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# **Economic and Social Commission for Western Asia (ESCWA)**

Committee on Trade Policies in the States Members of the Economic and Social Commission for Western Asia Third session
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Item 7 of the provisional agenda



# Business environment legislation and trade policies in the Arab region

#### **Summary**

The present document looks at the relationship between trade policies and legislation related to the businesses environment in the Arab region. It focuses on the legislative frameworks of competition and foreign direct investment, as they form essential pillars of business laws; and stresses the importance and relevance of integrating competition provisions to advance trade at the regional level.

The present document provides an overview of the tools and portals that the Economic and Social Commission for Western Asia (ESCWA) developed for the Arab region to address business legislative frameworks and trade, including the Arab Business Legislative Framework assessment, the Arab Legislative Portal, and the Arab Trade Gateway. By integrating these portals and tools, ESCWA aims to advance trade performance in the region by highlighting strengths and gaps, and providing policymakers with the required knowledge and policy recommendations. The Committee on Trade Policies in the States Members of ESCWA is invited to review the present document and make comments thereon.

# E/ESCWA/C.6/2023/5

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#### Introduction

- 1. Today, the integration of trade agreements goes beyond the traditional measures of tariffs and quotas, extending to "deep" trade agreements that include rules and regulations affecting trade in goods and services. These regulations are highly connected with national business legislation frameworks, such as competition, investment, intellectual property rights, and digital transactions. Several international and regional trade unions have considered growth and development as a "deep" trade agreement that influences domestic policies and development priorities, and leads to more comprehensive economic integration.
- 2. In the age of digital acceleration and globalization of economies, new trade policies are needed to maintain or enhance the current level of efficiency. Although events in recent years have created a shock to the global economy, Governments are trying to recover from the economic setbacks through reform measures at the level of economic policy and legislative frameworks, as these two areas are highly connected. However, in many countries, especially in the Arab region, some of these reform measures have not yet been adopted or are implicit, but many Arab Governments have expressed great interest in advancing their trade performances and enhancing regional trade policies.
- 3. To guarantee the effectiveness of trade, it is essential for domestic standards and public policies to be consistent across countries. These domestic policies include business environment legislation. Competition policy and foreign direct investment (FDI) law are at the heart of trade agreement applicability. Protection of the competitive process in the open market and maximizing the welfare of society are common goals for competition and trade law. Similarly, FDI legal frameworks and trade agreements should be aligned in terms of distortions and restrictions, so as to foster competition and investment in vital sectors. From this perspective, a direct relationship exists between the level of advancement of business legislative frameworks and trade performance.

# I. Trade and competition

- 4. From an economic perspective, liberalization leads to more competition, resulting in a market that offers consumers more choice and better prices. This increase in consumer welfare drives economic growth. In contrast, public or private restraints on competition can have a devastating impact on trade by creating structural and legal barriers. Such barriers limit the market's competition, leaving consumers with fewer choices at worse prices, leading to a reduction in economic growth.
- 5. There is consensus on the connection between competition law and trade, which are seen as complementary as they both serve to create an open market by eliminating entry barriers. The importance of competition provisions in trade agreements became more apparent since the 1948 Havana Charter. The World Trade Organization (WTO) recognizes competition policy as an essential element of the legal and institutional framework of the global economy. It plays a significant role in the application of new members to WTO, serving as a measure of their market openness to compete and to allow investment flows in and out of the market. This has impacted the number of countries adopting competition laws: there were 25 countries with competition laws in the 1990s, increasing to over 140 by 2017.
- 6. In 2021, the Economic and Social Commission for Western Asia (ESCWA) published a working paper entitled "Trade and competition in the Arab region: reality and prospects for a competitive Arab market". The paper provided a brief history of the evolution of competition provisions in global and regional trade agreements, shedding light on agreements that include Arab countries. As a result of the assessment, all Arab countries recorded a relatively low score in competition provisions in trade agreements, because of a lack of robust and synchronized provisions.

### Box 1. ESCWA work on Arab business legislation

ESCWA launched the Arab Business Legislation Frameworks (ABLF) Report to promote transparency and accessibility in business legislation. ABLF centres around the following four primary areas of business legislation: competition, anti-corruption, FDI, and consumer protection. The Arab Legislation Portal (ALP) hosts the following two key elements of this work:

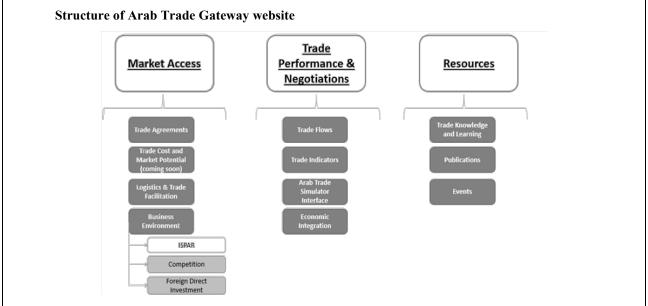
- Under the 'Legislation' tab, the portal hosts a full repository of member States' legislation across the abovementioned four areas of business legislation. Users can search for legislation by country, language, year and category. This provides accessibility for all stakeholders, including member States, civil society, small firms, activists, political reformers and researchers. By providing a unified, consolidated and accessible repository, the ALP repository helps to build public awareness of existing laws, thus improving transparency, accountability, and the rule of law regarding adherence to business legislation.
- ALP also hosts an interactive platform that scores legislative quality across the region in the abovementioned areas of business legislation. These scores assess the extent to which each member State's legislation is aligned with international standards. This is determined by an ESCWA methodology that uses 156 questions to assess member States' regulatory environment, and scores them accordingly. These scores serve two important functions. Firstly, they provide a useful tool for member States by ensuring accountability and highlighting further improvements to their business legislation. Secondly, they raise awareness and provide transparency for other stakeholders on the quality of each member State's regulations, and on the legislative environment across the Arab region or one of its subregions.

In addition to the repository and scores on the ALP platform, ESCWA also regularly publishes ABLF (a report highlighting performance changes in the Arab business regulatory environment), and produces country profiles that provide a descriptive background of each country's performance and score in the Arab region. The upcoming publication of updated scores is an opportunity to examine how Arab countries' business legislation is evolving over time relative to international standards.

7. The Gulf Cooperation Council (GCC) subregion has the best performance in competition provisions owing to the signing of several trade agreements that contain competition provisions. For instance, regarding the provisions of the trade agreement between GCC and Singapore, it can be inferred from article 5.10 that monopolies and abuse of monopolies are restricted. Moreover, according to chapter 9 of the agreement, the settlement of disputes arising from the agreement's provisions (including the provisions on competition) shall be done through arbitration to guarantee the enforcement of the trade agreement. In contrast, the score of other Arab countries is weak owing to a lack of such provisions in international and regional trade agreements. For instance, the Greater Arab Free Trade Area (GAFTA), which is considered the most crucial agreement for Arab economic integration, lacks any provisions or obligations relating to competition and anti-monopoly.

#### Box 2. ESCWA tools and portals on business legislation and trade

ESCWA launched the Arab Trade Gateway (ATG) to address emerging issues, such as a lack of information, in the sphere of trade policy. By global standards, the Arab region has low levels of trade integration, and lacks a platform with consolidated information and data on trade flows in the region. Such information is vital for the decision-making process of various stakeholders, including policymakers and private sector operators. The ATG platform aims to remedy these problems by serving as a "one-stop shop" for stakeholders, providing interactive tools and information centring around Arab regional and global integration and effective trade policies.



Source: ESCWA Arab Trade Gateway.

As illustrated in the figure above, ATG is organized across three components: market access, trade performance and negotiations, and resources. Each component is made up of "tabs" that direct users to relevant tools. The "business environment" tab comprises three tabs (the Index Simulator for Policymakers in the Arab Region (ISPAR), competition, and foreign direct investment). The "competition" and "foreign direct investment" tabs directly link ATG to ALP. When users select either tab, they are taken directly to the ALP repository and scores, thus providing users with rapid access to, and assessment of, regulatory frameworks in the Arab region.

# II. Competition

- 8. Given the importance of business legislation and reforms in stimulating sustainable economic growth, enhancing industrialization, bolstering innovation, and thus establishing a healthy business environment, ESCWA is conducting an assessment of current business legislation in the Arab region. Competition law constitutes a basic component of any business legislation, given its impacts on the well-functioning of any economy, by lowering prices, raising the quality of goods and products, and creating a diversity of choice in the market. Moreover, developing a strong, fair and synchronized competition regime in the region would lead to the facilitation and development of trade, and enhance cooperation between businesses involved in import and export operations.
- 9. As per an ESCWA report entitled "Trade and competition in the Arab region", it is difficult to achieve the benefits expected from preferential trade agreements without adopting competition provisions that counter monopolies, oligopolies and anti-competitive behaviours. For instance, some Arab trade agreements contain general obligations on competition; however, these provisions are qualified as weak and non-binding. The weaknesses in and non-harmonization of the provisions of trade agreements concluded by Arab countries increase uncertainty in their implementation, particularly with regard to their ability to achieve key goals, including developing productive capacity, attracting foreign investments, promoting exports, and creating job opportunities for young people. As such, the inclusion of harmonized provisions relating to competition in regional agreements, such as the Arab Free Trade Zone, and the development of implementation and follow-up mechanisms, are necessary to strengthen Arab economic integration and advance the contribution of Arab economies to global trade.
- 10. Consequently, given the importance of competition policies and the above-mentioned goals of Arab countries, ESCWA, in its update to the ABLF assessment, is adopting the same holistic methodology in assessing and comparing several critical legal, economic, and trade concepts in the Arab region with

international best practices.<sup>1</sup> The main findings of the new assessment show a slight improvement in competition legislation in the region, which now ranges between moderate and strong (figure 1). However, many loopholes regarding law enforcement, market liberalization, the independence of authorities, the synchronization of competition policies, and the difference in competition regimes between Arab countries continue to impede competitive and healthy Arab markets.

Figure 1. Overview of the legislative framework for competition by country, 2022

	<b>VERY WEAK</b>	WEAK	BASIC	MODERATE	DEVELOPED	STRONG	VERY STRONG
GCC	•	•	•	•		0	•
Bahrain		0	0		0	•	
Kuwait		-0-	0	0	0	•	
Oman		0	0	0	•	0	
Qatar	0	0	0	0	•		
Saudi Arabia	0	0	0	0	0		0
United Arab Emirates		0	0			0	
MAGHREB	-	0	•				•
Algeria		0	0	0	•	0	0
Libya		0	<u> </u>	•	0	0	$\overline{}$
Morocco	-0 $-$	0	0	0	•	0	-
Tunisia		0	0	0	•	0	-
MASHREQ			•				0
Egypt		-0-			0	•	0
Iraq	-	0	0	•	0	O	
Jordan		0	0	0	•	<del></del>	$\overline{}$
Lebanon		0	0	•	0	0	-
Syrian Arab Republic	-	0	0	0	•	0	
State of Palestine	0	0	0	0	0	0	-
LDCS				•			
Comoros	-0	-0-	•	0	0	0	
Djibouti	0	0	0	0	•	0	-
Mauritania		0	0	0	0	•	-
Somalia	-	0	0	0	0	0	$\overline{}$
Sudan		0	0	•	0	<u> </u>	
Yemen		0	0	0		-0 $-$	-

Source: ESCWA, Arab Business Legislative Frameworks, 2022.

*Note*: Figure 1 reflects the updated scores in the 2022 ABLF Report, to be released in 2023.

<sup>&</sup>lt;sup>1</sup> The indicators were based on OECD, New Indicators on Competition Law and Policy, 2013; UNCTAD, Model Law on Competition, 2019; and United Nations, Set of Principles and Rules on Competition, 2000.

- 11. As shown in figure 1, the four Arab subregions have moderate to strong competition laws and decrees. However, Arab least developed countries (LDCs) and Mashreq countries lag behind the other two subregions, with the State of Palestine and Somalia lacking official competition laws. In addition to the absence of general competition laws and competition-related laws in some cases, Arab LDCs and Mashreq countries have the lowest performance on average in defining and developing competition elements, and enforcing existing laws. All GCC countries have national laws that mirror, govern and regulate competition, and deal with monopolies, cartels and specific merger controls. In the Maghreb, Algerian and Morocco lack legislation that regulate monopolies and cartels, although practices qualified as monopolies and cartels are enumerated and prohibited in both countries. In the past two years, competition authorities in Algeria, Egypt, Kuwait, Morocco and Saudi Arabia have begun actively enforcing the competition law by monitoring and studying the market to ensure competition fairness, and by assessing economic concentration transactions (mergers and acquisitions).
- 12. In many Arab countries, the definitions of some components of competition legislation are absent or vague. Some Arab LDCs and Mashreq countries, including Jordan, Mauritania, Morocco, Sudan and the Syrian Arab Republic, do not clearly define the meaning of cartels, monopolization, dominance, and other terms. In contrast, GCC countries have the most precise definitions among Arab countries. Maghreb countries have developed clear competition laws in terms of legal definitions. The lack of clear terms in the competition laws of many Arab countries can limit authorities' power to regulate competition, monitor business operations, and enforce the law in the market.
- 13. Laws and regulations covering competition must include the following key points: prohibitions against anti-competitive agreements, abuse of dominance, anti-competitive cross-border mergers and cartels, competition enforcement practices and institutions, removing restrictions to starting new businesses, deregulation for international trade agreements, liberalization, and competition intervention in regulated sectors. Legally, most competition laws in Arab countries cover these components. Yet, shortcomings in terms of legal definitions remain in some Arab countries, which can benefit existing monopolies. In addition, weak enforcement hampers the effective implementation of competition provisions in many Arab low-income and medium-income countries.
- 14. Governments often exempt specific sectors from competition law, such as oil, gas, electricity and telecommunications. Exemptions provide loopholes in the legislation that those in positions of financial or political power can exploit. For example, most tax exemptions benefit public utilities, State-owned businesses, and the military/security sector. Moreover, GCC countries' laws and regulations only partially address antitrust, monopolization, and anti-competitive agreements owing to their reluctance to liberalize their regulated sectors. Hence, many exemptions for State-owned enterprises and a lack of incentives for regular business players make small and medium enterprises, for example, so vulnerable in the market and an easy target for giant corporations for mergers and acquisitions. In addition, State intervention in the market through subsidized programmes targeting specific sectors negatively affect trade and the flow of goods.
- 15. Countries seeking to govern competition must have autonomous institutions to enforce competition law. The Organisation for Economic Co-operation and Development (OECD) emphasizes the importance of effective, accountable and inclusive institutions in promoting sustainable and equitable development. On paper, all Arab countries, except the State of Palestine and Somalia, allow the establishment of competition authorities through their legislation. However, many institutions lack the structural autonomy and enforcement power (lack of tools and know-how) to implement and promote competition. ESCWA, through the ABLF report, has highlighted the importance of having an independent competition committee, which should neither be a part of any ministry nor under the supervision of the minister of trade and economy. The table below summarizes the current status of Arab countries in terms of adopting competition laws and establishing competition authorities.

<sup>&</sup>lt;sup>2</sup> According to the UNCTAD, Model law on competition, 2007; and the OECD, Competition assessment toolkit, 2019.

Competition laws and competition agencies in the Arab region, 2022

Country	Competition law	Date of enactment	Amendments	Competition authority
Algeria	Yes	1995	2003, 2008 and 2010	Yes
	Yes	2018	-	Directorate within the
				Ministry of Industry,
Bahrain				Commerce and Tourism
Comoros	Yes	2013	1	No
Djibouti	Yes	2008	1	Ministry of Economy
Egypt	Yes	2005	2010, 2014 and 2022	Yes
Iraq	Yes	2010	-	No
	Yes	2004	2011	Competition Directorate in the Ministry of
Jordan				Industry and Commerce
Kuwait	Yes	2007	2012 and 2020 and 2021	Yes
Lebanon	Yes	2022	-	No
	Yes (provisions in the business	2010	-	Yes
Libya	law)	• • • • •		
	Yes (provisions in the business	2000	-	Yes
Mauritania	law)	••••	• • • • • • • • • • • • • • • • • • • •	
Morocco	Yes	2000	2014	Yes
Oman	Yes	2014	2018 and 2021	Yes
State of Palestine	No	-	-	No
Qatar	Yes	2006	-	Yes
Saudi Arabia	Yes	2004	2014, 2019 and 2020	Yes
Somalia	No	-	-	No
Sudan	Yes	2009	-	Yes
Syrian Arab Republic	Yes	2008	1	Yes
Tunisia	Yes	1991	1995, 2003, 2005 and 2015	Yes
United Arab Emirates	Yes	2012	2014	Ministry of Economy – Competition Department
Yemen	Yes	1999	-	Yes

Source: ESCWA Arab Legislation Portal.

*Note*: The table reflects progress in countries' competition regime based on the assessment of the 2022 ABLF Report, to be released in 2023.

16. ABLF will support the harmonization of competition laws between Arab countries to reach common ground regarding competition policies that can be included in trade agreements, especially since competition laws clearly mention that their provisions are enforced on businesses that operate outside the country but affect the internal market. Moreover, establishing import and export promotion strategies and accessibility to private operators cannot be achieved without removing barriers to market entry and ensuring the enforcement of the reciprocity principle in trade operations (for competition provisions). ABLF also aims to assist policymakers in designing appropriate export promotion strategies in selected markets to ensure that new trade preferences and opportunities are accessible to private operators, given that a strong interaction between competition and trade policies can bolster the economic performance of markets in Arab countries.

#### Box 3. Provisions of United States-Mexico-Canada Trade Agreement

#### **Article 21.1.1**

Each Party shall maintain national competition laws that proscribe anticompetitive business conduct to promote competition in order to increase economic efficiency and consumer welfare and shall take appropriate action with respect to that conduct.

#### Article 21.1.4

Each Party shall maintain a national competition authority or authorities (national competition authorities) responsible for the enforcement of its national competition laws.

#### **Article 21.1.5**

Each Party shall ensure that the enforcement policies of its national competition authorities include: treating persons of another Party no less favorably than persons of the Party in like circumstances; (...)

#### Article 21.3.1

The Parties recognize the importance of cooperation and coordination between their respective national competition authorities to foster effective competition law enforcement in the free trade area. Accordingly, the Parties' national competition authorities shall endeavor to cooperate in relation to their enforcement laws and policies, including through investigative assistance, notification, consultation, and exchange of information.

Source: United States-Mexico-Canada Trade Agreement.

# III. Trade and foreign direct investment

- 17. FDI and trade policies interact with each other and create positive effects on home and host countries' markets. Synergies and trade-offs depend mainly on FDI laws and trade policies implemented within a country, which can directly impact the market. FDI also increases the efficiency of use of the world's scarce resources, and is vital for stimulating economic growth in many of the world's poorest countries. While technologies are not usually transferable through trade channels (that focus on goods and services), FDI allows their transfer to contribute to the development of markets. Hence, it is clear that trade and FDI policies interact and complement one another.
- 18. Furthermore, from an economic perspective, FDI is a key factor in financing and advancing the development process in many countries worldwide, including Arab countries. The relationship between trade and FDI depends mainly on the type of FDI and consumption/production behaviours in the market. When FDI deepens the technology and production base, it enhances a country's competitive advantage. FDI also contributes to increasing the State's tax revenues, improving the trade balance and balance of payments, thus driving economic growth. Consequently, more FDI will attract foreign companies and promote the establishment of new businesses, thus increasing exports of local production through new trade channels. Moreover, FDI enables greater competition in the market, positively affecting consumer purchasing power and decreasing the chances for monopoly creation. Thus, FDI reinforces the effectiveness of trade deals by allowing greater diversification and flow of goods in markets.
- 19. Better FDI laws and regulations enhance the host country's business climate, and positively affect trade by assisting it in international production and distribution channels. On a multilateral level, the WTO General Agreement on Trade in Services, by including rules on "commercial presence", recognizes that FDI is a prerequisite for exporting many services, since a supplier will establish a business entity to start providing services in the host country. In addition, trade policies can affect FDI incentives in many ways, as a sufficiently high tariff may induce tariff-jumping FDI to serve the local market, and other types of import barriers can have the same effect.

20. To extract the maximum benefits from concluded trade agreements, policymakers often include investment provisions that ensure the full protection of foreign investors. Moreover, the investment provisions adopted are aligned with WTO requirements to liberalize, protect and fairly regulate investments. FDI provisions in trade agreements are set out in various clauses, including definition of investment, national treatment, most-favoured nation treatment, minimum standard of treatment, expropriation and compensation, and dispute settlements (arbitration). These clauses are considered a reciprocal guarantee to foreign investors' interests in countries that are parties to a trade agreement.

# IV. Foreign direct investment

- 21. The dynamic relationship between FDI and trade is evident when examining the positive influence of FDI on stimulating exports, particularly through the incentivization scheme in FDI laws. ESCWA aims to assist policymakers in designing appropriate FDI regulatory framework, schemes and incentives for private investors, which will directly enhance import/export strategies in selected markets, and ensure that new trade preferences and opportunities are preserved and accessible to private operators. To this end, ESCWA regularly assesses FDI legislative framework in the Arab region.
- The FDI legislative framework assessment targets many laws and regulations. These legislations relate to banking regulations, macroeconomic policies, investment regulatory frameworks, incentivization schemes, and bi-lateral treaties. Figure 2 shows that the Mashreq and Maghreb have the most developed legislative frameworks in the Arab region. Regarding banking regulations, GCC countries have the strongest legislative frameworks owing to facilitations in obtaining loans for the establishment of businesses. In terms of macroeconomic policies, the Mashreq and Maghreb subregions are the most developed. The GCC, Mashreq and Maghreb subregions have clear and developed criteria regarding their investment regulatory framework, particularly following the newly adopted amendments that allow e-governance to ease the administrative procedure for establishing new businesses. In addition, Jordan, passed an investment law in 1995, which was amended in 2000, and recently improved in 2014 through law No. 30/2014 and its executive regulation. Jordanian investment law is comprehensive and rigorously explores trade incentives and advantages within and outside the free trade zones (the country offers customs and tax exemptions on imported assets for production), defines the Investment Commission and its responsibilities, and regulates general procedures and provisions that cover the rights of non-Jordanian investors. Furthermore, Kuwait, is the only country in the GCC scoring high on incorporating definitions, international agreements, enforcement mechanisms, and accessibility and transparency in FDI legislation. The ESCWA assessment found that the legislation adopted in several Arab countries will assist in attracting foreign investments, therefore more businesses will be established to produce and provide services that will strengthen trade between Arab countries.
- 23. However, in other Arab countries, some definitions of components are absent or vague in FDI legislation. In this regard, the GCC and the LDC subregions score "basic" the only notable exceptions are Kuwait and Mauritania. Some Arab countries do not clearly define FDI exemptions or national legislation that promotes and regulates FDI. In addition, some Arab countries, such as the Syrian Arab Republic, impose some form of capital controls and restrictions on foreign investments. Lastly, by not adopting e-governance, the regulatory framework covering FDI in the majority of Arab countries remains complicated and bureaucratic, rendering the business and trade environment limited and ambiguous.

Figure 2. Assessment of the existence of FDI laws and decrees (ABLF 2022)



Source: ESCWA, Arab Business Legislative Frameworks, 2022.

*Note*: Figure 2 reflects the updated scores in the 2020 ABLF Report, to be released in 2023.

- 24. As mentioned above, a complicated regulatory framework and imposed restrictions often create loopholes, particularly in countries that lack good governance, which facilitate corruption by those in positions of financial and political power. Furthermore, the most common types of exemptions are tax exemptions that usually benefit public utilities and State-owned enterprises. Governments often exempt specific sectors from tax, such as oil and gas (GCC countries), electricity and telecommunications (Lebanon), security, and military sectors (Syrian Arab Republic). In addition to tax exemptions, foreign investments are not allowed in the mentioned sectors, reinforcing monopolies and State intervention on some aspects of the local market, thus negatively affecting the inflow of industrial/technological investments.
- 25. Countries seeking to promote, attract and regulate FDI must have autonomous institutions. Most Arab countries, except the Comoros and the State of Palestine, have institutions to promote FDI; however, many lack autonomy, accountability, and enforcement power. Some of these institutions are government ministries, whose decisions are not entirely independent. According to OECD, it is imperative to have effective, accountable and inclusive institutions, which help promote sustainable and equitable development. Moreover, ESCWA, through ABLF, is highlighting the importance of establishing fully independent institutions responsible for promoting and attracting FDI in all sectors, especially those controlled by State-owned enterprises.

## V. Conclusion

- 26. Despite the advanced scores that some Arab countries have achieved regarding components of competition and FDI legislation, enforcement remains weak in many countries because of many structural barriers in markets. A lack of institutional design in many Arab authorities may lead to inefficient legal frameworks. Other factors can also impede both trade and business legal frameworks, such as large informal sectors in many countries, strong dominance and presence of State-owned enterprises, exemptions of critical sectors from laws, and a lack of coordinate and reciprocal incentives in FDI laws and bilateral investment treaties.
- 27. Business legislation across the 22 Arab countries lacks standard definitions and modes of operation, hindering inter-Arab trade and investments across the region. Therefore, regulatory and structural reforms of Arab institutions are greatly needed to ensure effective implementation. These reforms can play a key role in achieving economic growth, fostering innovation, reducing inequalities, and improving the effectiveness and inclusiveness of institutions. Consequently, stronger and harmonized laws on competition, FDI, and their correct implementation are essential to ensuring regional progress.
- 28. Identifying challenges and encouraging regional trade integration are crucial to regulatory and structural reforms. ESCWA has provided member states with multiple policy recommendations on enhancing trade and institutional reforms to advance towards a more integrated region economically, including the following:
  - Greater coordination or standardization of legislative business frameworks at the regional level are
    vital for ensuring better trade and legal performance. Subregional standardization of legislation,
    especially between bordering countries, is a valuable first step to encouraging cooperation between
    regions.
  - Fully liberalizing the markets and limiting subsidies.
  - Public awareness of legislation is essential to facilitate trade. More efforts are needed to increase
    public awareness, which can focus on making legislative frameworks readily available and
    accessible to citizens and non-citizens.
  - Routine training of government officials and enforcers is necessary to build institutional capacity in legislation enforcement in the region, especially regarding intellectual property, digitization and trade.

#### Annex

#### **Instructions for the Arab Legislation Portal**

#### Introduction

The present user manual addresses the usage of the collaboration features in the ESCWA Arab Legislation Portal (ALP).

ALP provides ESCWA member States with access to a repository of regulatory frameworks on the business environment in the Arab region. It enables rapid access to information on laws, regulations and legislative decrees, and promotes analysis of current legislation and the identification of regulatory gaps in the Arab region. It also facilitates support, the exchange of expertise and opportunities, and comparative evaluations between countries.

# **Exploring the ALP knowledge hub**

The ALP knowledge hub is a one-stop shop to understand the current business regulatory climate in the Arab region. The site can be reached at https://alp.unescwa.org/ (figure A1).

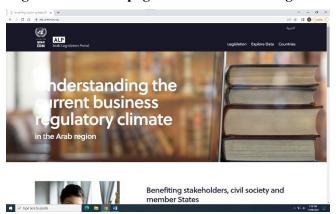


Figure A1. Home page of the ALP knowledge hub

To access feature of the site, click on the "Legislation" tab at the top right-hand corner of the screen, and choose the legislation field that you are interested in (figure A2).

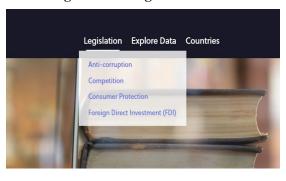
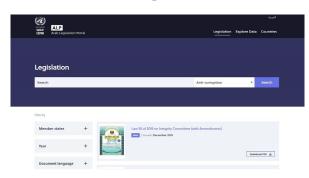


Figure A2. Legislation fields

After clicking on one of the legislation fields, the website will redirect users to a new page with all the legislation available on that field for the 22 Arab countries, ordered chronologically (figures A3 and A4).

Figure A3. Legislation on the field of anticorruption

Figure A4. Legislation on anti-corruption ordered chronologically



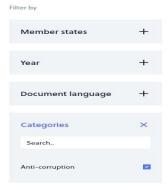


To find a specific law, decree, order, draft or any other piece of available legislation in one of the four legislation fields, the page provides a search bar and filter. Users can either enter the name and field in the search bar, or filter according to the details of the legislation searched, such as country, the year, language, or category. After adding this information, users should press the "Search" button on the right-hand side of the screen (figures A5 and A6).

Figure A5. Search for legislation



Figure A6. Filter for legislation



The search results will be shown on a new page. The title of the law along with a short summary are offered on that page. To access the content of the legislation, users need to download the PDF document by clicking on the "Download PDF" button on the bottom left-hand corner of the screen (figures A7 and A8).

Figure A7. Piece of legislation found

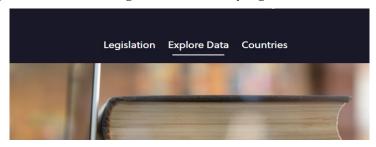


Figure A8. "Download PDF" button



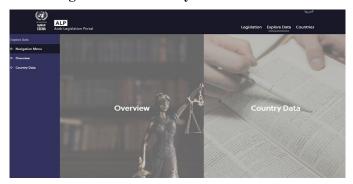
Back on the ALP homepage, to access an overview of the regional or country-by-country legislation scores, users must click on the "Explore Data" button at the top right-hand corner of the screen (figure A9).

Figure A9. Data on regional and country legislation scores button



The website will redirect users to a navigation menu offering two different features. By clicking on the left-side image or on the "Overview" button, users can access a regional overview of the scores obtained by the 22 Arab states in the four fields of legislation. Moreover, by clicking on the right-side image or on the "country data" button, users can access data and scores from each country on each field of legislation (figure A10).

Figure A10. Country data or overview



To access the country-by-country legislation, go to the bottom of the homepage and click on the country whose legislation you are interested in or click directly on the "Countries" button at the top right-hand corner of the screen (figures A11 and A12).

Figure A11. Homepage bottom with country-by-country legislation



Figure A12. Countries' legislation button

