL Global certification (Source: sgs.com)

It is recognized by major retailers and foodservice providers around the world who require a rigorous, credible food safety management system. Designed as a food safety programme, SQF certification confirms that organizations produce, process, prepare and handle food products to the highest possible standards globally.

Difficulties with conformity assessment requirements are the second most reported type of non-tariff measure among all Ghanaian

Problems satisfying testing and certification requirements comprise 20% of the reported NTMs.

CERTIFICATE OF ORIGIN: Complex process, major exporter headache

Ghanaian companies complain about the hectic nature of the process to acquire the EUR.1 certificate. It is expensive and time-consuming. The Plant Protection and Regulatory Services Directorate takes two weeks to quarantine some products. Also, to obtain a CO and benefit from tax waivers, companies must cope with 1-month delays and many documents. And a certificate is expensive (GHC 100–GHC 200 per product).

Here is the most important CO and export permit case that exporting companies reported as burdensome during the interview:

Case N°1: EUR.1.Getting a CO poses a major hurdle for agricultural and manufacturing exporters

<table>
<thead>
<tr>
<th>NTM type related to the issue</th>
<th>Companies facing this obstacle</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rules of origin and related certificate.</td>
<td>30% of the problems reported by agricultural exporters and 32% of the problems reported by manufacturing exporters.</td>
</tr>
</tbody>
</table>

Ghanaian firms must acquire the EUR.1 certificate to enjoy some tariff benefits under the EU preferential trade policy, but they say the process is chaotic, expensive and time-consuming. To get the certificate, some companies need to get their products quarantined by the Plant Protection and Regulatory Services directorate, which takes two weeks. Meanwhile, the products need to be kept at a certain temperature and humidity before shipments, which increases costs.

Also, companies must submit their products for testing in a lab to obtain a CO and benefit from tax waivers, but the process takes almost one month and requires 15–16 different documents, which are not readily available. It also takes about a month and is expensive (GHC 100–GHC 200 per product). The CO is renewable yearly, but companies want a one-time application to avoid the hectic and

Products concerned
- African prints, African wear, air conditioners, backpacks, bananas, basins, beads, biscuits, black soap, brown onions, brown sugar, cabbage seeds, cashew nuts in shell, ceramic bowls, chemical fertilizer, cocoa, crude palm oil, garri, handicraft, headphones, herbs, honey, jewellery, kente, leather bags, leather shoes, lime juice, maize seed, mangoes, medicinal plants, moringa powder, palm kernel oil, pawpaw, peanuts, pineapple, plantain, yam.

Obstacles related to the issue
- Arbitrary behaviour of officials
- Delays
- Informal payment
- Large number of documents
- Unusually high fees

Issue related to exports to
- Algeria, Australia, Belgium, Benin, Botswana, Brazil, Burkina Faso, Cameroon, China, Côte d’Ivoire, Denmark, Equatorial Guinea, France, Germany, Guinea, Netherlands, India, Italy, Japan, Kenya, Lebanon, Liberia, Malawi, Mali, Namibia, Niger, Nigeria, Senegal, Sierra Leone, South Africa, Spain, Switzerland, Syria, Thailand, Togo, Türkiye, United Kingdom, United States, more…
time-consuming procedures. Plus, the Chamber of Commerce often demands several documents from other related bodies (like the Ministry of Health).

Some companies are hindered by the lack of recognition from partner countries, especially among ECOWAS countries. Once the companies present the CO at the point of entry, customs officials from the partner country behave unprofessionally, demanding irregular payments before clearing the goods, which may raise the cost of production.

“For us to enjoy a tax waver of 17.5%, it is necessary to obtain the certificate of origin from the Chamber of Commerce, but acquiring it takes too much time, about 21 working days, and involves a lot of documents, between 15 to 16 different files.’

Exporter of cutlery

About the Ghana Chamber of Commerce (Source: ghanachamber.org)

The Ghana National Chamber of Commerce & Industry is an association of business operators, firms and industries with interests spanning every sector of private enterprise in Ghana. As an advocacy organization, it was established with the primary objective of promoting and protecting commercial and industrial interests in the country. As an autonomous business support organization, it serves as a link among established businesses, the emerging sector and the government.

PRE-SHIPMENT GSA INSPECTION:
Costly, inefficient

Companies complain that pre-shipment inspections conducted by the GSA are time-consuming, as officials are often not available and many documents (10 in total) are required. Also, certificates are costly, given processing, licensing and inspection fees.

Here is the most important pre-shipment inspection case that exporting companies reported as burdensome during the interview:

**Case N°1: Pre-shipment inspections by Ghana Standards Authority cause significant delays due to inefficient, costly procedures, plus arbitrary behaviour of officials**

<table>
<thead>
<tr>
<th>NTM type related to the issue</th>
<th>Companies facing this obstacle</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pre-shipment inspection and other entry formalities.</td>
<td>1% of the problems reported by agricultural exporters and 1% of the problems reported by manufacturing exporters.</td>
</tr>
</tbody>
</table>

The GSA conducts a pre-shipment inspection to ensure the goods comply with the documents obtained. The inspection is usually done at the port of exit, but this is time-consuming, taking at least three hours, as officers are often not available.

Companies also need a pre-shipment conformity assessment certificate from the GSA, which is expensive, with a processing fee (GHC 600–GHC 2,000), a licensing fee (GHC 300–GHC 500 per product) and an inspection fee (GHC 200–GHC 500). The agency demands several samples of the products to be certified, most of them to be kept by the officials in charge.

Acquiring the Sanitary and Phytosanitary certificate from the Ghana Standards Authority is time-consuming for importers. To ensure consumer acceptance, the GSA gives the products a mark of conformity, or ‘standard mark’, which proves evidence of compliance with certain specifications. But this slow process delays the import of products.
Other importers are tested by the Food and Drugs Authority, the Ghana Standards Authority and the Customs Excise and Preventive Service to ascertain the origin and efficacy of their products. Samples of the goods are examined to check if they are safe and pose no health challenges to society, and above, all if they are environmentally friendly before approval is given. But the testing process also takes time to complete.

About the Ghana Standards Authority
(Source: gsa.gov.gh)
The GSA is a government agency established in 1967. It is responsible for developing, publishing and promoting standards in the country through standardization, metrology and conformity assessment activities. This involves testing, inspection and certification to ensure that products or services produced in Ghana, whether for local consumption or export, are safe, reliable and are of good quality.

‘We are required to obtain a product certification from the GSA. The process of acquiring is very expensive, because of the number of products taken and used as samples. For instance, six boxes of yams are taken when just one box would have been enough’

Exporter of yams

PEST CONTROL:
Costly, changeable control measures
Companies must cope with the long time spent and the high-cost procedures done by the Plant Protection and Regulatory Services Directorate (PPRSD) – in addition to frequent irregular payments that officials ask to accelerate the process. Further, charges for storage and transport conditions, including well-ventilated storehouses and palletized containers, are high. And some requirements (such as the cool/heat treatment) are time-consuming and expensive, with regulatory changes often done without prior notice.

Here are the four most important pest control cases that exporting companies reported as troublesome during the interview:

Case N°1: Plant Protection and Regulatory Services Directorate takes several weeks to oversee quarantine and storage, with high fees often accompanying irregular payments

<table>
<thead>
<tr>
<th>NTM type related to the issue</th>
<th>Companies facing this obstacle</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conformity assessment: quarantine.</td>
<td>1% (quarantine), 1% (cold/heat treatment) and 1% (storage and transport conditions) of the problems reported by agricultural exporters.</td>
</tr>
<tr>
<td>Technical requirements: cold/heat treatment, food and feed processing, hygienic practices during production, storage and transport conditions for plants, animals and food, plant growth processes, fumigation.</td>
<td></td>
</tr>
</tbody>
</table>

Products concerned
Air conditioners, baby diapers, black soap, canned tomato, flowers, plantain, salmon, refrigerators, frozen chicken, garri, hand sprayers, organic brown sugar, pesticides, plastic caps, plastic drums, processed salt, yam, shea butter, sugar, vegetable oil, frozen turkey, rice, wooden handicrafts

Obstacles related to the issue
- Delays
- Informal payments
- Large number of documents
- Unusually high fees

Issue related to exports to
Belgium, Brazil, China, Cyprus, Guinea, Netherlands, India, Indonesia, Japan, United Kingdom, United States.
Partner countries required certain companies to quarantine their products before export. The Plant Protection and Regulatory Services Directorate is in charge of this procedure. However, the time spent is about a week and the amount charged for the procedure is around GHC 300 ($22) per product, plus frequent irregular payments that officials ask to accelerate the process.

Some firms must store their goods in a well-ventilated storehouse and pack them in a palletized container to control temperature or humidity levels. If they fail to meet these requirements, they will not be allowed to export. As a result, companies must join an association where the standard warehouse is provided and approved by the PPRSD. But the charges for storage and transport conditions are high (about GHC 300 a day).

About the Plant Protection and Regulatory Services Directorate (waapp.org.gh)
The Plant Protection and Regulatory Services Directorate, established in 1965 under the Ministry of Food and Agriculture, is the national institution with the mandate and capacity to organize, regulate, implement and coordinate plant protection services to support sustainable growth and agricultural development. It aims to help sustainably reduce crop losses caused by pests and diseases, estimated at 30%–50%, to about 10%–15%, with substantially lower use of hazardous chemicals.

‘We must store our products at a well-ventilated storehouse, where the containers are palletized to keep the yam safe. If we fail to meet these requirements, we will not be allowed to export. We joined an association where the standard warehouse is provided and approved by the PPRSD, but the charges for the storage and transport are too expensive.’

Exporter of yams

Case N°2: Firms find taking goods through cool/heat treatment or fumigation is time-consuming and expensive

Some companies are required to get their products through the cool/heat treatment and process products below/above a certain temperature for a certain period to kill pests, either before or upon arrival. Companies find the processing time-consuming (about one week to complete) and expensive (GHC 500 is paid per product).

The Ministry of Health also needs to fumigate the containers to prevent mould from growing on the products – and keep the temperature of the containers at about 3°C. However, shipments to European countries are sometimes delayed at the port and the products to develop mould as a result, even if they were already treated, resulting in the products being rejected at the entry port of the partner country.
INVISIBLE BARRIERS TO TRADE

**Case N°3: Changing regulations for yam-exporting companies cause delays and result in product wastage**

Yam-exporting companies face inspections to ensure the health and safety of consumers, by making sure the yams are robust and the right sizes. The yams also must not have holes, cutlass cuts or any kind of cut, due to pest infestation or an animal bite.

Partner countries also require Ghanaian yam exporters to use hygienic practices during production. Partner countries demand that chemicals should be used to kill pests (but not so intense as to harm the product); and there must be no pests in the soil used to plant the yam.

Partner countries also want the yams to be washed and their soil to be dried/brushed before packaging to lower the chances of crop contamination. This also prevents pests from hiding in the soil or lumps of clay from sticking to the yam. These requirements delay shipments.

Furthermore, regulations also change frequently – with yams that fail to meet these requirements rejected. Yam inspectors also often do not show up on the agreed date, delaying the exports by at least three working days.

> ‘The authorities of partner countries requested that our yams must be washed with water and the soil must be dried or brushed before packaging. This is to reduce the probability of crop contamination that can endanger the safety or fitness for consumption at later stages of the food chain. It also prevents pests hiding in the soil or lumps of clay sticking to the yam to keep the yams hygienic. All these requirements increase delays and costs.’

**Exporter of yams**

**Case N°4: Firms must meet European standards for plant growth processes, but regulations are changed without notice**

Companies exporting to Europe must meet European standards for plant growth processes: requirements on how a plant should be grown in terms of temperature, light, spacing between plants, water, oxygen, mineral nutrients, the use of the right fertilizer and the conditions of the workers.

But companies say the regulation changes quite often, especially in light of concerns about climate issues.

**BANK REGULATIONS:**

**GCNet system problems**

Companies struggle with the Bank of Ghana’s dictates on the letter of commitment, which gives them just 60 days to repatriate exports. They also must cope with higher export charges by customs since the implementation of the paperless system, Ghana Community Network (GCNet) – with its frequent breakdowns – and irregular payments to officials.

Here is the most important bank regulation case that exporting companies reported as burdensome during the interview:
Case N°1: Companies find it hard to meet the Bank of Ghana’s deadline for repatriating export proceeds, plus issues with paperless port system

<table>
<thead>
<tr>
<th>NTM type related to the issue</th>
<th>Companies facing this obstacle</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conformity assessment: product certification.</td>
<td>4% (customs valuations) of the problems reported by agricultural exporters and 9% of the problems reported by manufacturing exporters.</td>
</tr>
<tr>
<td>Charges, taxes and price control measures: import licence fee, internal taxes and charges levied on imports, customs valuations.</td>
<td></td>
</tr>
<tr>
<td>Export related measures: export taxes and charges.</td>
<td></td>
</tr>
</tbody>
</table>

Partner countries required certain companies to quarantine their products before export. The Plant Protection and Regulatory Services Directorate is in charge of this procedure. However, the time spent is about a week and the amount charged

About GCNet (Source: gcnet.com.gh)

GCNet is mandated to deliver an ICT infrastructure that provides electronic platforms to ease trade processes, with system availability nationwide to foster trade development and improve revenue mobilization. GCNet provides tailored e-solutions to the government and its agencies in Ghana to automate its processes.

Its introduction in 2003 marked the first trade facilitation ecosystem in the country, setting for itself the specific mandate to implement TradeNet and the Ghana Customs Management System.

LABEL TEMPLATES: Frequent re-design demands

Export companies are saddled with constant changes in labelling requirements for their products – on top of translation challenges and numerous documents to fill.

Here are the two most important NTM labelling cases that exporting companies reported as burdensome during the interview:

Case N°1: Companies often need to re-design label templates of products in response to changing demands from trade partners

<table>
<thead>
<tr>
<th>NTM type related to the issue</th>
<th>Companies facing this obstacle</th>
</tr>
</thead>
<tbody>
<tr>
<td>Technical requirements: labelling.</td>
<td>8% of the problems reported by agricultural exporters and 2% of the problems reported by manufacturing exporters.</td>
</tr>
</tbody>
</table>

Products concerned

Cocoa butter, cocoa liquor, cocoa powder, corrugated cartons, polyethylene film, processed coffee.

Obstacles related to the issue

- A large number of documents
- Arbitrary behaviour of officials
- Delays
- Informal payments
- Unusually high fees

Issue related to exports to

Belgium, Benin, Brazil, Burkina Faso, China, Côte d’Ivoire, France, Gambia, Germany, Guinea, India, Mali, Niger, Sierra Leone, Togo, United Kingdom.
Exporters must constantly change the labelling of their products (including the name of the company and weight of the item), as the regulation from the European Commission keeps changing for importing countries. It is difficult to comply with some of the labelling requirements, given translations, additional requirements and a large number of documents to fill out. Thus, companies must re-design the label templates, which boosts costs and delays exports.

Other partner counties, such as Nigeria, often change their demands. Requirements as to what to place on the labels can get confusing, complicating the export process of Ghanaian companies. The United States requires that labelling meet certain standards (like showing the origin), but companies say the regulation is not clear. As a result, they often find themselves falling short of the standards – and there is no certified institution doing the checking in Ghana.

'We are compelled to constantly change the labelling of our product. Commission keeps changing for importing countries. Some of the labelling is hard to comply with because of the translations, and because we need to meet the ever-changing demands. It frustrates us because we are then forced to re-design the label templates.'

Exporter of processed juice

**Case N°2: Translating labels into Arabic is complicated due to the lack of trained people in Ghana**

Companies exporting to Arabic-speaking countries face challenges, as the labels must be translated into Arabic and this service is hard to find in Ghana. Many exports are delayed as a result.

‘The company has a challenge exporting to Arabic-speaking countries, and this is because the labels must be in Arabic and must meet the Halar standardization. Being able to translate from English to Arabic is a challenge and this situation delays the export.’

Exporter of cocoa powder

**TRADE CONTROL MEASURES:**
**Trade partners impose barriers**

Companies suffer from trade remedies and price control measures from partner countries. For example, some European and African countries apply antidumping duties while other partners use TRQs or safeguard quantitative restrictions to control the import of certain products from flooding their markets.

Here are the two most important cases involving domestic industry protection that exporting companies reported as burdensome during the interview:
Case N°1: Some European and African countries impose antidumping duties, safeguard duties, TRQs or quotas on several Ghanaian goods

<table>
<thead>
<tr>
<th>NTM type related to the issue</th>
<th>Companies facing this obstacle</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trade remedies: antidumping duties, safeguard duties, safeguard quantitative restrictions. Charges, taxes and price control measures: voluntary export price restraints Quantity control measures: TRQs, seasonal or temporary quotas.</td>
<td>1% of the problems reported by agricultural exporters and 1% of the problems reported by manufacturing exporters.</td>
</tr>
</tbody>
</table>

Firms exporting to some European countries face high antidumping duties on their goods. They also face similar hurdles with Nigeria, which has adopted an antidumping law, resulting in higher duties on certain products – on top of some volume/quantity limitations. As a result, the border has been closed, making trade impossible.

Some markets, such as China, have implemented TRQs on several products. They accept a certain number of the products into their country, after which they tax the remaining or additional products that Ghanaian companies wish to export.

Neighbouring countries also impose quotas or safeguard quantitative restrictions to prevent certain imports from flooding their markets. This is usually done when there is a quick and unexpected increase in the importation of such products. This affects the number of goods that can enter these countries and Ghanaians companies’ margins. Companies find exporting to these countries very expensive and this discourages them from exporting more.

Case N°1: Importing countries use price restrictions on Ghanaian products, crimping profits

Importing countries put price restrictions on certain Ghanaian products – notably voluntary export price restrictions. Companies agree to partner country terms as they do not want their products to spoil in the farm storage yard.

ICT REGULATIONS: Bureaucratic, slows down operators

WHAT IS THE ISSUE?

Companies struggle to deliver their services by the cost of the annual renewal of the type approval licence necessary to use their equipment within the framework of service provision.

Added to this is the cost and time needed to obtain the data protection certificate, which can reach up to one month. Companies also struggle to obtain visas to allow their employees to provide services abroad, due to quotas on work permits issued. The delays in obtaining these work permits can be one month, causing companies to lose opportunities.
Exporters must provide numerous documents through the Ghana Immigration Service, Ghana High Commission and the Embassy of the Republic of Ghana to get passport and travel certificates. This process is difficult and time-consuming.

Here are the two most important cases for ICT regulations reported as burdensome in the survey:

**Case N°1: National Communications Authority requires ICT companies to obtain a type approval licence for equipment before they can operate, but the cost of the licence hinders the operators**

<table>
<thead>
<tr>
<th>STM/regulation type related to the issue</th>
<th>Companies facing this obstacle</th>
</tr>
</thead>
<tbody>
<tr>
<td>Licensing fees: Type approval licence, Data protection certificate.</td>
<td>41% of the problems reported by ICT service providers related to licensing fees</td>
</tr>
<tr>
<td>Visa and work permit requirements: work permits, visas, travel certificates</td>
<td>11% of the problems reported by ICT service providers related to visa and work permit requirements.</td>
</tr>
</tbody>
</table>

The National Communications Authority (NCA) requires some firms to obtain a type approval licence for their equipment before providing IT rental services. Even if Ghanaian companies manage this, some are held back by the cost of this certificate (about $400), which must be renewed every year.

Without this certificate, companies providing ICT services cannot operate legally. A type approval licence is granted to a product that meets a minimum set of regulatory, technical and safety requirements. It guarantees that the product satisfies certain requirements for its type, whatever that may be – and is generally required before an IT product can be sold.

Companies importing equipment that is classified as high-risk also experience delays in obtaining a type approval licence. The Ghana Standards Authority takes samples to authenticate specifications, even when a company provides a certificate of compliance. Further, the cost of the data protection certificate has increased. It costs about $300 and is delivered by the Data Protection Commission.

**Services concerned**
- Rental of ICT equipment, IT consultant services, Website development, IT training services

**Obstacles related to the issue**
- Unusually high fees
- Delays

**Issue related to exports to**
- Benin, Canada, Côte d’Ivoire, Nigeria and Togo.

*The company is required to obtain a type approval licence by the NCA before it can use the equipment needed for their business. The licence costs $400 and must be renewed annually. This adds to their cost of doing business.*

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About the National Communications Authority (source: [https://www.nca.org.gh/](https://www.nca.org.gh/))

The NCA was established by an Act of Parliament, Act 524, in December 1996, which has been repealed and replaced by the National Communications Authority Act, 2008 (Act 769). The authority is the statutory body mandated to license and regulate electronic communications activities and services in the country.
Case N°2: ICT companies struggle to obtain visas to allow their employees to provide services abroad

Companies providing ICT services using mode 3 (i.e. employees proving services in the country of the client) find it difficult to obtain work permits for their employees. Several countries require foreign workers to obtain work permits, which are based on quotas that are highly competitive and scarce.

An IT consultancy service provider in Ghana can provide its services to Canada, but it takes about 30 days for the embassy to process a visa application for business clients. Also, companies must obtain about four documents through three agencies (Ghana Immigration Service, Ghana High Commission, Embassy of the Republic of Ghana) to get a passport and travel certificate, which takes about six days – and these documents are difficult to obtain.

TOURISM SERVICES:

Weighty taxes and fees

Accommodation service providers are experiencing difficulties related to the growing burden of taxes – such as VAT and corporate tax. They also must pay airport fees to pick up their clients and take them to the hotel premises.

Added to this is the cost of the licence and registration with the Ghana Tourism Authority, which should be renewed yearly. The authority requires that tourists provide their passport and hotel information – which is kept for months and could be accessed by security officials. Due to privacy and confidentiality concerns, clients worry about providing this information.

Here are the three most important cases involving tourism regulations that services exporters reported as most burdensome during the survey:

About the Ghana Tourism Authority (source https://visitghana.com/)

The Ghana Tourism Authority is a Ghanaian state agency under the Ministry of Tourism, Culture and Creative Arts. It is responsible for regulating tourism in Ghana by marketing, promoting, licensing, classifying, researching and developing tourism facilities and services in the country.

Case N°1: Rising VAT, tourism levy and corporate income tax weigh on the activities of accommodation service providers

<table>
<thead>
<tr>
<th>STM/regulation type related to the issue</th>
<th>Companies facing this obstacle</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tax measures: VAT, Tourism levy</td>
<td>59% of the problems reported by tourism service providers related to tax measures</td>
</tr>
<tr>
<td>Licensing fees: Tour operator licence, International Air Transport Association (IATA) certification</td>
<td>27% of the problems reported by tourism service providers related to conditions on licensing</td>
</tr>
<tr>
<td>Data transfer and data storage constraints</td>
<td></td>
</tr>
</tbody>
</table>
Companies must pay a 22% corporate income tax, according to the new income tax bill, raising the cost of doing business. Further, the restructuring of VAT, with the additional 5% compulsory tourism levy, has led to a de facto increase in the VAT paid by accommodation service providers.

Case N°2: Tourism service providers face difficulties obtaining licences to operate

The high cost of the licence to provide tour operator services restricts the activity of tour operators. To provide travel consultations services, the company manager and at least one officer must have IATA certification, which costs $165 every year.

Case N°3: Providers of accommodation services are concerned about customer privacy and confidentiality

The Ghana Tourism Authority requires foreign visitors to provide passport and hotel information. This creates problems for hotels, as clients are concerned about privacy and confidentiality.

'To provide travel consultation services, the manager of the company and at least one officer must have IATA certification, and this requires that a licensing fee of $165 be paid yearly.'

Provider of travel assistance services

TRANSPORT SERVICES:
Port permits, demurrage fees

WHAT IS THE ISSUE?

Ghanaian transport firms must pay high fees because of demurrage charges. Shipping companies require container deposit fees to be paid in case companies do not return their containers in time, making the clearing process expensive. But companies find the demurrage fee window (seven days) too short.
The procedures at the port require several documents (such as clearance and operation certificates), involving four agencies, which is time-consuming.

Here are the three most important cases involving transport regulations that services exporters reported as most troublesome in the survey:

**Case N°1: Demurrage free window is too short, leading to additional charges for providers of transport services**

<table>
<thead>
<tr>
<th>STM/regulation type related to the issue</th>
<th>Companies facing this obstacle</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tax measures: demurrage fees, container deposit fees</td>
<td>38% of the problems reported by transport providers related to tax measures</td>
</tr>
</tbody>
</table>

The demurrage free window is only 7 days, though it can take up to 14 days to clear goods for transport services providers. Ghanaian transport companies find this fee window too short and it boosts their costs because they must pay demurrage fees on the extra days. In addition, shipping companies require that container deposit fees be paid to anticipate possible delays.

*The demurrage free window is only 7 days, but sometimes it takes up to 14 days before goods are cleared, which means we pay demurrage. Added to this the company pays container deposit fees. This makes the whole clearing process expensive.*

Provider of freight brokerage services

**WHAT ARE DEMURRAGE FEES?**

Demurrage fees are charges paid by a shipper to a carrier when exceeding the scheduled time of departure for the detention of a ship, freight car or other cargo conveyance during loading or unloading.

**Case N°2: Customs clearance procedure slowed down by the involvement of multiple agencies**

Transport companies experience delays at the port due to the involvement of four agencies during the inspection: the Ghana Revenue Authority, Ghana customs, the Ghana Ports and Harbour Authority, and the task force. The whole process takes about four days, making clearance of goods time-consuming. In addition, about seven documents are required to clear goods from the port.

<table>
<thead>
<tr>
<th>Services concerned</th>
<th>Obstacles related to the issue</th>
<th>Issue related to exports to</th>
</tr>
</thead>
<tbody>
<tr>
<td>Freight brokerage services</td>
<td>▪ Large number of documents to comply with reported regulation ▪ Involvement of multiple agencies ▪ Delays</td>
<td>Burkina Faso, China, Denmark, Germany, United Kingdom, United States</td>
</tr>
</tbody>
</table>
Case N°3: Customs valuation method is unclear for transport companies and changes frequently

For transport companies, the valuation method of calculation for goods not only lacks clarity, but also changes frequently. Sometimes it is calculated based on the transaction value, others on the benchmarked value. The result is higher costs for transport companies and further delays.

‘The inspection process at the ports used to involve three agencies, but now a task force has been added and this has resulted in some duplication of procedures causing about four days of delays at the ports.’

Provider of water transport services

WHAT IS A CARGO TRACKING NOTE?

A cargo tracking note is a shipping document needed when transporting goods to/or through countries in central and western Africa. The note must be filed before any shipment arrives at the port for custom clearance.

TRANSACTIONAL PRICE VALUATION VS BENCHMARK VALUATION

Transaction price method: Customs examines and determines the duty-paid value of imported goods based on the transaction price of identical or similar goods sold for export to the territory at or about the same time as the imported goods.

Benchmark method: Customs derives the duty-paid value of importing goods by comparing historical transactions of similar assets.

- Services concerned:
  - Customs clearance services, transport management and consulting services,
  - Freight brokerage services

- Obstacles related to the issue:
  - Large number of documents to comply with reported regulation
  - Delays

- Issue related to exports to:
  - Burkina Faso, China, Côte d’Ivoire, Kenya, Italy, Nigeria, Republic of Korea, South Africa, United Kingdom, United States
### COUNTRY OVERVIEW

#### EXPORT OF GOODS

**GDP $68.3 BILLION (AS OF 2019)**
**GLOBAL GDP RANKING: 77th**

<table>
<thead>
<tr>
<th>Sector</th>
<th>Value ($ in billions)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture:</td>
<td></td>
</tr>
<tr>
<td>Cocoa</td>
<td>B3</td>
</tr>
<tr>
<td>Fruits and nuts</td>
<td>M$95</td>
</tr>
<tr>
<td>Prepared, preserved or frozen fish</td>
<td>M$225</td>
</tr>
<tr>
<td>Animal or vegetable fats and oil</td>
<td>M$178</td>
</tr>
<tr>
<td>Natural rubber</td>
<td>M$60</td>
</tr>
<tr>
<td>Manufacturing:</td>
<td></td>
</tr>
<tr>
<td>Plastics</td>
<td>M$205</td>
</tr>
<tr>
<td>Wood and articless</td>
<td>M$181</td>
</tr>
<tr>
<td>Aluminium and articles</td>
<td>M$111</td>
</tr>
<tr>
<td>Electrical equipment</td>
<td>M$96</td>
</tr>
<tr>
<td>Iron and steel</td>
<td>B$35</td>
</tr>
</tbody>
</table>

**Average annual growth rate**: 5% between 2016 and 2019

---

#### IMPORT OF GOODS

**Average annual growth rate**: -8% between 2016 and 2019

<table>
<thead>
<tr>
<th>Sector</th>
<th>Value ($ in billions)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture:</td>
<td></td>
</tr>
<tr>
<td>Malt, starches and inulin</td>
<td>M$188</td>
</tr>
<tr>
<td>Sugar</td>
<td>M$203</td>
</tr>
<tr>
<td>Frozen fish</td>
<td>M$240</td>
</tr>
<tr>
<td>Animal or vegetables fats and oils</td>
<td>M$286</td>
</tr>
<tr>
<td>Rice, wheat and maize</td>
<td>M$654</td>
</tr>
<tr>
<td>Manufacturing:</td>
<td></td>
</tr>
<tr>
<td>Vehicles</td>
<td>B$2</td>
</tr>
<tr>
<td>Mechanical appliances</td>
<td>B$2</td>
</tr>
<tr>
<td>Electrical equipment</td>
<td>M$735</td>
</tr>
<tr>
<td>Plastics</td>
<td>M$585</td>
</tr>
<tr>
<td>Iron and steel</td>
<td>M$492</td>
</tr>
</tbody>
</table>

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#### Markets

<table>
<thead>
<tr>
<th>Continent</th>
<th>B$2.1 Asia</th>
<th>B$2 Europe</th>
<th>B$3.3 Europe</th>
<th>B$3.3 Americas</th>
<th>B$5.3 Americas</th>
</tr>
</thead>
<tbody>
<tr>
<td>Asia</td>
<td>40%</td>
<td>38%</td>
<td>29%</td>
<td>9%</td>
<td>4%</td>
</tr>
<tr>
<td>Europe</td>
<td>5%</td>
<td>4%</td>
<td>8%</td>
<td>4%</td>
<td>2%</td>
</tr>
<tr>
<td>ECOWAS</td>
<td>2%</td>
<td>2%</td>
<td>7%</td>
<td>2%</td>
<td>5%</td>
</tr>
<tr>
<td>ECOWAS</td>
<td>2%</td>
<td>2%</td>
<td>7%</td>
<td>2%</td>
<td>5%</td>
</tr>
<tr>
<td>WAEMU</td>
<td>13%</td>
<td>13%</td>
<td>13%</td>
<td>13%</td>
<td>13%</td>
</tr>
<tr>
<td>Others</td>
<td>46%</td>
<td>46%</td>
<td>29%</td>
<td>46%</td>
<td>29%</td>
</tr>
<tr>
<td>USA</td>
<td>53%</td>
<td>53%</td>
<td>53%</td>
<td>53%</td>
<td>53%</td>
</tr>
<tr>
<td>Americas</td>
<td>26%</td>
<td>26%</td>
<td>26%</td>
<td>26%</td>
<td>26%</td>
</tr>
<tr>
<td>Oceania</td>
<td>3%</td>
<td>3%</td>
<td>3%</td>
<td>3%</td>
<td>3%</td>
</tr>
<tr>
<td>others</td>
<td>2%</td>
<td>2%</td>
<td>2%</td>
<td>2%</td>
<td>2%</td>
</tr>
</tbody>
</table>
**COUNTRY OVERVIEW**

**Ghana**

### Products with most export potential (billions)

<table>
<thead>
<tr>
<th>Sectors</th>
<th>Export potential</th>
<th>Untapped export potential</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cocoa beans and products</td>
<td>$2.000</td>
<td>$4.000</td>
</tr>
<tr>
<td>Nuts</td>
<td>$700</td>
<td>$1.000</td>
</tr>
<tr>
<td>Wood and vegetable material</td>
<td>$200</td>
<td>$500</td>
</tr>
<tr>
<td>Fruits</td>
<td>$200</td>
<td>$300</td>
</tr>
<tr>
<td>Processed fish products</td>
<td>$100</td>
<td>$300</td>
</tr>
<tr>
<td>Vegetable fats and oil</td>
<td>$100</td>
<td>$200</td>
</tr>
</tbody>
</table>

### Markets with most export potential (billions)

<table>
<thead>
<tr>
<th>Sectors</th>
<th>Export potential</th>
<th>Untapped export potential</th>
</tr>
</thead>
<tbody>
<tr>
<td>Netherlands</td>
<td>$416</td>
<td>$991</td>
</tr>
<tr>
<td>Viet Nam</td>
<td>$504</td>
<td>$776</td>
</tr>
<tr>
<td>India</td>
<td>$450</td>
<td>$677</td>
</tr>
<tr>
<td>United States of America</td>
<td>$245</td>
<td>$498</td>
</tr>
<tr>
<td>Germany</td>
<td>$268</td>
<td>$463</td>
</tr>
<tr>
<td>France</td>
<td>$111</td>
<td>$370</td>
</tr>
</tbody>
</table>
**Export of services**

**Quick facts**

- $8 billion in 2018
- 44% of GDP
- 49% workforce

**Sectors – Transport, Tourism and ICT**

<table>
<thead>
<tr>
<th>Service</th>
<th>Value</th>
<th>% of GDP</th>
<th>Workforce</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transport and Logistics</td>
<td>M$500</td>
<td>6%</td>
<td></td>
</tr>
<tr>
<td>Tourism and Travel</td>
<td>B$900</td>
<td>12%</td>
<td></td>
</tr>
<tr>
<td>Information and Communication Technology</td>
<td>N/A</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td>B$6</td>
<td>82%</td>
<td></td>
</tr>
</tbody>
</table>

**World Bank Logistic Performance Index**

- 106th
- Airports: 10
- Railways: 947 km
- Roadways: 109,515 km
- Waterways: 1,293 km

**WEF Travel and Trade Competitiveness Index**

- 115th
- UNESCO World Heritage sites: 2
- Foreign tourists arrivals: 1.4 M in 2018

**ITU ICT Development Index**

- 116th
- Internet users: 39% (of the population)
- Mobile subscriptions: 41 M (37th in the world)

**Main tourists origin**

- USA – 136,000
- Nigeria – 124,000
- UK – 91,000
- Côte d’Ivoire – 56,000
- Germany – 41,000

**Average expenditure per tourist**

- $1,380

**Markets**

<table>
<thead>
<tr>
<th>Region</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>B$6</td>
<td>ECOWAS</td>
</tr>
<tr>
<td>M$900</td>
<td>Asia</td>
</tr>
<tr>
<td>M$800</td>
<td>Europe</td>
</tr>
<tr>
<td>M$200</td>
<td>Rest of Africa</td>
</tr>
</tbody>
</table>

**Trade agreements**

**ECOWAS**

- Ghana is part of the Economic Community of West African States (ECOWAS) since its creation in 1975. The regional bloc of 15 countries, which is currently negotiating a FTA with India, is moving towards integration into a single market, with cooperation in economic, political, security, education and socio-cultural policy areas.

**Outside ECOWAS**

- Ghana has launched negotiations for bilateral agreements with Turkey. Besides, Ghana is also a member of the Global System of Trade Preferences among Developing Countries (GSTP) involving Brazil, Egypt, India and Sri Lanka. Finally, Ghana receives unilateral preferences under GSP with Australia, Canada, Japan, New Zealand, Norway, Switzerland and the United States.

**Trade in services**

- The trade agreements with Canada, EU, United States, New Zealand and Norway among others, covers provisions on the sector. However, there is no agreement focusing only on services.

**Recent agreements**

- Ghana signed in 2019 the African Continental Free Trade Area (AfCFTA) which aims to create a single continental market for goods and services.
APPENDIX II: Project timeline

Figure 1: Survey process

- **June 2019**: Launch of the Non-Tariff Measures Project in Ghana and preliminary consultations with stakeholders.
- **July 2020 – January 2021**: Data quality control.
- **February 2021**: Meeting of stakeholders in Accra to validate the recommendations and decide on the roadmap.
- **March 2021 – August 2021**: Further research and report writing. Consultation with the public sector and experts.
- **June 2024**: Publication of the report ‘Ghana: Business Perspectives. An ITC series on NTMs’.
APPENDIX III: Methodology of the survey

Trade barrier surveys: overall methodology

Since 2010, ITC has completed large-scale company-level surveys on burdensome non-tariff measures and related trade obstacles (NTM surveys hereafter) in more than 70 countries on all continents. The main objective of the NTM surveys is to capture how businesses perceive burdensome NTMs and other obstacles to trade at a detailed level – by product and partner country.

All surveys are based on a global methodology consisting of a core part and a country-specific part. The core part of the NTM survey methodology described in this appendix is identical in all survey countries, which enables cross-country analyses and comparison. The country-specific part of the survey allows flexibility in addressing the requirements and needs of each participating country.

The growing role of non-tariff measures in trade

Over several decades, trade liberalization has been used as a development tool based on evidence that benefits accrue to countries actively engaged in world trade. Multilateral, regional and bilateral trade negotiations, as well as non-reciprocal concessions, have led to a remarkable reduction in global, average tariff protection. With favourable market access conditions, international trade has soared to previously unseen levels, raising overall welfare and standards of living.

The misuse of NTMs may undermine the impact of falling tariffs. The sound uses of NTMs to ensure consumer health, protect the environment, and safeguard national security is legitimate. However, evidence suggests that countries are resorting to NTMs as alternative mechanisms to protect domestic industries. NTMs have been negotiated within the General Agreement on Tariffs and Trade and at the WTO since the Tokyo Round (1973–1979) and are increasingly dealt with in regional and bilateral trade agreements. Many practitioners consider they have surpassed tariffs in their trade-impeding effect.

NTMs particularly affect exporters and importers in developing and least developed countries that struggle with complex requirements. Firms in these countries often have an inadequate domestic trade-related infrastructure and face administrative obstacles. NTMs that would not normally be considered very restrictive can represent major burdens in least developed countries. In addition, the lack of export support services and insufficient access to information on NTMs impede the international competitiveness of firms. As a result, both NTMs applied by partner countries as well as domestic ones have an impact on market access and keep firms from seizing the trade opportunities created by globalization.

The part of the survey on services

To raise awareness of the concerns of service providers, ITC has recently developed a methodology to capture trade barriers also in certain services sectors, including ICT, transport and logistics, and travel and tourism.

ITC’s business survey on barriers to trade in services identifies obstacles regarding different service activities, mode of supply and partner countries involved, helping better understand the challenges faced by service providers accessing international value chains. In addition, the survey makes it possible to explore the synergies between trade in goods and services through the mapping of the main industries supplied by the service exporter and the foreign inputs (goods and services) necessary to conduct the operations of the provision of services.

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1 The work started in 2006, when the Secretary-General of UNCTAD established the Group of Eminent Persons on Non-Tariff Barriers. The main purpose of the group was to discuss the definition, classification, collection and quantification of non-tariff barriers – to identify data requirements, and consequently advance understanding of NTMs and their impact on trade. To carry out the technical work of the group, a Multi-Agency Support Team was set up. Since then, ITC is advancing the work on NTMs in three directions. First, ITC has contributed to the international classification of non-tariff measures (NTM classification) that was finalized in November 2009 and updated in 2012. Second, ITC undertakes NTM surveys in developing countries using the NTM classification. Third, ITC, UNCTAD and the World Bank jointly collect and catalogue official regulations on NTMs applied by importing markets (developed and developing). This provides a complete picture of NTMs as official regulations serve as a baseline for the analysis, and the surveys identify the impact of the measures on enterprises and consequently on international trade.

2 Pilot NTM surveys were carried out in cooperation with UNCTAD in 2008–2009 in Brazil, Chile, India, the Philippines, Thailand, Tunisia and Uganda. The pilot surveys provided a wealth of materials allowing for the significant improvement to both the NTMs classification and the NTM survey methodology. Since then, ITC has implemented NTM surveys based on the new methodology in over 70 countries.
An overview of previous research and evaluation

In the literature, different methods have been used to evaluate the effects of NTMs. An early approach employed a concept of incidence with NTM coverage ratios. Such studies rely on extensive databases mapping NTMs per product and applying country. The largest database of official government reported NTMs used to be the Trade Analysis and Information System published by the United Nations Conference on Trade and Development (UNCTAD), but data has been incomplete and updates irregularly.

In a multi-agency effort, ITC, UNCTAD and the World Bank are collecting data for a global NTM database with a focus on technical barriers to trade and sanitary and phytosanitary standards. ITC’s online tool Market Access Map features information on NTMs. However, as complete as the database may be, it reveals little about the impact of NTMs on the business sector nor does it provide information about related POs.

Scope and coverage of the survey

The objective of the survey on barriers to trade requires a representative sample allowing for the extrapolation of the survey result to the country level. To achieve this objective, the NTM survey covers at least 90% of the total export value of each participating country (excluding minerals and arms). The economy is divided into 13 sectors, and all of them with more than a 2% share in total exports are included in the survey.

The NTM survey sectors are defined as follows:

1. Fresh food and raw agro-based products.
2. Processed food and agro-based products.
3. Wood, wood products and paper.
4. Yarn, fabrics, and textiles.
5. Chemicals.
7. Metal and other basic manufacturing.
8. Non-electric machinery.
10. Electronic components.
11. Transport equipment.
12. Clothing.

Companies trading arms and minerals are excluded. The export of minerals is generally not subject to trade barriers due to high demand and the specificities of trade undertaken by large multinational companies. The export of arms is outside of the scope of ITC activities.

The survey covers companies exporting and importing goods and exporting services. The survey includes companies specialized in the export-import process and services, such as agents, brokers, and forwarding companies (referred to collectively as ‘trading agents’). These companies can be viewed as service companies because they provide trade logistics services. The answers provided by trading agents are in most cases analysed separately from the answers of the companies that export their products.

Concerning the services side, for the survey, the services sector is divided into 10 major groups. These sectors and sub-sectors can be associated with different categories of international services classification systems (like MTN, GNS/w/120, EBOPS 2010, ISIC version 4, CPC version 2.1, NACE v. 2, NAICS, SIC). The ITC classification aims to create groups that best meet the purpose of the survey (for example, to group service providers who often interact with each other even though they belong to categories different) and reinforce the economic significance of the resulting analysis. ITC has designed the survey methodology for three main services groups:

- Information and communication technology (ICT) services.
- Transport and logistics services.
- Travel and tourism services.

Each service group has been defined by a set of main actors and service activities provided by these actors.

The NTM survey covers legally registered companies of all sizes and types of ownership. Depending on country size and geography, one to four geographic regions with high concentrations of economic activities (high number of firms) is included in the sample.

Two-step approach

The representatives of the surveyed companies, generally export/import specialists or senior-level managers are asked to report trade-related problems experienced by their companies in the preceding year that represent a serious impediment for their operations. To identify companies that experience burdensome NTMs, the survey process consists of telephone interviews with all companies in the sample (Step 1) and face-to-face interviews undertaken with the companies that reported difficulties with NTMs during the telephone interviews (Step 2).
Step 1: Telephone interviews

The first step includes short telephone interviews. Interviewers asked respondents to identify the main sector of activity of their companies and the direction of the trade (export or import). The respondents are then asked whether their companies have experienced burdensome NTMs. If a company does not report any issues with NTMs, the interview is terminated. Companies that report difficulties with NTMs are invited to participate in an in-depth face-to-face interview.

Step 2: Face-to-face interviews

The second-step interviews are required to obtain all the details of burdensome NTMs and other obstacles at the product and partner country level. These interviews are conducted face-to-face due to the complexity of the issues related to NTMs. Face-to-face interactions with experienced interviewers help to ensure that respondents from companies correctly understand the purpose and the coverage of the survey, and accurately classify their responses following predefined categories.

The questionnaire used to structure face-to-face interviews consists of three main parts. The first part covers the characteristics of the companies: number of employees, turnover and share of exports in total sales, whether the company exports its products or represents a trading agent providing export services to domestic producers.

The second part is dedicated to exporting and importing activities of the company, with all trade products and partner countries recorded. During this process, the interviewer also identifies all products affected by burdensome regulations and countries applying these regulations.

During the third part of the interview, each problem is recorded in detail. A trained interviewer helps respondents identify the relevant government-imposed regulations, affected products, the partner country exporting or importing these products, and the country applying the regulation (partner, transit or home country).

Each burdensome regulation is classified according to the NTM classification, an international taxonomy of NTMs, consisting of over 200 specific measures grouped into 16 categories (see Appendix II) or according to the classification of regulatory measures for services. The NTM classification is the core of the survey, making it possible to apply a uniform and systematic approach to recording and analysing burdensome NTMs in countries with idiosyncratic trade policies and approaches to NTMs.

The face-to-face questionnaire captures the type of burdensome NTMs and the nature of the problem (so-called POs explaining why the measures represent an impediment), the place where each obstacle takes place, and the agencies involved, if any. For example, an importing country can require the fumigation of containers (NTM applied by the partner country), but fumigation facilities are expensive in the exporting country, resulting in a significant increase in export costs for the company (POs located in the home country). The companies can also report generic problems unrelated to any regulation, but affecting their exports or imports, such as corruption and lack of or inadequate export infrastructure. These issues are referred to as problems related to the business environment.

Partnering with a survey company

Partners selected through a competitive bidding procedure carry out telephone interviews and face-to-face interviews. The partner is usually a company specializing in surveys. Generally, the NTM surveys are undertaken in local languages. The telephone interviews are recorded either by a Computer Assisted Telephone Interview system, computer spreadsheets or on paper. The face-to-face interviews are initially captured using paper-based interviewer-led questionnaires that are then digitalized by the partner company using a spreadsheet-based system developed by ITC.

IPSOS Switzerland implemented the survey in Ghana with its local team on behalf of and under the guidance of ITC.

Open-ended discussions

During the surveys of companies and preparation of the report, open-ended discussions are held with national experts and stakeholders, for example, trade support institutions and sector/export associations. These discussions provide further insights, quality checks and validation of the NTM survey results. The participants review the main findings of the NTM survey and help to explain the reasons for the prevalence of the issues and propose possible solutions.
Confidentiality

The NTM survey is confidential. Confidentiality of the data is paramount to ensure the greatest degree of participation, integrity, and confidence in the quality of the data. The paper-based and electronically captured data is transmitted to ITC at the end of the survey.

Sampling technique

The selection of companies for the phone screen interviews of the NTM survey is based on stratified random sampling. In a stratified random sample, all population units are first clustered into homogeneous groups (‘strata’), according to predefined characteristics, chosen to be related to the major variables being studied. In the NTM surveys, companies are stratified by sector, as the type and incidence of NTMs are often product specific. Then simple random samples are selected within each sector.

The NTM surveys aim to be representative at the country level. A sufficiently large number of enterprises should be interviewed within each export sector to ensure that the share of enterprises experiencing burdensome NTMs is estimated correctly and can be extrapolated to the entire sector. To achieve this objective, a sample size for the telephone interviews with exporting companies is determined independently for each export sector. For importing companies, the sample size is defined at the country level. The sample size for importing companies can be smaller than the sample size for exporters, mainly for two reasons. First, the interviewed exporting companies are often importing intermediaries and provide reports on their experiences with NTMs as both exporters and importers. Second, problems experienced by importing companies are generally linked to domestic regulations required by their home country. Even with a small sample size for importing companies, the effort is made to obtain a representative sample by import sectors and the size of the companies.

Exporting companies have difficulties with both domestic regulations and regulations applied by partner countries that import their products. Although the sample size is not stratified by company export destinations, a large sample size permits a good selection of reports related to various export markets (regulations applied by partner countries). By design, large trading partners are mentioned more often during the survey because it is more likely that the randomly selected company would be exporting to one of the major importing countries.

The sample size for face-to-face interviews depends on the results of the telephone interviews.

Average sample size

The number of successfully completed telephone interviews can range from 150 to 1,500, with subsequent 150 to 500 face-to-face interviews with exporting and importing companies. The number of telephone interviews is mainly driven by the size and the structure of the economy, availability and quality of the business register and the response rate. The sample size for the face-to-face interviews depends on the number of affected companies and their willingness to participate.

Mathematically, the sample size can be calculated using the Cochran formula:

\[ n = \frac{f^2 \cdot p(1-p) \cdot N}{d^2(1+f^2 \cdot p(1-p))} \]

Where

- \( n \): Sample size for large populations
- \( t \): t-value for selected margin of error (d). In the case of the NTM Survey 95% confidence interval is accepted, so t-value is 1.96.
- \( p \): The estimated proportion of an attribute that is present in the population. In the case of the NTM survey, it is a proportion of companies that experience burdensome NTMs. As this proportion is not known prior to the survey; the most conservative estimate leading to a large sample size is employed, that is \( p = 0.5 \).
- \( d \): Acceptable margin of error for the proportion being estimated. In other words, a margin of error that the researcher is willing to accept. In the case of NTM survey \( d = 0.1 \).

Ghana business registry

Before the survey, ITC compiled a registry of more than 1,800 active exporters in Ghana, containing information on the type of products imported or exported by companies, together with their contact details. This registry was used to calculate the sample size and contact the companies for interviews.

Survey data analysis

The analysis of the survey data consists of constructing frequency and coverage statistics along several dimensions, including product and sector, NTMs and their main NTM categories (for example, technical measures, quantity control measures), and various characteristics of the surveyed companies (for example, size and degree of foreign ownership).

The frequency and coverage statistics are based on ‘cases’. A case is the most disaggregated data unit of the NTM survey. By construction, each company participating in a face-to-face interview reports at least one case of burdensome NTMs, and, if relevant, a maximum of three related POs and problems with the trade-related business environment.

Each case of each company consists of one NTM (a government-mandated regulation, for example, a sanitary and phytosanitary certificate), one product affected by this NTM, and a partner country applying the reported NTM. For example, if there were three products affected by the same NTM applied by the same partner country and reported by one company, the results would include three cases. If two different companies report the same problem, it would be counted as two cases.

The scenario where several partner countries apply the same type of measure is recorded as several cases. The details of each case (e.g., the name of the government regulations and its strictness) can vary, as regulations mandated by different countries are likely to differ. However, if the home country of the interviewed companies applies an NTM to a product exported by a company to several countries, the scenario will be recorded as a single NTM case. When an interviewed company both exports and imports and reports cases related to both activities, it is included in the analysis twice – once for the analysis of exports and once for the analysis of imports. The distinction is summarized in the table below.

<table>
<thead>
<tr>
<th>Dimension</th>
<th>Country applying</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Home country (where survey is conducted)</td>
</tr>
<tr>
<td></td>
<td>Partner countries and transit countries</td>
</tr>
<tr>
<td>Reporting company</td>
<td>✓</td>
</tr>
<tr>
<td>Product or service concerned</td>
<td>✓</td>
</tr>
<tr>
<td>HS 6-digit code or national tariff line</td>
<td>✓</td>
</tr>
<tr>
<td>Applied NTM or regulatory measure for services</td>
<td>✓</td>
</tr>
<tr>
<td>Code at the measure level</td>
<td>X</td>
</tr>
</tbody>
</table>

Cases of POs and problems with the business environment are counted in the same way as NTM cases. The statistics are provided separately from NTMs, even though in certain instances they are closely related. For example, delays can be caused by the pre-shipment inspection requirements. As many of the POs and problems with the business environment are not product specific, the statistics are constructed along two dimensions: type of obstacles and country where they occur, as well as agencies involved.

Enhancing local capacities

The NTM surveys enhance national capacities by transmitting skills and knowledge to partner company. ITC does not implement the NTM surveys but guides and supports the survey company, its local team, and experts.

Before the start of the NTM survey, the local team of the partner company, including project managers and interviewers are fully trained on the different aspects of the NTMs, the international NTM classification and the ITC NTM Survey methodology. ITC representatives stay in the country for the launch of the survey and initial interviews and remain in contact with the local partner during the entire duration of the survey, usually around six months, to ensure a high quality of survey implementation. ITC experts closely follow the work of the partner company and provide regular feedback on the quality of the captured data (including classification of NTMs) and the general development of the survey, which helps the local partner to overcome any possible problems.
ITC also helps to construct a business register (list of exporting and importing companies with contact details), which remains at the disposal of the survey company and national stakeholders. The business register is a critical part of any company-level survey, but unfortunately, it is often unavailable, even in advanced developing countries.

ITC invests much time, effort, and resources into constructing a national business register of exporting and importing companies. The initial information is obtained with the help of national authorities and other stakeholders (for example, sectoral associations). In cases where it is not available from government sources or a sectoral association, ITC purchases information from third companies and in certain cases digitalizes it from paper sources. The information from various sources is then processed and merged into a comprehensive list of exporting and importing companies.

Upon completion of the NTM Survey, the partner company is fully capable of independently implementing a follow-up survey or other company-level surveys as it is equipped with the business register and trained on the survey methodology as well as trade and NTM-related issues.

**Caveats**

The utmost effort is made to ensure the representativeness and the high quality of the NTM Survey results, yet several caveats must be kept in mind.

First, the NTM Surveys generate perception data, as the respondents are asked to report burdensome regulations representing a serious impediment to their exports or imports. The respondents may have different scales for judging what constitutes an impediment. The differences may further intensify when the results of the surveys are compared across countries, stemming from cultural, political, social, economic, and linguistic differences. Some inconsistency may be possible among interviewers. For example, these are related to matching reported measures against the codes of the NTM classification due to the complex and idiosyncratic nature of NTMs.

Second, in many countries, a systematic business register covering all sectors is not available or incomplete. As a result, it may be difficult to ensure random sampling within each sector and a sufficient rate of participation in smaller sectors. Whenever this is the case, the NTM survey limitations are explicitly provided in the corresponding report.

Finally, certain NTM issues are not likely to be known by the exporting and importing companies. For example, exporters may not know the demand-side constraints behind the borders. An example is ‘buy domestic’ campaigns. The scope of the NTM survey is limited to legally operating companies and does not include unrecorded trade, for example, shuttle traders.

**Following up on the ITC Non-Tariff Measure Survey**

The findings of each ITC NTM Survey are presented and discussed at a stakeholder workshop. The workshop brings together government officials, experts, companies, donors, non-governmental organizations and academics. It fosters dialogue on NTM issues and helps identify possible solutions to the problems experienced by exporting and importing companies. The NTM survey results serve as a diagnostic tool for identifying and solving predominant problems. These problems can be addressed at the national or international level. The NTM survey findings can also serve as a basis for designing projects to address the challenges identified and for supporting fundraising activities.
APPENDIX IV: Regulatory classifications

IV.1 CLASSIFICATION OF NON-TARIFF MEASURES FOR TRADE IN GOODS

Importing countries are very idiosyncratic in the ways they apply non-tariff measures (NTMs). This called for an international taxonomy of NTMs, which was prepared by the Multi-Agency Support Team, a group of technical experts from eight international organizations, including the Food and Agricultural Organization of the United Nations, the International Monetary Fund, ITC, the Organisation for Economic Co-operation and Development, UNCTAD, the United Nations Industrial Development Organization, the World Bank and the WTO. It is used to collect, classify, analyse and disseminate information on NTMs received from official sources such as government regulations.

For the large-scale company surveys on NTMs, ITC uses a simplified version of this international classification.

The NTM classification for surveys differentiates measures according to 16 chapters (denoted by alphabetical letters, see below), each comprising sub-chapters (denoted by two letters) and the individual measures (denoted by two letters and a number). The following sketches the content of each of the 16 chapters.

**Chapter A – Technical Regulations**

Product-related requirements that are legally binding and set by the importing country. They define the product characteristics, technical specifications of a product or the production process and post-production treatment and comprise the applicable administrative provisions, with which compliance is mandatory. Technical requirements include sanitary and phytosanitary measures, which are generally implemented to protect human, animal and plant life, and health.

**Chapter B – Conformity Assessment**

Measures determining whether a product or a process complies with the technical requirements specified under Chapter A. It includes control, inspection and approval procedures – such as testing, inspection, certification and traceability – 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.

**Chapter C – Pre-shipment Inspection and Other Formalities**

The practice of checking, consigning, monitoring and controlling the shipment of goods before or at entry into the destination country.

**Chapter D – Charges, Taxes and Other Para-tariff Measures**

Measures implemented to control the prices of imported articles to support the domestic price of certain products when the import price of these goods is lower; establish the domestic price of certain products because of price fluctuation in domestic markets, or price instability in a foreign market; and counteract the damage resulting from the occurrence of ‘unfair’ foreign trade practices.

**Chapter E – Licences, Quotas, Prohibitions and Other Quantity Control Measures**

Measures that restrain the number of goods that can be imported, regardless of whether they come from different sources or one specific supplier. These measures can take the form of restrictive licensing, the fixing of a predetermined quota or prohibitions.
Chapter F – Financial measures
Measures that are intended to regulate the access to and cost of foreign exchange for imports and define the terms of payment. They may increase import costs in the same manner as tariff measures.

Chapter G – Price-Control Measures
Measures implemented to control the prices of imported products to: support the domestic price of certain products when the import price of these goods is lower; establish the domestic price of certain products due to price fluctuation in domestic markets or price instability in a foreign market; and offset the damage resulting from the appearance of “unfair” external trade practices.

Chapter H – Anti-Competitive Measures
Measures intended to grant exclusive or special preferences or privileges to one or more limited groups of economic operators.

Chapter I – Trade-Related Investment Measures
Measures that restrict investment by requesting local content or requesting that investment be related to export to balance imports.

Chapter J – Distribution Restrictions
Restrictive measures related to the internal distribution of imported products.

Chapter K – Restrictions on Post-Sales Services
Measures restricting the provision of post-sales services in the importing country by producers of exported goods.

Chapter L – Subsidies
Measures related to financial contributions by a government or government body to a production structure, be it a particular industry or company, such as direct or potential transfer of funds (e.g., grants, loans, equity infusions), payments to a funding mechanism and income or price support.

Chapter M – Government Procurement Restrictions
Measures controlling the purchase of goods by government agencies, generally by preferring national providers.

Chapter N – Intellectual Property
Measures related to intellectual property rights in trade. Intellectual property legislation covers patents, trademarks, industrial designs, layout designs of integrated circuits, copyright, geographical indications and trade secrets.

Chapter O – Rules of Origin
Covers laws, regulations and administrative determinations of general application applied by the governments of importing countries to determine the country of origin of goods.

Chapter P – Export-related Measures
Encompasses all measures that countries apply to their exports. It includes export taxes, export quotas or export prohibitions, among others.
IV.2 CLASSIFICATION OF REGULATORY MEASURES RELATED TO TRADE IN SERVICES

The classification builds on existing categorization systems, elaborated by WTO, World Bank and OECD, as well as on international regulatory frameworks (as the General Agreement on Trade in Services). Its objective is to facilitate the collection, analysis, and dissemination of business survey data on services trade obstacles and can be applied to all services sectors. It comprises 192 specific entries, allocated across three main chapters, which are further detailed into 24 sub-chapters (denoted by two letters) and 141 individual measures (denoted by two letters and a number). Where needed, twigs are further detailed into leaves. Chapter A (conditions on market entry) and Chapter B (conditions on operations) focus on obstacles arising from written laws, regulations on the book and private standards.

Section A: Conditions on market entry

Measures that can fully hinder access to the market to foreign providers affecting investments flows or trade.

Chapter A - Quantity control measures

Explicit regulatory bans, market structure conditions or other regulations that hinder the provision of services in the market or grant access only up to a specified threshold (all modes).

Chapter B - Restrictions on foreign ownership and foreign investments

Specific regulations on investments which set limits and prohibitions in terms of foreign ownership (mainly mode 3).

Chapter C - Conditions on legal form

Measures that restrict or require specific types of legal entity, partnerships, or joint ventures through which a service provider can provide a service (mainly modes 3 and 4).

Chapter D - Movement of natural persons

Restrictions on the movement of natural persons for the provision of services on a temporary basis (mode 4).

Chapter E - Conditions on licensing, qualifications and registration relating to market entry

Conditions set for obtaining a compulsory licence / qualification to enter the market.

Section B - Conditions on operations

Measures that might affect the performance of the service supplier once already operating in a foreign country.

Chapter A - Technical requirements

Measures setting the minimum requirements in terms of content and quality of the service provided in a country. They may establish uniform engineering or technical criteria, methods, processes, and practices.

Chapter B - Tax measures

Measures that increase the price of the service provided by the imposition of additional taxes.

Chapter C - Financial measures

Additional costs related to international transfers and payments or specific conditions relating to the use of banking and insurance services affecting the activities of service providers.
Chapter D - Domestic market support measures

Conditions imposed on foreign companies with a commercial presence or foreign service providers that aim to protect local companies by limiting the negative impact or extending the benefits of foreign investments and operations in the domestic market to them.

Chapter E - Government procurement

Measures regulating the purchase of services from government agencies or sectors predominantly controlled by the state.

Chapter F - Anti-competitive measures

Measures granting exclusive or special preferences to one or more groups of economic actors for social, fiscal, economic, or political reasons (without however impeding market access at all).

Chapter G - Intellectual property rights

Restrictions on the use, protection, and transfer of intellectual property such as patents, copyrights and trademarks.

Chapter H - Restrictions on services promotion and distribution

Restrictions on how services are distributed and advertised.

Chapter I - Restrictions on clientele

Measures directly affecting the relationship between the service provider and its customers.

Chapter J - Hiring and employment requirements

Conditions related to the hiring of foreign employees and other conditions of employment imposed on local and foreign companies.
APPENDIX V: Data source and additional explanations

V.1 DATA SOURCE AND ADDITIONAL EXPLANATIONS FOR “SURVEY AT A GLANCE”

Section 1: Companies interviewed

The number of companies interviewed (i.e., those that completed the PS) are grouped by their main trading products (e.g., agriculture) – and whether they only export goods; export and import goods; only import goods; or only export services.

<table>
<thead>
<tr>
<th>Sector of the main product</th>
<th>Agriculture</th>
<th>Manufacturing</th>
<th>Transport and logistics</th>
<th>Tourism and Travel</th>
<th>Information and Communication Technologies</th>
</tr>
</thead>
<tbody>
<tr>
<td>The company exports goods</td>
<td>272</td>
<td>209</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>The company exports and imports goods</td>
<td>40</td>
<td>40</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>The company imports goods</td>
<td>26</td>
<td>107</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>The company exports services</td>
<td>92</td>
<td>105</td>
<td></td>
<td></td>
<td>69</td>
</tr>
<tr>
<td>Total</td>
<td>337</td>
<td>356</td>
<td>92</td>
<td>105</td>
<td>69</td>
</tr>
</tbody>
</table>

Note: Quantities of companies surveyed by sector and by export and / or import.

Section 2 – Regional distribution of companies surveyed

The total number of companies is the number of companies that completed the PS interview, which export and/or import goods or services.

These companies are grouped by their region (Ashanti, Brong-Ahafo, Central, Eastern, Greater Accra, Northern, Upper east, Upper west, Volta and Western) of the country, being companies that export and/or import goods or services.

<table>
<thead>
<tr>
<th>Company region</th>
<th>Goods</th>
<th>Services</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ashanti</td>
<td>44</td>
<td>26</td>
<td>70</td>
</tr>
<tr>
<td>Brong-Ahafo</td>
<td>18</td>
<td></td>
<td>18</td>
</tr>
<tr>
<td>Central region</td>
<td>85</td>
<td></td>
<td>85</td>
</tr>
<tr>
<td>Eastern region</td>
<td>34</td>
<td>3</td>
<td>37</td>
</tr>
<tr>
<td>Greater Accra</td>
<td>485</td>
<td>215</td>
<td>700</td>
</tr>
<tr>
<td>Northern region</td>
<td>7</td>
<td>7</td>
<td>14</td>
</tr>
<tr>
<td>Upper east region</td>
<td>2</td>
<td></td>
<td>2</td>
</tr>
<tr>
<td>Upper west region</td>
<td>8</td>
<td></td>
<td>8</td>
</tr>
<tr>
<td>Volta</td>
<td>2</td>
<td>4</td>
<td>6</td>
</tr>
<tr>
<td>Western region</td>
<td>14</td>
<td>6</td>
<td>20</td>
</tr>
<tr>
<td>Total</td>
<td>699</td>
<td>261</td>
<td>960</td>
</tr>
</tbody>
</table>
Section 3 – Company size, presence of women and youth employment

The size of the enterprises follows Ghana’s classification for MSMEs. Both women ownership/management and female employment come from the PS interviews with companies that export and/or import goods or services.

<table>
<thead>
<tr>
<th>Company size</th>
<th>Goods</th>
<th>Services</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Micro (fewer than 5 employees)</td>
<td>55</td>
<td>22</td>
<td>77</td>
</tr>
<tr>
<td>Small (5–20 employees)</td>
<td>300</td>
<td>167</td>
<td>467</td>
</tr>
<tr>
<td>Medium (21–100 employees)</td>
<td>247</td>
<td>55</td>
<td>302</td>
</tr>
<tr>
<td>Large (more than 100 employees)</td>
<td>46</td>
<td>5</td>
<td>51</td>
</tr>
<tr>
<td>N/A</td>
<td>47</td>
<td>16</td>
<td>63</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>695</strong></td>
<td><strong>265</strong></td>
<td><strong>960</strong></td>
</tr>
</tbody>
</table>

The percentage of youth ownership/management and employment (employees under 35 years old), comes from the PS interviews with companies that are only in the services sectors.

Section 4 – Regulatory or procedural trade obstacles

The export affectedness rate comes from the face-to-face process. It is calculated by the ratio between affected companies in the sector over the total amount of companies in the same sector.

The region applying the regulation data for goods traders comes from the face-to-face question “Who applies the regulation? Is it Ghana or is it the partner country?” Possible options are:

- Applied by the partner country
- Applied by Ghana
- Applied by the transit country
- Not a government regulation, but a private standard

To have a real sense of the problem, we added the share of exports of goods by region, which is available on trademap.org.

The import affectedness rate comes from the face-to-face process. It is calculated by the ratio between affected companies in the sector over the total amount of companies in the same sector.

Section 5 – Regulations reported as burdensome

This data comes from the top measures reported as burdensome by companies. Each one has a quote coming from companies’ experiences, which helps identify a recurrent story in the corresponding measure.

Section 6 – Challenge posed by the regulation

The main procedural obstacle data comes from the face-to-face question: Is the described regulation burdensome because:

- The measure itself is too strict or too difficult to comply with
- Of the related procedural obstacles.
- Both

If the company faced a procedural obstacle, it would report it using the procedural obstacles list on the NTM classification. The type of procedural obstacles is displayed in the top right of the page.
Section 7 – Where the obstacles happen

This data comes from the face-to-face question “In which country the problem occurs”. Possible options are:

- Partner country
- Ghana
- Transit country

Section 8 – Institutions involved

The number of unique institutions mentioned during the procedural obstacles narratives of the face-to-face interview is 54.

V.2 DATA SOURCE AND ADDITIONAL EXPLANATIONS FOR “COUNTRY OVERVIEW”

Section 1: Export and import related values

The exports/imports ranking is taken from the introductory lines on trademap.org, after selecting the trade indicators for Ghana, by country.

The ‘value exported in 2019’ and ‘value imported in 2019’ are extracted from the list of products exported by Ghana in trademap.org, for the sectors taken into account in the survey, namely:

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

We exclude sectors 00 and 14 (209 different HS6 codes) from the final analysis.

The average annual growth rate and the world exports growth rate comes from data collected on Trade Map.

Untapped export potential value comes from Export Potential Map.

Population and GDP come from World Bank data.

Section 2: Products exported and imported

- Agricultural data comes from adding sectors 01 & 02 from the previously mentioned list, and the manufacturing sector comes from adding sectors 03 – 13.
- The top five products on exports/imports come from the HS2 ranking on Trade Map.
- The export destinations and import origin come by aggregating and sorting the data from Trade Map.

Section 3: Export potential

Both products and markets with the most export potential come from Export Potential Map.
Section 4: Trade in services

- The ‘Share of exports of services in total exports’ comes from World Bank data. This shows the contribution of services to GDP.
- The ‘Share of services sectors in Ghana’s workforce’ comes from World Bank data, selecting the indicator ‘Employment in the service sector’ for Ghana. This shows the workforce employed by all sectors in Ghana.
- The ‘Total value exported’ comes from Trade Map. We avoid using the value on ‘memo item: Commercial services’, to avoid double counting.
- ITC designed the survey methodology for three main groups of services. Each service group has been defined by a set of main actors and service activities provided by these actors.
- The share of each service sector and its value exported comes from Trade Map, taking into account the exports of services in the three sectors considered and the total exports of services from Ghana.
- The number of airports is available from the CIA factbook webpage.
- The ranking of Ghana on World Bank Logistics Performance Index comes from World Bank data.
- The length of railways comes from data.worldbank.org, under the indicator ‘Rail lines (total route-km)’.
- The length of roadways is available on the CIA factbook webpage.
- The length of waterways is available on the CIA factbook webpage.
- The ranking on WEF Travel and Trade Competitiveness Index is available on the Travel & Tourism Competitiveness Report 2019, by the World Economic Forum.
- The number of UNESCO World Heritage sites is taken from the UNESCO list of World Heritage sites.
- The data on foreign tourist arrivals and main tourists’ origin is available on Statista.
- The ranking on ITU ICT Development Index is available on the International Telecommunication Union (ITU) webpage.
- The share of Internet users in relation to the total population is taken from World Bank data by selecting the indicator ‘Individuals using the Internet (% of the population)’ on the basis of the report and the ITU database on ICT development.
- The number of mobile subscriptions comes from World Bank data.

Section 5: Trade agreements

This section contains the main agreements of Ghana, taken from the Rules of Origin Facilitator. It includes the most recent agreements, as well as those concerning services.

<table>
<thead>
<tr>
<th>Trade agreement</th>
<th>Date of agreement</th>
<th>Number of countries concerned</th>
<th>Countries concerned</th>
</tr>
</thead>
<tbody>
<tr>
<td>ECOWAS</td>
<td>1975</td>
<td>15</td>
<td>Benin, Burkina Faso, Cabo Verde, Côte d’Ivoire, Ghana, Guinea, Guinea-Bissau, Liberia, Mali, Niger, Nigeria, Senegal, Sierra Leone, the Gambia and Togo</td>
</tr>
<tr>
<td>Global System of Trade Preferences for Developing Countries (GSTP)</td>
<td>4</td>
<td>4 Brazil, Egypt, India and Sri Lanka</td>
<td></td>
</tr>
<tr>
<td>Agreements for GSP countries</td>
<td>7</td>
<td>Australia, Canada, Japan, New Zealand, Norway, Switzerland and United States</td>
<td></td>
</tr>
<tr>
<td>African Continental Free Trade Area</td>
<td>2019</td>
<td>54 All Africa except Eritrea</td>
<td></td>
</tr>
</tbody>
</table>
REFERENCES


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