Firm Behavior and Market Access in a Free Trade Area with Rules of Origin

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Abstract

We study a Free Trade Area with Rules of Origin and show that there are two distinct regimes. Comparative statics results for the two regimes are exact opposites and a regime switch occurs when ROO become restrictive enough. Consequently, imports into the FTA of the intermediate good first fall and then rise while the opposite pattern occurs for imports of the final good and for the price of the domestic input. We also show that tighter ROO have opposite effects on the well being of final versus intermediate good producers and producers inside versus outside the FTA.

Keywords: Free Trade Areas, Rules of Origin, Market Access, Regime Switches.

JEL Classification Numbers: F13, F15.

1 Introduction

In a Free Trade Area (FTA) tariff rates among members are zero, although tariff rates set by members on non members are not necessarily equalized. With differences in tariffs, and in the absence of transport costs, what prevents trade in a product from going through the country with the lowest tariff on it and then being shipped within the FTA? The answer is Rules of Origin or ROO. A good is eligible for zero tariffs in the FTA only if it originates there. ROOspecify conditions which have to be met for such origin to be granted.

There are large differences in the effects of an FTA with and without ROO. In the absence of ROO, an FTA results in large changes in trade flows as trade seeks the lowest tariff entry point into the FTA. Goods are then trans-shipped to their final destination in the FTA. Of course this results in large tariff revenue transfer effects as this "trade deflection" transfers tariff revenue from a good to the country with the lowest tariff entry point.¹ However, in the presence of ROO, this simple trans-shipment is not possible. Nevertheless, there is still some trade deflection possible. By shipping domestic production, to its FTApartners and meeting domestic demand via imports, the low tariff country can still attract trade to its ports. This "trade deflection" results in opposite effects on the tariff revenue, and hence welfare, of member countries. Also, as pointed out by Richardson (1995), it can result in a race to the bottom in setting tariffs.²

In this paper we look at how *ROO* affect firm behavior, market access, and the welfare of the various parties. We consider the short run where the number of

¹See McGillivray (2000) who argues that this is exactly what happened in the period 1777-1789, the Articles of Confederation Period, when British merchants landed their goods in the state in America offering the most favorable terms.

²Richardson assumes "all intra-FTA production of a good can be sold anywhere in the FTA duty free". In other words, ROO are automatically met by domestic production. Since meeting them does not involve higher costs, the prices received by producers must be the same across all destinations. In our analysis, there are costs to meeting the ROO so that producer profits across all destinations are equalized, though prices need not be.

firms is given, but where firms can choose how to use their production capacity. Incurring new investment involves fixed costs and takes time. As a result, if the FTA makes serving the partner country profitable, firms will choose to export using existing capacity in the short run and make investment decisions in the long run. It makes sense to look at short run effects since this is what short lived governments are likely to care the most about! Moreover, these short run effects have not been well studied while long run effects have been dealt with elsewhere.

In the long run, the presence of *ROO* tends to attract investment so as to circumvent the *ROO*. Krishna and Krueger (1995) study this using a partial equilibrium model with constant returns to scale, while Krishna 2003(b) considers a general equilibrium setting. There is a large literature on *ROO* in law, see for example Vermulst (1994). In economics, a few of the notable papers are Herin (1986), Rosellon (1994), Krishna and Krueger (1995), Schiff (1997), Estevadeordal (2000), and Cadot et al. (2002). See Krishna (2003a) for a survey of the existing work.

This paper builds on Ju and Krishna (2002) which shows that when non compliance is an option, there are two distinct regimes with dramatically different comparative static properties. In the *homogeneous regime* all firms wish to meet the regulation. In the *heterogenous regime* firms are indifferent between meeting the regulation and not, as their profits are the same in either event. Work prior to that of Ju and Krishna (2002), such as Grossman (1981) and Mussa (1984), neglects the heterogeneous regime.³ Anson et. al. (2003) found that the average NAFTA utilization rate by Mexican firms is about 64%, suggesting that not all firms in Mexico choose to meet the ROO required by NAFTA. This could

³When firms are indifferent between different options, some firms could choose one option while others choose another. As the restriction becomes more severe, the mix of firms meeting the restriction adjusts so that profits remain equal for the two options which in turn makes comparative static effects very different in the two regimes.

be due to firm heterogeneity: some firms may find it easier to document origin than others. However, such heterogeneity is not necessary: firms could be ex ante identical but make different choices as in the heterogeneous regime.

This paper differs from that of Ju and Krishna (2002) in a number of ways. First, it focuses on a particular application, namely ROO in FTAs, and examines restrictions which are value based. Such restrictions are typically used in FTAs. In contrast, Ju and Krishna (2002) looks at physical restrictions, focusing on regime switching when non compliance is an option. Second, this paper examines the effects on trade flows as well as welfare, both aggregate and of particular groups. These results are new. It is similar to Ju and Krishna (2002) as it employs the regime switching properties developed there.

The effects of ROO on market access are summarized in Propositions 2 and 3 in Section 5. It is shown that when ROO become more restrictive, imports from the rest of the world of the intermediate good first fall and then rise. In contrast, imports of the final good as well as the price of the domestic input, first rise and then fall. Their turning point is common and occurs at the switch over between the two regimes. The effects of ROO on welfare are summarized in Propositions 4 and 5 in Section 6. Conflicts between domestic intermediate and final goods producers as well as domestic and foreign producers of the final and intermediate goods in setting ROO are predicted since when one gains, the other loses.

There are many aspects of FTAs that we neglect in this paper. Issues of why they might be created, whether they are stepping stones to global integration or impediments to it⁴, which kinds of FTAs are good and which kinds bad, are

⁴Using a median voter model, Philip Levy (1997), shows that in a Heckscher-Ohlin setting a bilateral agreement cannot supplant multilateral free trade, but bilateralism can undermine support for future multilateral liberalization when there are variety benefits from trade. Pravin Krishna (1998), looks at the similar questions using a Cournot model of oligopoly to look at the effect on firm profits.

all outside the scope of this paper. The reader is directed to Krueger (1997) for a thoughtful discussion of such issues, to Bhagwati and Panagariya (1996) for a biting criticism of much of the work in the area, and to the work of Bagwell and Staiger (1998) for some fascinating ideas on developing rules which ensure that FTAs, when formed, do not result in negative externalities for non members.

2 The Model

We want to consider the effects of an FTA. The simplest framework in which this can be done is a three country world. Let the three countries be called A, B, and C. Countries A and B form an FTA, excluding C which can be thought of as the rest of the world. There are two goods, a final good x and an intermediate input z, in addition to a numeraire consumption good. Prior to the FTA, both A and B import the final and intermediate goods from C. Of course, the numeraire good is exported by them to C so that trade balances. There is no trade between A and B prior to the FTA. However, trade between A and B will occur in both goods after the FTA.

Both A and B are small countries so that they take the world price as given. The world price for x is denoted by p_x^w and the world price for z is denoted by p_z^w . Country i has tariffs t_j^i on good j. These are assumed to be specific tariffs. Let p_j^{i0} be the price of good j in Country i, at time t = 0 (t = 0 before the FTA and t = 1 after it). $p_j^{i0} = p_j^w + t_j^i$, for i = A, B and j = x, z, as both goods are imported.

When A and B form an FTA, their tariffs on each others products are set at zero, while those on imports from the rest of the world are unchanged. We assume throughout, that neither A nor B can produce enough of the final or intermediate good to meet its FTA partner's excess demand at pre FTA prices. For the most part we will assume that one country has a higher intermediate good tariff while the other has a higher final good tariff. For concreteness, we assume $t_x^A > t_x^B$ and $t_z^A < t_z^B$. What happens when one country has higher tariffs on both goods is discussed at the end of Section 4. Note that despite t_x^A exceeding t_x^B , the rest of the world cannot access A's market via simple transshipment from B due to rules of origin. For this reason, prices in A and B need not be the same even after the FTA.

We assume that the ROO in the intermediate goods are automatically met when the input is made in the FTA but can not be met if the input is made abroad.⁵ As a result the price of the FTA made intermediate input is equalized in both FTA countries. The input imported from outside the FTA is called the imported input from here on. Our assumptions so far ensure that this price in both countries is unaffected by the existence of the FTA and equals $p_z^w + t_z^A$ and $p_z^w + t_z^B$. The domestically made intermediate input price, denoted by p_z^1 , is equalized in the two countries after the FTA, though it need not equal the price of the imported input. This is because the ROO in the final good requires a minimum cost share to arise within the FTA. Imported inputs cannot contribute to this cost share while FTA made inputs can. As a result, even if the price of FTA made inputs exceeds that of the imported inputs, they may still be used in order to meet the ROO.

What about the price of the final good after the FTA? Final goods can come from C after paying the tariff or from a partner FTA member free of tariffs if the ROO is met. It is not possible for the price of the final good to rise after the FTA due to the possibility of importing directly from C. There will be no incentive for firms in Country A to export to Country B because $t_x^A > t_x^B$. Since only firms in C export to B the price of x in B stays unchanged. However, firms in Country B may wish to export to A even if there are additional costs

⁵This removes complications arising from trans-shipment of intermediate goods in the FTA.

in meeting the ROO. Since B cannot meet all of A's demand, the price in A remains at its pre FTA price.⁶ Similarly, even after the FTA, the price of the imported intermediate good in both A and B remains at its pre FTA level.

In Section 3 we consider the problem facing firms at given prices. In Section 4 we consider the determination of the price of the FTA made input, p_z^1 . In Section 5 we consider the implications of our analysis for market access. In Section 6, we investigate what happens to the welfare of various groups as ROO become more restrictive. In Section 7, we offer some concluding remarks.

3 The Firm's Problem

Let $F^{i}(Z, k)$ denote the constant returns to scale (CRS) production function for the final good in Country i, i = A, B, where k denotes the capital used, and Z the intermediate good used by the firm. In the short run, being considered here, k is given so we suppress it from here on. As firms in A do not wish to export to B, they do not care about the source of the intermediate good. They use the cheapest source for the input and equate the marginal value product of the input to its price. The supply of a typical firm in A after the FTA is thus denoted by $x^A(p_x^{A1}, \min\{p_z^{A1}, p_z^1\})$. In equilibrium $\min\{p_z^{A1}, p_z^1\} = p_z^{A1}$.⁷ Supply of the final good, as usual in such problems, is positively related to p_x^{A1} and negatively related to p_z^{A1} .

To comply with the ROO, a fraction, α , of the variable cost share, must come from the FTA made inputs or

$$\frac{p_z^1 z}{p_z^1 z + p_z^{B_1} z^*} \ge \alpha.$$
(1)

where z denotes the FTA made input and z^* denotes the imported input used

⁶In other words, $p_x^{A0} = p_x^{A1} > p_x^{B1} = p_x^{B0}$. ⁷Note that $p_z^{A1} = p_z^{A0} < p_z^{B1} = p_z^{B0}$. Since neither country can supply the excess demand of the other, the price of the *FTA* made input, p_z^1 , can not be below p_z^{B1} in equilibrium.

by a firm.

Firms in *B* will either meet the *ROO* and export to *A* or not meet the *ROO* and sell to their home market, depending on what is more profitable⁸. Let $Z(p_x, min(p_z^1, p_z^{B1}))$ be the total input demand function for a given firm in *B* in the absence of any restrictions. What is the effect of *ROO*? For a given p_x , if $p_z^1 \leq p_z^{B1}$ then all firms in *B* will weakly prefer the *FTA* made input and the *ROO* are automatically met. The input demand is as if there were no *ROO*. If $p_z^1 > p_z^{B1}$, then firms would prefer to use the imported input, but may choose to use the *FTA* made one in order to qualify for a higher output price. If *ROO* are met the firm maximizes

$$p_x^{A1}F^B(z+z^*,k) - p_z^1z - p_z^{B1}z^*$$

subject to (1). The restriction is met exactly, which gives

$$z^* = \frac{p_z^1(1-\alpha)}{\alpha p_z^{B_1}} z.$$
 (2)

In turn, this yields

$$Z = z + z^* = \left[\frac{p_z^1(1-\alpha) + \alpha p_z^{B1}}{\alpha p_z^{B1}}\right] z,$$
(3)

Using (2) we get,

$$p_{z}^{1}z + p_{z}^{B1}z^{*} = p_{z}^{1}z + \frac{p_{z}^{1}(1-\alpha)}{\alpha}z = \frac{p_{z}^{1}z}{\alpha}$$
$$= \left[\frac{p_{z}^{1}p_{z}^{B1}}{p_{z}^{1}(1-\alpha) + \alpha p_{z}^{B1}}\right](z+z^{*})$$

where the second equality comes from inverting (3). This gives profits for a given firm as

$$\Pi(p_x^{A1}, \phi(\alpha, p_z^1)) = p_x^{A1} F^B(Z, k) - \phi(\alpha, p_z^1) Z.$$
(4)

⁸For a firm in B to export to A without meeting the ROO will not be profitable.

Note that $\phi(\alpha, p_z^1) = \frac{p_z^1 p_z^{B_1}}{p_z^1(1-\alpha)+\alpha p_z^{B_1}}$ plays the same role as $min(p_z^1, p_z^{B_1})$ did in the absence of a *ROO*. It is the virtual price of the input when the *ROO* are met. Thus, total input demand is $Z(p_x^{A_1}, \phi(\alpha, p_z^1))$. Inverting (3) gives demand for the *FTA* made input to be

$$z(p_x^{A1}, p_z^1, \alpha) = \psi(\alpha, p_z^1) Z(p_x^{A1}, \phi(\alpha, p_z^1))$$

where $\psi(\alpha, p_z^1) = \frac{\alpha p_z^{B1}}{p_z^1(1-\alpha) + \alpha p_z^{B1}}$. It is easy to verify that $\phi(\alpha, p_z^1)$ is increasing⁹ in α and p_z^1 . Note that if α is unity, only the FTA made input is used and $\phi(\alpha, p_z^1) = p_z^1$, while if α is zero, $\phi(\alpha, p_z^1) = p_z^{B1}$.

 $\psi(\alpha, p_z^1)$, which equals $\frac{z(p_x^{A1}, p_z^1, \alpha)}{Z(p_x^{A1}, \phi(\alpha, p_z^1))}$, is the physical share of the *FTA* made input. It is increasing in α but decreasing in p_z^1 .¹⁰ For a given p_z^1 , as α , the value restriction becomes stricter, the physical share of the *FTA* made input rises. However, as the *FTA* made input price increases, the physical share of the *FTA* made input falls as a constant physical share results in a larger value share. An increase in p_z^1 reduces both $\psi(\alpha, p_z^1)$ and $Z(p_x^{A1}, \phi(\alpha, p_z^1))$, so that $z(p_x^{A1}, p_z^1, \alpha)$ is decreasing in p_z^1 . The effect of increases in α on $z(p_x^{A1}, p_z^1, \alpha)$, the derived demand for the FTA made input, which will be discussed later, is more complicated since p_z^1 itself changes as α changes.

If $p_z^1 > p_z^{B1}$ and the *ROO* are not met, the firm in *B* will maximize

$$p_x^{B1}F^B(z^*,k) - p_z^{B1}z^*.$$

The maximized value of profits, $\bar{\Pi}(p_x^{B1}, p_z^{B1})$ is a constant as p_x^{B1} and p_z^{B1} are fixed. The demand for inputs and the outputs by such a firm are $\bar{z}(p_x^{B1}, p_z^{B1})$ and $\bar{x}(p_x^{B1}, p_z^{B1})$, respectively.

⁹An increase in α reduces the denominator of $\phi(.)$, raising $\phi(.)$. Divide the numerator and denominator in $\phi(.)$ by p_z^1 and note that an increase in p_z^1 reduces the denominator, thereby raising $\phi(.)$.

¹⁰As $p_z^1 > p_z^{B1}$, an increase in α raises the numerator and reduces the denominator of $\psi(.)$ thereby raising $\psi(\alpha, p_z^1)$. An increase in p_z^1 raises the denominator and so reduces $\psi(\alpha, p_z^1)$.



4 Equilibrium Conditions

Demand for the FTA made input from firms in A is clear. It is their total demand if $p_z^1 < p_z^{A1} = p_z^{A0}$ and zero otherwise. What does the demand from firms in B for the FTA made input look like? Clearly this depends on whether firms in B choose to meet the ROO or not. Let $\tilde{p}_z^1(\alpha)$ be the price of the imported intermediate input such that firms in B are indifferent between meeting the ROO and not. Of course, $\tilde{p}_z^1(\alpha)$ will exceed $p_z^{B1} = p_z^{B0}$ since profits from meeting the ROO at p_z^{B0} exceed those from not doing so.

Let n^B denote the fixed number of firms in B. The total demand for inputs in B, assuming the ROO is met by all firms in B, $n^B Z(p_x^{A0}, \phi(\alpha, p_z^1))$, is depicted

by the line AB in Figure 1. If $p_z^1 < p_z^{A0}$, all firms in A and B buy only the FTA made input. The demand for the FTA made input is the sum of the total demands for inputs in A and B, which is depicted by the line JK. If $p_z^1 = p_z^{A0}$, firms in A are indifferent between buying imported inputs and buying FTA made inputs and the demand for the FTA made input corresponds to the segment IJ. If $p_z^{A0} < p_z^1 < p_z^{B0}$ then no firms in A buy the FTA made input. However firms in B buy only the FTA made input and the ROO are automatically met. This corresponds to the segment HI. If $p_z^1 = p_z^{B0}$, firms in B do not care whether they overfulfill the ROO or not and the demand for the FTA made input corresponds to the segment FH.

For $p_z^{B0} < p_z^1 < \tilde{p}_z^1(\alpha)$, all firms in *B* choose to meet the *ROO* and sell to *A*. The total demand for the *FTA* made inputs is $n^B z(p_x^{A0}, p_z^1, \alpha)$ which is downward sloping and corresponds to the segment *DF*.

At
$$p_z^1 = \tilde{p}_z^1(\alpha)$$

$$\Pi(p_x^{A0}, \phi(\alpha, \tilde{p}_z^1)) = \Pi(p_x^{B0}, p_z^{B0}).$$
(5)

At this point, some firms may meet the *ROO* while others do not, what is termed the heterogenous regime. As a result, total *FTA* made input demand is anywhere from zero to $n^B z(p_x^{A0}, \tilde{p}_z^1(\alpha), \alpha)$, which corresponds to *GD*.

If p_z^1 rises further, then all firms prefer not meeting the *ROO*, and the *FTA* made inputs are not demanded at all, which corresponds to the segment *AG*. The total demand for the *FTA* made input is thus given by the dark line *AGDFHIJK* in Figure 1.

Of course, p_z^1 is determined by the intersection of demand and supply for the *FTA* made input which we turn into now. Supply of the intermediate input in a country is given by the horizontal sum of marginal costs of the individual suppliers. We make the standard assumption that their marginal costs are increasing in output. The supply of FTA made inputs, $S(p_z)$, is the horizontal sum of the input supplies in two countries. That is, $z = S(p_z) =$ $S^A(p_z) + S^B(p_z)$. Let n_A^B be the number of firms in B choosing to meet the ROO and export to A when the equilibrium is at price $\tilde{p}_z^1(\alpha)$. Since demand is horizontal at this point, n_A^B is determined by supply.¹¹

The intersection of demand and supply for the FTA made input can not occur below p_z^{B0} as discussed in the footnote 7. Thus, the intersection is somewhere along the segment AGDFH. The segment DFH represents the homogeneous regime, while the segment GD represents the heterogeneous regime. As a first step we examine the behavior of the FTA made input demand in the two regimes as α rises. We show in the next lemma that the horizontal segment at $\hat{p}_z^1(\alpha)$, GD, shifts down as α rises.

Lemma 1 $\frac{d\tilde{p}_z^1(\alpha)}{d\alpha} < 0.$

Proof. From (5) it follows that $\tilde{p}_z^1(\alpha)$ is decreasing in α since $\phi(\alpha, p_z^1)$ is increasing in α and p_z^1 and $\phi(\alpha, p_z^1)$ must be kept constant for (5) to remain true.

Now we show that the downward sloping segment shifts out as α rises unless the derived demand for the input is very elastic.

Lemma 2 $\frac{d[z(p_x^{A0}, p_z^1, \alpha)]}{d\alpha} > 0$ if $\epsilon < \frac{1}{\theta}$ where ϵ is the elasticity of $Z(p_x^{A1}, \phi(.))$ with respect to ϕ defined as a positive number and $\theta = \frac{\alpha(p_z^1 - p_z^{B0})}{p_z^1} < 1.$

 $^{{}^{11}}n_A^B$ may not be an integer. If it is not, the marginal firm will engage in both meeting the ROO and not doing so. As the production function is constant returns to scale and profits of these two activities are equalized, the firm will use a portion of k to produce for exporting to A and use the rest of k to produce for the home market.

Proof. Note that $z(.) = \psi(.)Z(.)$ so that

$$\frac{d\left[z(p_x^{A0}, p_z^1, \alpha)\right]}{d\alpha} = \frac{d\left[\psi(.)Z(.)\right]}{d\alpha} = Z\left(p_x^{A0}, \phi(.)\right)\psi_{\alpha}(.) + \psi(.)Z_{\phi}(p_x^{A0}, \phi(.))\phi_{\alpha}(.) \\
= Z(.)\phi(.)\frac{1}{\left[p_z^1(1-\alpha) + \alpha p_z^{B0}\right]} + \psi(.)Z_{\phi}(.)\phi(.)\frac{\left(p_z^1 - p_z^{B0}\right)}{\left[p_z^1(1-\alpha) + \alpha p_z^{B0}\right]} \\
= \frac{Z(.)\phi(.)}{\left[p_z^1(1-\alpha) + \alpha p_z^{B0}\right]}(1-\epsilon\theta) > 0$$

if $\epsilon < \frac{1}{\theta}$.

Now we can turn to the determination of p_z^1 in equilibrium and the effects of a more severe *ROO*. Before doing so however, we will show that in the heterogeneous regime, firms in *B* who export to *A* produce less than firms who sell domestically.

Lemma 3 In the heterogeneous regime, the output of firms in B who meet the ROO, $x(p_x^{A0}, \phi(.))$, is less than the output of those who do not, $\bar{x}(p_x^{B0}, p_z^{B0})$.

Proof. Profits are quasi convex in prices and increasing in p_x but decreasing in p_z . Hence iso profit contours are upward sloping. Profits are zero at the origin. If input prices remain at zero while the output price becomes positive, profits are unbounded. Thus, iso profit contours all emanate from the origin in (p_x, p_z) space. Firms who meet the ROO have profits $\Pi(p_x^{A0}, \phi(\alpha, p_z^1))$ while those who do not have profits of $\overline{\Pi}(p_x^{B0}, p_z^{B0})$. Since these profits are equal, the points $[p_x^{A0}, \phi(\alpha, p_z^1)]$ and $[p_x^{B0}, p_z^{B0}]$ lie on the same upward sloping iso profit contour and $[p_x^{A0}, \phi(\alpha, p_z^1)]$ lies above and to the right of $[p_x^{B0}, p_z^{B0}]$. By quasi convexity of profits, all points on the line connecting $[p_x^{A0}, \phi(\alpha, p_z^1)]$ to $[p_x^{B0}, p_z^{B0}]$ yield lower profits than either of them. Hence this iso profit contour is as depicted in Figure 2. The line connecting the origin to $[p_x^{A0}, \phi(\alpha, p_z^1)]$ is steeper than the line connecting the origin to $[p_x^{B0}, p_z^{B0}]$. Thus, $\frac{\phi}{p_x^{A0}} > \frac{p_z^{B0}}{p_x^{B0}}$. Recall that profit maximization equates the marginal products of the input to $\frac{\phi}{p_x^{B0}}$ and $\frac{p_x^{B0}}{p_x^{B0}}$ when the ROO is met and not met respectively. As a result, total input usage, and



hence output, of a firm meeting the ROO is less than that of a firm not meeting the ROO since production function F(.) is concave.

We have shown in Figure 1 that the entire FTA input demand curve neither shifts out nor in with an increase in α . The segment GD shifts down while the segment DF shifts out. Five levels of α , $\alpha' < \alpha_0 < \alpha'_0 < \alpha_1 < \alpha'_1$, are depicted in Figure 1. Two of these are critical. At $\alpha = \alpha_0$, the intersection of demand and supply occurs at the lower kink of the demand at p_z^{B0} ; at $\alpha = \alpha_1$, the intersection of demand and supply occurs at the upper kink of the demand at $\tilde{p}_z^1(\alpha_1)$. In other words, α_0 is the highest value of α such that $p_z^1 = p_z^{B0}$ and α_1 is the smallest value of α such that $p_z^1 = \tilde{p}_z^1(\alpha)$. Now we are ready to prove our first result.

Proposition 1 For $0 \le \alpha < \alpha_0$ an increase in α has no effect on the equilibrium. For $\alpha_0 \le \alpha < \alpha_1$, all firms in *B* choose to meet the ROO. In this, so called homogeneous regime, assuming that the elasticity of derived demand for the input, ϵ , falls short of $\frac{1}{\theta}$, an increase in α raises usage and price of the FTA made input while reducing total input usage and hence total output produced by firms in *B*. In contrast, when $\alpha_1 \le \alpha \le 1$, some firms in *B* choose to meet the ROO while others choose not. In this, so called heterogeneous regime, an increase in α reduces usage and the price of the FTA made input but raises total output produced by firms in *B*.

Proof. At very low levels of α , such as $\alpha = \alpha'$ in Figure 1, very little of the *FTA* made input is needed to meet the *ROO* so that the intersection of demand and supply occurs at p_z^{B0} and all firms in *B* meet the *ROO*. As α rises, the downward sloping segment of demand shifts out till at $\alpha = \alpha_0$ it intersects supply at the lower kink as depicted in Figure 1. As α rises above α_0 , say to α'_0 , the intersection of demand and supply occurs along the downward sloping part

of the FTA made input demand. As shown in Lemma 2, the downward sloping segment shifts out. As a result, the equilibrium level of p_z^1 and the usage of the FTA made inputs increase. The increases in α and p_z^1 raise the virtual price $\phi(.)$, therefore, the total input usage and total output fall. Finally, at $\alpha = \alpha_1$, the intersection of demand and supply occurs at the upper kink as depicted in Figure 1. This puts us in the heterogeneous regime. As α rises above α_1 , say to α'_1 , the intersection of demand and supply occurs at $\tilde{p}_z^1(\alpha)$. As shown in Lemma 1, an increase in α reduces $\tilde{p}_z^1(\alpha)$ as well as the total usage of the FTA made input, but as we will show, raises the usage of total inputs.

Profits from not meeting the ROO are fixed and as a result, so are the profits of meeting it in this regime. Hence, $\phi(.)$ is fixed so that total input usage, $Z(p_x^{A1}, \phi(\alpha, p_z^1))$, and output per firm remain unchanged as α rises. Domestic input demand per firm, $z(p_x^{A1}, p_z^1, \alpha)) = \psi(.)Z(.)$ increases in this heterogeneous regime as both the increase in α and the decrease in p_z^1 raise $\psi(.)$ while Z(.) is unchanged. However, total FTA made input usage falls as α rises. This can only occur if the number of firms exporting to B, n_A^B , falls. Now Lemma 3 shows that firms in B who sell to A produce less than firms who do not. Therefore, the total output of firms in B increases as α rises since we know that the number of firms selling to A falls as α rises and these firms are replaced by firms selling to B who produce more.

So far we have assumed that $t_x^A > t_x^B$ and $t_z^A < t_z^B$. If $t_x^A > t_x^B$ and $t_z^A > t_z^B$ the imported intermediate as well as the final good will be cheaper in B. As a result, the positions of p_z^{A0} and p_z^{B0} must be switched in Figure 1 so that firms in A come into the picture along FH and firms in B do so along IJ. If \tilde{p}_z^1 exceeds p_z^{A0} , then Figure 1 may merely be relabelled as explained above. The effects of a change in α still remain as described in Proposition 1. However, if \tilde{p}_z^1 lies below $p_z^{A0,12}$ there is no demand in Country B for the FTA made input above p_z^{A0} . As a result, the analogue of Figure 1 will look a bit different as there will be no downward sloping segment above p_z^{A0} .

One might worry that the equilibrium price of the domestic intermediate may fall in Country A. However, our assumption that neither A nor B can produce enough of the final or intermediate good to meet its FTA partner's excess demand at pre FTA prices prevents this from occurring. For the rest of the paper, we will maintain the assumption that $t_x^A > t_x^B$ and $t_z^A < t_z^B$.

5 Market Access Effects

Much of the concern in the popular press regarding preferential trading arrangements has been with the implications of such arrangements on market access. Will arrangements like EU or NAFTA lead to an increase in trade among member countries and a reduction in trade between the area and the rest of the world? Here we have a few comments to offer.

First, the FTA with ROO creates trade between A and B. A begins to import the final good from B after the FTA. B also imports the intermediate good from A. Second, it is important to look at the effect on the FTA as a whole, as done here, as well as on each member. This is because compensating flows occur.¹³ Third, effects in both final and intermediate good markets need to be considered as they can work in opposite directions. For example, we will show that market access (of the FTA as a whole) in final goods is improved, while that in intermediate goods is reduced when the ROO is more than α_1 .

Consider the level and change in imports of final and intermediate goods into the FTA as a whole as the ROO becomes more restrictive. For $\alpha \leq \alpha_0$,

¹²Recall that \tilde{p}_z^1 exceeds p_z^{B0} , but if p_z^{A0} is above p_z^{B0} , it may be that p_z^{A0} exceeds \tilde{p}_z^1 . ¹³For example, if A imports from B due to the FTA as above, then B must import more from the rest of the world to meet its own demand which was formerly met by domestic production.

 $p_z^1 = p_z^{B0} = \phi(.)$. It is costless to meet the *ROO* and the effect of the *FTA* is just to let firms in *B* sell at a higher price, p_x^{A0} not p_x^{B0} . Thus, their output rises and so does their input use. As a result, *B* imports more and *A* imports less of the final good from *C*, but the imports of the final good in the *FTA* as a whole fall as firms in *B* produce more when they sell to *A*.

Final good producers in the FTA also use more inputs when $\alpha \leq \alpha_0$. The supply of the input in *B* does not change as the price of input is unchanged in *B*. However, input producers in *A* produce more since they sell at a higher price, p_z^{B0} not p_z^{A0} . Thus, the imports of input into the FTA as a whole could rise or fall. Moreover, making the *ROO* more restrictive has no effect in this region so that imports are unaffected by changes in α .¹⁴

Proposition 2 When ROO are not binding, i.e. $\alpha \leq \alpha_0$, imports of the final good into the FTA as a whole fall. Imports of the input into the FTA as a whole could rise or fall. In addition, imports are unaffected by changes in α .

For $\alpha_0 \leq \alpha \leq \alpha_1$ (the homogeneous regime), the effect of an increase in α on imports into the *FTA* comes only from the behavior of firms in *B* who sell to *A*. As α rises, so does $\phi(.)$. This increase in the virtual input price reduces their total input use and thus their output. This in turn raises imports of the final good into the *FTA*.

On the intermediate input side, an increase in α shifts the downward sloping part of the FTA made input demand outwards which raises the use of the the FTA made input. Since total input use in the FTA falls, it must be that imports of the intermediate good from C fall with increases in α .

For $\alpha_1 \leq \alpha \leq 1$ (the heterogeneous regime), not all firms in *B* prefer to produce for *A*. Some firms choose to produce for the domestic market. Recall

 $^{^{14}}$ This is the case considered in Bhagwati and Panagaria (1996) as they assume the supply curve of firms is unaffected by *ROO*. They point out the possibility of trade revenue transfers due to trade deflection.

that in this case p_z^1 falls as α rises this reduces the use of the *FTA* made inputs. To see what happens to imports of the intermediate good from *C*, we need to see what happens to output of the final good. If this rises, then total input use must rise as well. Since the *FTA* made input use has been shown to fall, this means that imports of the intermediate input from *C* must rise.

What happens to output as α rises? The only firms who are affected are the firms in B who choose to meet the ROO. As shown in Lemma 3, these firms make less output than firms who do not export to A. Moreover, as shown in Proposition 1, their number falls as α rises so that total output increases as α rises and as a result, FTA imports of the final good from C must fall. The imports of intermediate goods into the FTA rise while the imports of the final good fall with an increase in α .

Proposition 3 For $\alpha_0 \leq \alpha < \alpha_1$, the homogeneous regime, more restrictive ROO reduce the market access of C into the FTA in the intermediate good but improve the market access of C into the FTA in the final good. In contrast, for $\alpha_1 \leq \alpha \leq 1$, the heterogeneous regime, more restrictive ROO improve market access into the FTA for the intermediate good but reduce market access for the final good. The intermediate good market in the FTA is most protected at $\alpha = \alpha_1$, while the final good market in the FTA is most open at $\alpha = \alpha_1$.

Our results are depicted in Figure 3. The lines I^F and I^I trace out the imports of the final and intermediate goods into the FTA as a function of α . I^{F0} and I^{I0} depict pre FTA levels. Note that I^F lies above I^{F0} when $\alpha > \alpha_1$. This is because in this region, the firms in B who export to A produce less than firms who do not! As a result, imports of the final good into the FTA in the heterogeneous regime must rise due to the FTA in this region.

 I^{I} may lie above or below I^{I0} for $\alpha \leq \alpha_{0}$. It is depicted as being above I^{I0}



Figure 3: Imports of Final and Intermediate Goods

in Figure 3. I^{I} remains below I^{I0} for $\alpha > \alpha_{1}$. Even at high α , some firms in B export to A and these firms produce less of the final good and hence use less of the intermediate input in total. As the price, and hence supply, of the FTA made inputs is higher than before the FTA, imports from C must fall.

One way to interpret these results is to note that the FTA results in trade diversion as firms in B export to A so that A's imports from the rest of the world fall. However, B's imports from the rest of the world rise by what these firms would have produced had they not produced for export to A. This trade substitution counters the trade diversion.

Trade diversion dominates trade substitution in the final good market for $\alpha < \alpha_0$ as firms in B who export to A produce more than before the FTA and use more inputs doing so. As a result, the total imports of the final good as a whole fall, while the imports of the intermediate good could rise due to the FTA. From $\alpha = \alpha_0$ to $\alpha = \alpha_1$, as α increases, B exports less of the final good from C do not change so the trade substitution effect maintains the same. As a result, the imports of the final good into the FTA from C increase as α increases. In the heterogeneous regime, as α increases, fewer final good producers in B export to A so the trade diversion effect is weaker. However, those final good producers who switch from exporting to A to producing for the domestic market supply more final good to the FTA market, so the trade substitution effect becomes even weaker than trade diversion effect. As a result, the imports of the final good to the FTA market, the imports of the final good to the final good to the final good to the FTA market. As a result, the imports of the final good to the FTA market, so the trade substitution effect becomes even weaker than trade diversion effect. As a result, the imports of the final good into the FTA from C decrease as α increases.

6 Winners and Losers from a FTA with ROO

In this section we look at two things. First, we look at what happens to the welfare of various groups who are affected by an FTA with ROO. Second, we

identify the most preferred point of producers of final and intermediate goods and show that these points differ so that conflict between them is likely.

First, note that since the price of the final good is independent of the creation of an FTA or the level of ROO, welfare is made up of producer surplus and tariff revenue only. Only the profits of the final goods producers in B are affected by an FTA. Since they choose to sell to A their profits must rise from doing so. Intermediate good suppliers are also affected. Any increase in their price raises their producer surplus. Moreover, since the FTA leads to more imports of the final good entering through B, B's tariff revenues from the final good rise, while those of A fall. Tariff revenue from intermediate good imports tends to rise in A as firms in A use only imported inputs, while it tends to fall in B as all the FTA made inputs are used by the firms in B. Thus, the net welfare effects in the two countries are ambiguous: some components rise while others fall. In some special cases a clear direction is possible. For example, if there is no tariff on intermediates in both countries then B gains from an FTA as its firms in final and intermediate sectors gain and its tariff revenue rises.

More important is the fact that intermediate goods producers and final good producers tend to have conflicting desires regarding the level of ROO. Intermediate good producers are best off at $\alpha = \alpha_1$ as this is where their product price, and hence rents, are maximized. However, final goods producers in B gain the most when they have access to A's markets at the least cost, that is at any $\alpha \leq \alpha_0$. Thus these two groups are likely to lobby for different levels of ROO.

Next, we show that conflicts will arise in the interests of groups of agents depending on the level of ROO. First, as α rises, the interests of final good producers and intermediate good producers in all FTA countries move in (weakly) opposite directions. Second, the interests of producers inside the FTA and outside the FTA for all goods move in (weakly) opposite directions as ROO

changes.

Proposition 4 All producers inside the FTA gain from the FTA with ROO. As α rises, the interests of final good producers and intermediate good producers in all FTA countries move in (weakly) opposite directions.

Proof. First note that profits of the producers of the final good in A, $\pi_x^{B1}(\alpha)$, are unaffected by the *FTA* and the severity of *ROO* and are depicted by a horizontal line in Figure 4. For $\alpha \leq \alpha_0$, it is costless to meet the *ROO* and all final good producers in B export to A at a higher price, p_x^{A1} . Thus, their profits rise. Intermediate good producers in B obtain the same profit as before since $p_z^1 = p_z^{B1} = p_z^{B0}$. However, because all intermediate good producers in A export to B for the higher price, p_z^{B1} , they gain. Making the *ROO* more restrictive has no effect on p_z^1 and hence on their profits in this region.

For $\alpha_0 \leq \alpha \leq \alpha_1$, as α rises, so does p_z^1 and $\phi(.)$. The increase in the virtual input price $\phi(.)$ reduces the profits of final good producers in B, $\pi_x^{B1}(\alpha)$, though they must remain better off than before the FTA as they could always just sell in B. However, the increase in p_z^1 raises profits for intermediate producers in A and B.

For $\alpha_1 \leq \alpha \leq 1$, the profits of firms in B are constant at π_x^{B0} . Recall that in this case p_z^1 falls as α rises, so profits of intermediate good producers in the FTAare decreasing in α . p_z^1 is still higher than p_z^{B1} in this entire region implying that profits of intermediate good producers in both countries, $\pi_z^{B1}(\alpha)$ and $\pi_z^{A1}(\alpha)$, are higher than that before the FTA.

It is worth noting that there is no conflict between final goods producers in the FTA or between intermediate good producers in the FTA. If producers of a good in A gain, producers in B cannot lose and vice versa.¹⁵ Note that since

 $^{^{15}}$ If final or intermediate good price in A was allowed to change there could be conflicts between final (intermediate) good producers in different FTA countries.



Figure 4: Profits of Final and Intermediate Good Producers

all producers gain from such FTAs, an increase in tariff revenues post FTA is sufficient for an increase in welfare.

Proposition 5 The interests of producers inside the FTA and outside the FTA for all goods move in (weakly) opposite directions as ROO changes.

Proof. Since the prices received by non FTA producers of final and intermediate goods are fixed, their profits track imports into the FTA. The result now follows from comparing Figure 3 and 4.

7 Conclusion

Much of the concern felt about regional trading areas has been that they will exclude non member countries from their markets by setting higher tariffs, see for example Krugman (1991), Bond and Syropoulos (1996). In this paper we show that with ROO, market access may well rise due to an FTA!

We believe that the model developed here has an internal structure that makes it suitable for a number of other purposes such as market access requirements where preferential treatment is given to foreign firms that meet a certain requirement such as using at least a given share of domestic inputs. Other examples could be penalties if certain kinds of workers do not make up a given fraction of the work force.

It is assumed in this paper that all markets are perfectly competitive. Imperfectly competitive markets in FTAs have been studied in the literature. Lopezde-Silanes, Markusen, and Rutherford (1996) use a quantity competition model to examine effects of NAFTA on North American auto industry. Assuming that foreign firms rely much more on imported inputs than do domestic firms so that ROO are binding on foreign firms but not on home firms, they argue that ROO are anti-competitive, reducing overall final output of the industry, and shifting rents to domestic firms. Ishikawa, Mizoguchi, and Mukunoki (2003) use a price competition model to study the effect of an FTA with ROO on market segmentation. They argue that the FTA removes the ability to price discriminate for domestic firms as they automatically obtain domestic origin but allows foreign firms to price discriminate since ROO segment markets within the FTA. Thoenig and Verdier (2003) develop a partial equilibrium duopoly model where oligopolistic firms can choose to meet the ROO or not. The regime switching between meeting and not meeting ROO results in non standard comparative statics. The behavior of imperfectly competitive firms in FTAs with ROOseems a fruitful one for future research.

References

- Anson, Jose, Olivier Cadot, Antoni Estevadeordal, Jaime de Melo, Akiko Suwo-Eisenmann, and Bolorma Tumurchudur (2003) 'Rules of Origin in North-South Preferential Trading Arrangement with an Application to NAFTA,' Mimeo.
- [2] Bagwell, Kyle and Robert Staiger (1998) 'The Simple Economics of Labor Standards and the GATT,' NBER Working Paper No. 6604.
- [3] Bhagwati, Jagdish and Arvind Panagariya (1996) 'Preferential Trading Areas and Multilateralism: Strangers, Friends or Foes?' pp. 1-78 in *The Eco*nomics of Preferential Trade Agreements, Washington D.C.: AEI Press.
- [4] Bond, Eric and Constantinos Syropoulos (1996) 'The Size of Trading Blocs: Market Power and World Welfare Effects,' *Journal of International Economics*, Vol 40, No.3-4, pp. 411-437.

- [5] Cadot, Oliver, Jamie de Melo, Akiki Suwa Eisenmann and Bolormaa Tumurchudur (2002) 'Assessing the Effect of NAFTA's Rules of Origin,' Mimeo.
- [6] Estevadeordal, Antoni (2000) 'Negotiating Preferential Market Access: The Case of the North American Free Trade Agreement,' *Journal of World Trade*, Vol. 34, pp. 141-200.
- [7] Grossman, Gene (1981) 'The Economics of Content Protection and Preference,' Quarterly Journal of Economics, Vol. 96, No. 4, pp. 583-603.
- [8] Herin, Jan (1986) 'Rules of Origin and Differences between Tariff Levels in EFTA and in the EC,' EFTA Occasional Paper No. 13, (Geneva).
- [9] Ishikawa, Jota, Yoshihiro Mizoguchi, and Hiroshi Mukunoki (2003) 'Economic Integration and Rules of Origin under International Oligopoly,' Mimeo.
- [10] Ju, Jiandong and Kala Krishna (2002) 'Regulations, Regime Switches and Non-Monotonicity when Non-Compliance is an Option: An Application to Content Protection and Preference,' *Economics Letters*, Vol 77, pp. 315-321.
- [11] Lopez-de-Silanes, Florencio, James R. Markusen and Thomas F. Rutherford (1996) 'Trade Policy Subtleties with Multinational Firms,' *European Economic Review*, Vol 40, pp. 1605-1627.
- [12] Krishna, Pravin (1998) 'Regionalism and Multilateralism: A Political Economy Approach,' *Quarterly Journal of Economics*, Volume CXIII, pp. 227-252.
- [13] Krishna, Kala and Anne O. Krueger (1995) 'Implementing Free Trade Areas: Rules of Origin and Hidden Protection,' pp. 149-187 in New Directions

in Trade Theory, ed. A Deardorff, J. Levinsohn and R. Stern , University of Michigan Press.

- [14] Krishna, Kala (2003a) 'Understanding Rules Origin,' Mimeo. Pennsylvania State University.
- [15] Krishna, Kala (2003b) 'Conditional Policies in General Equilibrium: FTAs with ROOs Revisited,' Mimeo. Pennsylvania State University.
- [16] Krueger, Anne. O. (1997) 'Free Trade Agreements Versus Customs Unions,' Journal of Development Economics, Vol 54, pp. 169-187.
- [17] Krugman, Paul (1991) 'Is Bilateralism Bad?' in International Trade and Trade Policy, ed. Helpman, Elhanan and Asaf Razin, pp 9-23, Cambridge and London: MIT Press.
- [18] Levy, Philip (1997) 'A Political-Economic Analysis of Free-Trade Agreements,' American Economic Review, Volume 87, No. 4, pp. 506-519.
- [19] McGillivray, Fiona (2000) 'Bargaining Leverage for Smaller States: South -South Customs Unions,' Mimeo, Yale University.
- [20] Mussa, Michael (1984) 'The Economics of Content Protection,' NBER-Working Paper No. 1457.
- [21] Richardson, Martin (1995) 'Tariff Revenue Competition in a Free Trade Area,' *European Economic Review*, Vol. 39, No. 7, pp. 1429-1437.
- [22] Rosellon, Juan (1994) 'Rules of Origin and Welfare Analysis,' Mimeo.
- [23] Schiff, Maurice (1997) 'Small is Beautiful: Preferential Trade Agreements and the Impact of Country Size, Market Share, Efficiency, and Trade,' *Journal of Economic Integration*, Vol. 12, No. 3, pp. 359-387.

- [24] Thoenig, Mathias and Thierry Verdier (2003) 'The Impact of Rules of Origins on Strategic Outsourcing and Contracting,' Mimeo.
- [25] Vermulst, E. (1994) 'Rules of Origin in International Trade: A Comparative Study,' in *Studies in International Trade Policy*, ed. Waer, P. and Jacques Bourgeois, Ann Arbor: University of Michigan Press.