



Mr. Jean-Luc Demarty
Director General
Directorate General for Trade
European Commission
Rue de la Loi 170,
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Dear Director General, *Jean-Luc Demarty*

I am writing to you to express our support to the European Commission's Market Access Strategy and discuss with you ways to further improve it and make it more relevant to the contemporary challenges that European companies face abroad. Established in order to identify, register and effectively address access problems in third markets, the Market Access Strategy is an ambitious and complex exercise and we consider it a valuable tool for our companies.

Significant progress has been made since 2007, especially in the areas of barrier-identification and registration. However, we believe that the Commission's efforts should be further concentrated in the removal of market access barriers and the update of the Market Access Database.

More resources should be dedicated to the Market Access Unit

The Market Access team in DG TRADE is relatively small in relation to the ambitious target of removing market access barriers, while priority is put in the area of FTA negotiations. Although negotiations for new and deeper access to third countries' markets are of utmost importance to European business, enforcement of the agreements and WTO rules are equally important.

In addition, it is more than often the case, that the Market Access Unit of DG TRADE is directly involved in FTA negotiations. Although relations between the negotiations and the market access teams should be close and mutually reinforcing, this overlap in human resources further limits the time dedicated to resolving market access problems.

The right context to address market access barriers should be better identified

Bilateral consultations with our trading partners constitute a decisive step that the Commission takes to address market access problems. This may however be a long procedure, while the desired result – the removal of the barrier – may not always be guaranteed. In this context, alternative scenarios should be examined:

- a. FTA negotiations could provide the right framework in which the EU should try to tackle persistent and substantial market access issues. On-going FTA negotiations should not however discourage the Commission to pursue alternative policy tools to resolve longstanding market access issues in particular.



- b. As regards problems with countries with which the EU does not currently hold FTA negotiations, international rules provided by the WTO and the OECD should be used as additional leverage.
- c. The EU currently negotiates several FTAs that are expected to enter into force in the coming years. A transparent and efficient mechanism to monitor the implementation of the increased number of FTAs should also be further developed in order to avoid or remove new barriers and provide efficient solutions.

More market access barriers should be identified and tackled

Companies and business organisations spend considerable time and resources to identify the different problems of access to third countries' markets. In many cases, specific reports are elaborated as a result of the discussions in the sectoral Market Access Groups. However, it seems that only the *Key Barriers* that are identified for each country and discussed in the Advisory Committee are being addressed by the Commission. Moreover, these barriers are not being included in the Market Access Database.

More attention should be given to market access barriers in services

In the past, there was a clear priority of DG TRADE's market access team and the Market Access Advisory Committee (MAAC) on barriers for goods. In the future, market access barriers to services deserve substantially more attention. Also, the Commission should scrutinise the market access barriers for services and establish a respective database.

Effective communication and transparency is needed on the progress of the Strategy

There is currently a lack of communication and transparency around the removal of market access barriers and the efforts undertaken by the Commission and Member States via the Market Access Teams (MATs). More information regarding the different stakeholders involved (e.g. composition of local MATs) and their contribution to the process would be welcomed. It is our view that the market access barriers database should not only enumerate the problems that exist in different markets but should also include more details on their impact. Further information on the progress of bilateral consultations as well as the actions taken towards the removal of the barriers should be included. The Commission should better communicate and promote its success stories.

Member States should increase their engagement towards the Strategy

Member States are not always up-to-date with regards to the different problems European companies face when accessing third markets. Furthermore, the level of participation is not always the highest possible, both in the Advisory Committee in Brussels as well as in the Market Access Teams. From time to time, this results in limited follow-up and supportive actions at political level from the part of the Member States. Awareness should be raised as Member States can indeed play an active role



in the removal of market access barriers also through their bilateral contacts with third countries.

The Market Access Database should be updated more frequently

The Market Access Database is a useful tool that helps exporters to better understand the access conditions in foreign markets, providing information on tariffs, procedures, trade barriers, rules of origin, SPS issues as well as general statistical data. In some cases however this database is incomplete and outdated, which makes the instrument both irrelevant and more difficult to use, especially for SMEs. The establishment of a dedicated contact point to the Market Access Database would also be much appreciated.

In conclusion, I would like to reiterate BUSINESSEUROPE's full support to the Market Access Strategy. The main objective of this letter is to address some of the shortcomings that were identified by the users of this important tool. I hope that our considerations will be taken into account and I would like to reiterate our commitment to work with you and your services in making the Market Access Strategy more efficient and successful.

Yours sincerely,

Luisa Santos
Director International Relations