MADZLI BIN HARUN DOCTOR OF PHILOSOPHY 2025

TRADE POLICY INTEGRATION: A STUDY ON D-8 PREFERENTIAL TRADE AGREEMENT FORMULATION AND IMPLEMENTATION IN MALAYSIA

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DOCTOR OF PHILOSOPHY
UNIVERSITI MALAYSIA TERENGGANU

2025

TITLE PAGE

TRADE POLICY INTEGRATION: A STUDY ON D-8 PREFERENTIAL TRADE AGREEMENT FORMULATION AND IMPLEMENTATION IN MALAYSIA

MADZLI BIN HARUN

**Thesis Submitted in Fulfilment of the Requirement for the Doctor of Philosophy
in the Faculty of Maritime Studies
Universiti Malaysia Terengganu**

JANUARY 2025

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DEDICATION

Dedicated this thesis to:

This thesis is dedicated to everyone who made this journey possible through their unwavering support, encouragement, and guidance.

I extend my sincere gratitude to my principal supervisor, Associate Professor Ts Dr. Jagan Jeevan, and co-supervisor, Dr. Izyan Munirah binti Mohd Zaideen, whose guidance and counsel have been truly exceptional. I am also deeply appreciative of Associate Professor Ts Dr. Faizal bin Fuad, Associate Professor Dr. Falindah, Dr. Masha Salsabila, Dato' Professor Dr. Saharuddin bin Dato Abdul Hamid, Dato' Professor Dr. Yahaya bin Ibrahim, Professor Dr. Norsiah, Professor Dr. Mohd Effendy bin Abd Wahid, and Professor Ts Dr. Ruzaidi bin Ghazali, Professor Dr. Mohamad Rosni bin Othman, for their continuous support and encouragement. Earnest thanks are also extended to my former supervisors at the University of Antwerp in Belgium, Professor Emeritus Dr. Ludo Cuyvers and Professor Paul Roossens, for their invaluable insights and contributions to my development.

This thesis serves as a heartfelt tribute to all those who have supported me throughout my academic journey. I am particularly indebted to my wife, Madam Norbalkhis binti Abd Mokti, whose patience and encouragement have been my greatest source of strength. To my children, Muhammad Iqhwan, Muhammad Izhaq, and Zayana Nur Zahirah, I extend my gratitude for their understanding and the joy they bring, which illuminates my days. I also wish to acknowledge my GRA, Mustakim bin Abdul Kahar, for his efficiency, as well as my colleagues—Assoc. Prof. Dr. Azizul Yadi, Assoc. Prof. Ts Dr. Nurul Haqimin, Assoc Prof, Dr Nourul Shaiful Fitri, Assoc. Prof. Dr. Abi Sofian, Puan Wan Mariam, Assoc. Prof. Dr. Noreha, Assoc. Prof. Dr. Hassan, Saudi Abdullah, and Muhamad Atiff Amzar, Muhammad Amin—for their unwavering support. To my late parents, Haji Harun, Hajjah Ramlah, Haji Mokti, and Hajjah Pipah, although you are no longer with us, your encouragement and prayers continue to inspire me and have sustained my resilience throughout this journey. Finally, I am profoundly grateful to my sister, Mazida Harun, my family, and all those who know me for their steadfast support and prayers, your kindness holds immense significance for me.

Abstract of thesis presented to the Senate of Universiti Malaysia Terengganu in fulfilment of the requirements for the degree of Doctor of Philosophy

TRADE POLICY INTEGRATION: A STUDY ON D-8 PREFERENTIAL TRADE AGREEMENT FORMULATION AND IMPLEMENTATION IN MALAYSIA

MADZLI BIN HARUN

JANUARY 2025

Main Supervisor: **Associate Professor Ts. Jagan Jeevan, Ph.D.**

Co-Supervisor: **Izyan Munirah binti Mohd Zaideen, Ph.D.**

School/Institute: **Faculty of Maritime Studies**

This study examined the formulation and implementation of the D-8 Preferential Trade Agreement (PTA) in Malaysia within the framework of the nation's comprehensive trade policy. Malaysia, as a member of the D-8 Organisation, signed and ratified the PTA in 2006 to promote trade liberalisation through tariff reductions aligned with GATT and WTO protocols. The research highlighted that while Malaysia's trade policy provided a solid foundation for regional integration, challenges persisted in the PTA's execution. These included incomplete customs procedures for enforcing commitments, a lack of clear guidelines on rules of origin and local content, underdeveloped tariff reduction schedules, unclear significance of ratification processes, and weaknesses in the domestic legal framework and negotiation strategies. The study adopted a qualitative methodology, drawing on rounded theory, trade policy records, and expert interviews. Data were analysed using transcription, coding, and content analysis, guided by Grounded Theory to interpret interview evidence. The principal-Agent Theory was employed to explain the relationship between national institutions and international commitments, particularly in bridging compliance gaps between practices, conceptual and theoretical. The findings emphasised the importance of enhancing national-level compliance mechanisms, legal frameworks, and negotiation procedures to comprehensively implement the PTA. The study devised a conceptual framework that integrates processes across national agencies and the D-8 Secretariat, providing a strategic reference for Malaysia's Ministry of International Trade and Industry (MITI). This framework aids in shaping Malaysia's future trade policies, promotes regional integration, and may serve as a foundational document to guide trade regime strategies.

.

Abstrak tesis yang dikemukakan kepada Senat Universiti Malaysia Terengganu
sebagai memenuhi keperluan untuk Ijazah Doktor Falsafah

INTEGRASI DASAR PERDAGANGAN: SATU KAJIAN MENGENAI PEMBENTUKAN DAN PELAKSANAAN PERJANJIAN PERDAGANGAN PILIHAN (PTA) D-8 DI MALAYSIA

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Kajian ini meneliti perumusan dan pelaksanaan Perjanjian Perdagangan Keutamaan (PTA) D-8 di Malaysia dalam kerangka dasar perdagangan komprehensif negara. Malaysia, sebagai anggota Pertubuhan D-8, telah menandatangani dan meratifikasi PTA pada tahun 2006 bagi mempromosikan liberalisasi perdagangan melalui pengurangan tarif yang selaras dengan protokol GATT dan WTO. Penyelidikan ini menekankan bahawa walaupun dasar perdagangan Malaysia menyediakan asas kukuh untuk integrasi serantau, beberapa cabaran masih wujud dalam pelaksanaan PTA. Cabaran tersebut termasuk prosedur kastam yang tidak lengkap bagi menguatkuasakan komitmen, kekurangan garis panduan jelas mengenai peraturan asal dan kandungan tempatan, jadual pengurangan tarif yang belum dibangunkan sepenuhnya, kepentingan proses ratifikasi yang tidak jelas, serta kelemahan dalam kerangka perundangan domestik dan strategi rundingan. Kajian ini menggunakan metodologi kualitatif, berasaskan teori bulat (Grounded Theory), rekod dasar perdagangan, serta temu bual pakar. Data dianalisis melalui transkripsi, pengekodan, dan analisis kandungan, berpandukan Grounded Theory untuk mentafsir bukti temu bual. Teori Principal–Agent digunakan untuk menjelaskan hubungan antara institusi nasional dan komitmen antarabangsa, khususnya dalam merapatkan jurang pematuhan antara amalan, konsep dan teori. Dapatan kajian menekankan kepentingan memperkukuh mekanisme pematuhan di peringkat nasional, kerangka perundangan, serta prosedur rundingan bagi melaksanakan PTA secara menyeluruh. Kajian ini turut membangunkan satu kerangka konseptual yang mengintegrasikan proses antara agensi nasional dan Sekretariat D-8, yang menyediakan rujukan strategik kepada Kementerian Perdagangan Antarabangsa dan Industri (MITI) Malaysia. Kerangka ini membantu membentuk dasar perdagangan Malaysia pada masa hadapan, memacu integrasi serantau, dan berpotensi menjadi dokumen asas untuk membimbing strategi rejim perdagangan.

ACKNOWLEDGEMENTS

In completing this important thesis, I would like to sincerely thank all the panel members and experts who contributed during the interviews. Their insights have been invaluable in understanding the complexities of the D-8 Preferential Trade Agreement. I am especially grateful to the trade and diplomacy specialists from the Ministry of Foreign Affairs of Malaysia and the Ministry of Investment, Trade, and Industry, as well as to the experts and panellists from Turkey, particularly those affiliated with the Ministry of Trade. The attentive and detailed responses provided by the economic officers at the D-8 Organisation Headquarters in Istanbul, Turkey, greatly enriched these interviews. Additionally, I received significant support from the Secretary General of the Ministry of International Trade and Industry of Malaysia, who recognised this research as a key part of Malaysia's strategic approach to the D-8 PTA.

I sincerely thank the D-8 Organisation in Istanbul, Turkey, for providing an extended opportunity at their headquarters to collect essential data and insights through discussions on the D-8 PTA. I also appreciate the excellent cooperation from the MITI Head Office in Kuala Lumpur and the Turkish Embassy there, who helped facilitate the documentation and information gathering. I am proud of the strong relationships with all involved representatives and offices, which have significantly supported this PhD research. Thank you.

APPROVALS

I certify that an Examination Committee met on 22nd September 2025 to conduct the final examination of Full Name on his Doctor of Philosophy thesis entitled **"TRADE POLICY INTEGRATION: A STUDY ON D-8 PREFERENTIAL TRADE AGREEMENT FORMULATION AND IMPLEMENTATION IN MALAYSIA"** by the regulations approved by the Senate of Universiti Malaysia Terengganu. The Committee recommends that the candidate be awarded the relevant degree. The members of the Examination Committee are as follows:

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The Senate of Universiti Malaysia Terengganu has accepted this thesis in fulfilment of the requirements for the degree of Doctor of Philosophy.

____

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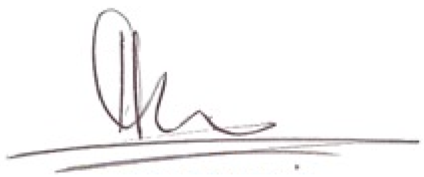
DECLARATION

I hereby declare that the thesis is based on my original work except for quotations and citations, which have been duly acknowledged. I also declare that it has not been previously or concurrently submitted for any other degree at UMT or other institutions.



MADZLI BIN HARUN

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LIST OF ABBREVIATIONS

ASEAN	Association of Southeast Asia Nations
CM	Common Market
CMs	Countervailing Measures
CPTPP	Comprehensive and Progressive Agreement for Trans-Pacific Partnership
CU	Custom Union
D-8	Organisation of Economic Cooperation of Eight Developing Countries
D-8 PTA	Organisation of Developing Eight Economic Cooperation for the Preferential Trade Agreement
ECn	Economic Union
EFTA	European Free Trade Agreement
EU	European Union
FTA	Free Trade Agreement
GATT	General Agreement on Tariffs and Trade
GDP	Gross Domestic Product Value
GSP	Custom Regulation System
GT	Grounded Theory
H. E	His Excellency
HLTO	Higher Level Trade Official
HS	Harmonised System
ILO	International Labour Organisation
IS	Information System
ISPs	Information Security Policy
LDCs	Least Developed Countries
LR	Literature Reviews

LVA	Local Value Added
MFN	Most Favoured Nation
NTBs	Non-Tariff Barriers
NTM	Non-Tariff Measure
NTP	National Trade Policy
OIC	Organisation of Islamic Cooperation
OSS	Open-Source Software
PHASE 5	Phase 5
PTA	Preferential Trade Agreement
RCEPT	Regional Comprehensive Economic Partnership Trade Agreement
RoO	Rules of Origin
S	Subsidiary
SMK	Custom Information System
TBs	Tariff Barriers
TP	Trade Policy
TPB	Theory of Planned Attitude Behaviour
TRQ	Tariff Quota
WCO	World Customs Organisation
WTO	World Trade Organisation

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CHAPTER 1

INTRODUCTION

1.1 Background of the Study

Malaysia, with approximately 32 million residents, maintains an open economy focused on diversifying income and preserving its middle-income status (Shukri & Harun, 2021). As an early member of the D-8, Malaysia ratified the D-8 PTA in 2006, ahead of many other members, demonstrating its proactive approach to regional trade via various agreements (Husein & Afrizal, 2015). The country's trade policies were significantly shaped by its 1994 accession to the WTO, which formalised trade liberalisation in tariffs, customs, and investment under Tun Dr. Mahathir Mohamad. These reforms provided the foundation for restructuring trade policies and developing PTAs that align with WTO principles and national objectives. At the national level, PTA are developed through key stages: (i) policy formulation by MITI with stakeholder input to balance interests, (ii) negotiation and ratification (Syarip, 2019; Fakheri & Shafaee, 2017), and (iii) implementation, including customs harmonisation, electronic documentation, reduction of non-tariff barriers, and strategic tariffs to encourage investment and safeguard local industries (Fung, Garcia-Herrero, & Siu, 2017; Ariffin & Sahid, 2018; Devadason, 2016).

Malaysia's experience demonstrates that consistent trade policies combined with effective PTA implementation can enhance regional integration, trade, and economic growth. As a prominent member of the D-8, Malaysia shows how well-structured trade policies can support long-term development and competitiveness (Rahman & Habibullah, 2023). The country has transitioned its economy from primarily agricultural to a manufacturing and export hub. With a population of about

32 million, Malaysia adopts trade openness to foster growth (Shukri & Harun, 2021). This approach helps diversify income sources, lessen dependence on primary commodities, and maintain its middle-income status amid global challenges. The country's trade policy underwent significant change upon joining the WTO in 1994, formalising trade liberalisation through reforms in tariffs, customs, investments, and services. Under the leadership of Tun Dr Mahathir Mohamad, these reforms aimed to integrate Malaysia into the global economy (Othman, Yusoff, & Ghazali, 2013). WTO membership also established a legal framework for regional and multilateral trade, requiring Malaysia to align its domestic policies with international standards and improving its ability to engage in agreements like the D-8 PTA.

Trade policy reforms enhanced regulations, streamlined customs procedures, reduced non-tariff barriers, and boosted export competitiveness (Makun, 2017; Fernandes, Kee, & Winkler, 2016). Malaysia's trade policy has expanded to include measures such as anti-dumping, safeguards, national treatment, and tariff exemptions, which protect domestic industries and attract foreign investment (Kim & Kang, 2017; Mavroidis, 2015). Guided by Vision 2020 and various development plans aimed at achieving high-income status, Malaysia's trade strategy emphasises coherence, reducing distortions such as non-tariff measures (NTMs), and integrating with regional and global markets. Reforms in standards, trade barriers, quotas, and inspections help align Malaysia with international norms (Abdul, Aziz, & Rahman, 2020). Malaysia shows leadership in trade policy by being an early adopter of preferential trade agreements (PTAs). As a founding member of the D-8 Economic Cooperation Organisation, Malaysia ratified the D-8 PTA in 2006—earlier than most—demonstrating its commitment to regional trade integration (Husein & Afrizal, 2015). This proactive approach reflects its strategy to embed preferential agreements into its broader trade framework through customs harmonisation, tariff reductions, and regulatory reforms aligned with WTO standards.

Malaysia's PTA process at the national level consists of several key stages. It begins with policy formulation, primarily driven by MITI, with contributions from stakeholders including business associations, industry representatives, and government agencies. The next phase involves negotiation and ratification, where

Malaysia's strong bargaining position has helped it secure agreements at both bilateral and multilateral levels. Following this is the implementation stage, which includes customs harmonisation, border simplification, and trade facilitation. Malaysia has modernised customs procedures by adopting electronic documentation and automated clearance systems to reduce border costs and improve efficiency (Hoda, 2018; Fung, Garcia-Herrero, & Siu, 2017). Although challenges remain, Malaysia's experience demonstrates that consistent trade policies and effective PTAs enhance regional integration, streamline trade, and strengthen economic resilience. Scholars highlight Malaysia's role in the D-8 as a model for other developing countries, illustrating how well-structured trade policies and coherent PTAS support sustainable growth and global competitiveness (Rahman & Habibullah, 2023).

1.2 Problem Statement and Justification

The problem statement is appropriate for several reasons. First, Malaysia's early ratification of the D-8 PTA demonstrates its leadership role and institutional readiness in advancing regional trade agreements (Rahman & Md Yusof, 2022; MITI, 2023). This positions Malaysia as a valuable case study as it demonstrates how a middle-income, trade-dependent economy formulates and implements preferential trade policies. Second, despite this leadership, Malaysia's experience highlights a persistent gap between trade policy formulation and practical implementation. Research shows that the success of Preferential Trade Agreements (PTAs) depends not only on negotiation and ratification but also on domestic awareness, stakeholder engagement, and regulatory alignment (Trommer, 2017; Jain, Khanna, & Kumar, 2021). In the Malaysian context, these factors remain underdeveloped, thereby constraining the effectiveness of the D-8 PTA in achieving its desired outcomes.

Furthermore, examining Malaysia's challenges in implementation sheds light on broader issues in South-South trade cooperation, especially when member countries have uneven institutional and technical capacities (Abdin, 2020; Özkan, 2017). By narrowing the focus to Malaysia, the study can provide a deeper understanding of how relatively advanced D-8 members address the tension between trade policy ambitions and enforcement realities. Such analysis is important for refining Malaysia's trade governance strategy and for offering lessons that can be applied to other developing countries navigating similar agreements.

Research Gap:

Malaysia has implemented a clear and structured national trade policy supported by strong inter-agency coordination and legal harmonisation. However, there is a significant lack of comparative policy studies on how Malaysia's PTA governance model can be institutionalised or adapted by other D-8 countries (Rahman, 2021; Baccini & Urpelainen, 2014). Most studies tend to focus on regional FTAs or ASEAN-related topics (Chia, 2014), often ignoring the potential for institutional learning in South-South trading regimes such as the D-8. This creates a significant gap in understanding how success stories such as Malaysia can be used to develop a framework for compliance and joint negotiations across the diverse trading systems in the D-8.

This study, therefore, aims to:

• Critically analyse Malaysia's national and international PTA strategies.

• Assess the technical, regulatory and political barriers to PTA enforcement in D-8 countries; and

• Recommend workable and scalable models for intergovernmental PTA governance, capacity building and stakeholder coordination.

The consequences of neglecting this research issue could include persistent trade inefficiencies, declining trust among D-8 stakeholders, stagnation in South-South economic diplomacy, and limited scholarly development of models for implementing Preferential Trade Agreements (PTAs) beyond the conventional North-South paradigm (Limão, 2016, 2021; Elsheikh).

1.3 Research Questions

RQ1: How has Malaysia formulated its National Trade Policy (NTP) and Preferential Trade Agreement (PTA) strategy in guiding the development of the D-8 PTA?

RQ2: What are the processes and strategies implemented by Malaysia in negotiating the D-8 PTA at the national level?

RQ3: To what extent has Malaysia ensured compliance with the D-8 PTA provisions, and how can this guide other D-8 member states?

1.4 Research Objectives

This research aims to develop a conceptual and theoretical framework for the D-8 PTA, enhancing the existing national trade policy framework. It highlights the importance of national-level preparation in drafting the D-8 PTA, using Malaysia's successful implementation as a potential model for other D-8 members. A robust national PTA should stem from effective national trade policies and negotiations, fostering engagement with the D-8 organisation. Compliance with the D-8 PTA depends on understanding the roles of stakeholders, particularly Malaysia's key contributions to the development of the D-8 PTA. The study also explores Malaysia's broader efforts to implement the D-8 PTA at the national and multilateral levels.

i. To examine the formulation of the NTP and the Malaysian PTA as a framework to guide the D-8 PTA.

ii. To analyse the national-level negotiation process and strategy undertaken by Malaysia.

iii. To assess Malaysia's approach to ensuring compliance with its D-8 PTA obligations

Research Questions (RQs)	Corresponding Research Objectives (ROs)
RQ1: How has Malaysia formulated its National Trade Policy (NTP) and PTA strategy in guiding the development of the D-8 PTA?	**RO1**: To examine Malaysia's formulation of NTP and PTA as a framework for guiding the D-8 PTA.

Research Questions (RQs)	Corresponding Research Objectives (ROs)
RQ2: What are the processes and strategies implemented by Malaysia in negotiating the D-8 PTA at the national level?	**RO2**: To analyse the national-level negotiation processes and strategies undertaken by Malaysia.
RQ3: To what extent has Malaysia ensured compliance with the D-8 PTA provisions, and how can this guide other D-8 member states?	**RO3**: To assess Malaysia's approach to ensuring compliance with D-8 PTA obligations.

1.5 Introduction of Research Methodology

This research employs a qualitative approach, collecting and analysing non-numerical data such as text, video, or audio recordings. It explicitly uses Grounded Theory (GT) to analyse interview transcripts and explore relevant theoretical frameworks, especially the Principal-Agent (P-A) theory. This approach aims to identify the most effective methods for developing Trade Policies (TP) both nationally and within the D-8, as well as to examine trade negotiation processes and the enforcement of trade regulations that foster consensus. Qualitative data sources include participant observation, personal interviews, questionnaires, official documents, and textual materials. Fieldwork is planned at ministries, agencies, embassies, and missions of D-8 member nations, as well as the Secretary-General's office and diplomatic officials involved with D-8. The research design incorporates interviews, closed-ended questionnaires, face-to-face meetings, and video calls. Data collection encompasses both primary and secondary sources, including reports from organisations, unpublished reports, magazines, statistical reviews, newspapers, and archival documents. To validate the research, a roundtable discussion will be held in Istanbul with experts and policymakers from various government bodies and D-8 Secretariats. This forum aims to facilitate detailed and focused discussions on trade policy issues. While this method offers valuable feedback and diverse perspectives, the robustness and validity of the findings will be critically assessed.

1.6 Significance of the research

This research serves an essential function in informing the Ministry of Investment, Trade, and Industry (MITI), pertinent national trade authorities, and the D-8 Secretariat by emphasising Malaysia’s strategic expertise in the development and execution of trade policies and Preferential Trade Agreements (PTAs) within multilateral frameworks.

i. Malaysia as a Model for Policy Formulation

This study assesses Malaysia's capacity to formulate a comprehensive and integrated National Trade Policy (NTP) consistent with the principles of the D-8 Preferential Trade Agreement (PTA). Malaysia’s experience provides a model for developing nations seeking to establish legally coherent and economically sustainable trade agreements (Chaisse & Matsushita, 2013).

ii. National Preparedness and Institutional Readiness

Malaysia’s capacity to formulate unilateral trade policies underscores the importance of comprehensive legislative documentation, institutional coordination, negotiation readiness, and effective governance of information systems. These components are essential for D-8 members aiming to emulate Malaysia’s achievements (Elsig & Dupont, 2012).

iii. Policy-Agreement Linkages for Trade Stakeholders

The research emphasises the importance of aligning trade policy frameworks with multilateral agreement mechanisms, such as the D-8 PTA. It allows stakeholders—including regulators, exporters, and negotiators—to reap the benefits of clear, structured, and enforceable policy instruments (Baldwin, 2016).

iv. Strengthening Regional Trade Integration

Through evidence-based analysis, this study aims to persuade D-8 member states of the critical importance of trade integration. It demonstrates how Malaysia's strategic and legislative capacity enhances negotiation effectiveness and strengthens economic linkages through trade in goods, services, and investments under the PTA framework (Hoekman & Kostecki, 2021).

v. Malaysia's Strategic Diplomatic Role

The study emphasises Malaysia's leadership in facilitating PTA discussions and negotiations through the utilisation of its diplomatic, legal, and technical expertise. Additionally, it affirms Malaysia's position as a reference point in regional economic integration and trade policy innovation (Dent, 2007).

vi. Towards Sustainable Implementation of the D-8 PTA

By concentrating on operational readiness, standardising documentation, and monitoring compliance, the study enhances the sustainability and timely ratification of the D-8 PTA. It provides structured insights into how Malaysia can support capacity building among D-8 countries for effective implementation of the agreement (Lang & Scott, 2009).

1.7 Scope of Study

This research focuses on the formulation, negotiation, and implementation of the D-8 Preferential Trade Agreement (PTA), specifically from the perspective of Malaysia. The scope encompasses:

i. An examination of how Malaysia develops its trade policies, considering both unilateral approaches and multilateral frameworks.
ii. Examination of the negotiation strategies and institutional preparedness adopted by Malaysia in engaging with the D-8 PTA.
iii. Evaluation of compliance frameworks and enforcement mechanisms to understand how Malaysia ensures alignment with international trade rules, such as those set by the WTO.
iv. Strategic advice on leveraging Malaysia's experience to help other D-8 member states accelerate PTA ratification and implementation.

The research does not directly analyse trade practices in other D-8 countries; instead, it employs them as comparative benchmarks to substantiate Malaysia's exemplary practices and leadership role.

1.8 Organisation of the Research

The research examines the significance of Malaysian trade policy (TP) within the D-8 integration framework, with a specific focus on the D-8 Preferential Trade Agreement (PTA), its governance structure, trade performance potential, and the importance of integration among member nations. It explores opportunities for enhanced trade cooperation through bilateral and multilateral negotiations, critically analysing the roles of various trade institution stakeholders.

Chapter One introduces the research, outlining its objectives and questions. It provides an overview of previous authors' interpretations of TP and its relevance to the PTA within the D-8 Organisation.

Chapter Two delves into trade integration and the D-8, offering insights into the organisation's governance and integration principles and emphasising the role of TP in multilateral trade agreements.

Chapter three conducts an in-depth literature review, analysing past studies to understand different approaches and concepts. This analysis helps identify critical trends and findings, which serve as a foundation for subsequent discussions and findings.

Chapter four outlines the research methodology, focusing on qualitative and data collection techniques. It emphasises grounded theory tools for data analysis and the formulation of theoretical and conceptual frameworks to validate research findings effectively.

Chapter five engages in data analysis, exploring insights gathered from interviews, and selected concepts will be referred to.

Chapter Six discusses the results and applies the principal-agent Theory (P-A) to evaluate policy formulation, implementation, and compliance, contributing to the development of a strategic framework for the PTA.

Chapter Seven offers' conclusions derived from the study's findings. It synthesises essential insights and suggests measures to accelerate the ratification of the D-8 PTA, which has experienced considerable delays in its implementation.

CHAPTER 2

TRADE INTEGRATION AND THE ORGANISATION OF DEVELOPING EIGHT ECONOMIC COOPERATION (D-8)

2.1 Introduction

This chapter is critical to the overall research as it presents a focused case study on Malaysia within the context of the D-8 Preferential Trade Agreement (PTA). It addresses two major dimensions: (i) Malaysia's position within the broader trade regime, and (ii) the importance of trade agreements and regulatory frameworks in shaping national and regional economic outcomes. The analysis of the D-8 trade regime includes a detailed examination of its institutional foundations, strategic relevance, governance mechanisms, and the role of its member states, particularly Malaysia, as a pivotal actor in advancing economic cooperation among developing countries (Dent, 2007).

This chapter outlines Malaysia's development of trade policy, its involvement in PTA negotiations, and its commitment to trade integration. The trade regime is driven by the goal of removing barriers, such as tariffs, quotas, and non-tariff measures, in support of the D-8's aim to boost intra-group trade (Hoekman & Kostecki, 2021). It reflects Malaysia's ongoing efforts to enhance trade facilitation and competitiveness, both regionally and globally, by aligning trade regulations with international standards (MITI, 2023).

Trade integration within the context of Malaysia encompasses not only the liberalisation of goods and services but also the development of a cohesive regulatory infrastructure to facilitate market access and rule-based commerce among D-8 member states (Chaisse & Matsushita, 2013). The chapter further examines how Malaysia utilises its institutional experience and negotiation capacity to influence the trajectory of D-8 trade reforms. Additionally, it underscores Malaysia's policy stance in minimising discriminatory practices and ensuring equitable trade preferences, particularly for developing nations with limited institutional readiness (Baldwin, 2016). Consequently, this chapter positions Malaysia as both a beneficiary and a normative contributor to the formation of D-8 trade governance.

2.2 Preferential Trade Agreement (PTA)

The Preferential Trade Agreement (PTA), especially within the D-8 Organisation for Economic Cooperation, aims to boost intra-group trade by reducing or removing tariffs, quotas, and other non-tariff barriers (Bhagwati, 2021; Panagariya, 2020). In this context, Malaysia's proactive role in shaping and early ratification of the D-8 PTA reflects its strategic dedication to regional trade integration. Malaysia acts as a regional model, demonstrating a structured approach to trade governance through clear national trade policies, advanced negotiation skills, and strong institutional frameworks (MITI, 2023; Hofmann et al., 2019).

The enforcement of PTAs can yield substantial benefits for member states such as Malaysia. These include expanded market access, increased foreign direct investment (FDI), and improved competitiveness in global markets (Rodrik, 2023; Baccini, 2019). Malaysia's existing trade infrastructure, particularly its tariff liberalisation and customs harmonisation policies, places it in an advantageous position to reap such benefits. Additionally, Malaysia's leadership in negotiating RoO (Rules of Origin) and harmonising tariff schedules under the D-8 framework serves as a model for other developing member countries with less trade capacity (Conconi et al., 2018).

However, while Malaysia has demonstrated preparedness, many D-8 countries continue to face significant barriers, including institutional fragmentation, weak trade negotiation capacity, and limited legal harmonisation factors that delay effective PTA implementation (Bergstrand et al., 2016; Hofmann et al., 2019). These challenges amplify the research gap: the disparity between Malaysia's advanced trade readiness and the structural limitations faced by other D-8 nations.

Moreover, political uncertainties, uneven economic capacities, and varying levels of domestic industry protectionism across D-8 members threaten to erode the PTA's objectives of equitable trade benefits (Bhagwati, 2021; Anne et al., 2019). Countries with limited legal-administrative frameworks often struggle to align their national policies with the obligations set by PTAs, causing inconsistencies in implementation. This divergence is especially problematic when RoO criteria are not uniformly understood or enforced, hindering the agreement's ability to lower costs for traders (Orefice, 2017).

For Malaysia, such disparities present both an opportunity and a challenge. While the country can extend technical assistance and policy mentoring to its D-8 counterparts, it must also navigate the complexities of regional politics, differing levels of commitment, and the reluctance of some member states to compromise on economic sovereignty (Rodrik, 2023; Chaisse & Matsushita, 2013). The balancing act between national interest and regional solidarity underscores the strategic importance of Malaysia's trade diplomacy.

On a broader level, PTAs also raise systemic issues about the weakening of multilateralism, particularly the role of the World Trade Organisation (WTO) in global trade governance (Bhagwati, 2021; Baldwin, 2016). Although PTAs provide more flexible and quicker negotiation options, their increasing number could lead to a fragmented global trade system with overlapping regulations, often referred to as the "spaghetti bowl" effect (Bhagwati, 1995). Malaysia needs to carefully coordinate its regional agreements, such as the D-8 PTA, with multilateral commitments to maintain coherence and ensure long-term sustainability.

While Malaysia's leadership in the D-8 PTA underscores its strengths in trade policy integration, the uneven capacities of member states and implementation challenges highlight the need for improved cooperation, harmonised negotiation frameworks, and institutional reform across the D-8. As such, Malaysia not only gains from the PTA but also carries the responsibility of guiding the bloc towards cohesive economic integration, thereby directly supporting the research question on how Malaysia's trade policy model can serve as a benchmark for others.

2.3 The Organisation of Developing Eight Economic Cooperation (D-8)

This research centres on a case study of the D-8 Organisation for Economic Cooperation, specifically examining Malaysia's proactive role in the formulation and implementation of trade policy within this trade regime. The D-8, comprising eight developing Islamic countries; Malaysia, Iran, Turkey, Pakistan, Bangladesh, Egypt, Nigeria, and Indonesia represent a significant effort to promote economic cooperation and trade integration among member states (Panahi & Aleemran, 2016). Unlike traditional economic alliances based on GDP, D-8 membership criteria are based on population density and political willingness to engage in economic collaboration, reflecting a unique South-South cooperation framework.

Malaysia's inclusion in the D-8 was strategically motivated by its strong trade infrastructure, institutional capacity, and experience in ASEAN-led economic integration. Despite its relatively small population of about 31 million, Malaysia's openness to trade and compliance with global standards (WTO and WCO) have established it as a key contributor to the D-8's long-term goal of inclusive and sustainable economic growth (Othman et al., 2013). Therefore, Malaysia is not just a participant but also a normative leader in trade liberalisation, fostering transparent and rules-based economic practices within the D-8 framework.

Malaysia demonstrates its commitment by actively engaging in the development of Preferential Trade Agreements (PTAs) and offering technical expertise and negotiation strategies. This aligns with Malaysia's broader economic diplomacy goals, which emphasise multilateralism, regional cooperation, and strengthening economic resilience through diverse trade partnerships (Kamarudin et al., 2020). Furthermore, Malaysia's readiness to share trade facilitation experiences, combined with its strategic location at the centre of Southeast Asia, makes it a crucial connector between the D-8 and ASEAN markets.

Malaysia's participation in the D-8 highlights its goal to improve cross-regional market access, strengthen trade logistics, and reinforce supply chains, particularly for key commodities such as palm oil, electrical and electronic products, and halal goods. This strategic role provides Malaysia with a platform to influence sector-specific trade policies and support investment and trade harmonisation efforts, aligning its national interests with the shared development goals of the D-8 (Rasiah & Shahrin, 2018).

Malaysia's involvement ultimately achieves two key goals: expanding its role in international trade and supporting the socioeconomic development of other D-8 member countries. By emphasising trade inclusivity, legal stability, and regional cooperation, Malaysia sets a standard of cooperative economic leadership among Muslim-majority developing nations.

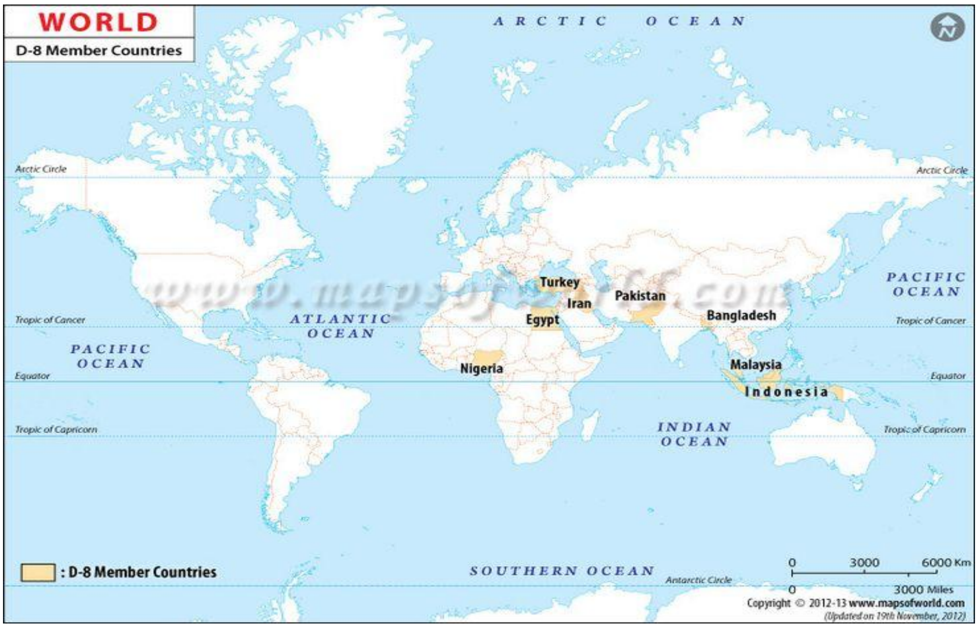


Figure 2.1: Map of the D-8

Source: Map of D8 (Developing 8) Countries - MapsofWorld.com (2012)

Figure 2.2: Logo of the D-8

Source: 1st Summit Meeting Report (1997).

2.4 D-8 member nations

The D-8 Organisation for Economic Cooperation comprises Bangladesh, Egypt, Indonesia, Iran, Malaysia, Nigeria, Pakistan, and Turkey, spanning a vast area from Southeast Asia to West Africa. This diverse group possesses numerous resources, including minerals, energy supplies, agricultural products, and human talent, making it a significant player in the global South. The 2006 creation of the D-8 Preferential Trade Agreement (PTA) aimed to boost trade within the group, promote regional economic integration, and support collective growth. Nevertheless, progress has varied, with Malaysia becoming a leading member due to its policy preparedness, institutional harmony, and active bilateral trade efforts (Othman et al., 2013; Hassan, 2022).

Since the 1980s, Malaysia has emerged as a regional leader in trade facilitation, thanks to its emphasis on openness, institutional reform, and capacity-building initiatives. Prominent strategies such as the Look East Policy, the National Trade Blueprint 2021–2025, and active participation in ASEAN and WTO frameworks exemplify Malaysia’s dedication to liberalisation, export-oriented growth, and multilateral collaboration (MITI, 2021; Mahani, 2002). Furthermore, Malaysia has bolstered bilateral relations via pragmatic agreements, including Memoranda of Understanding (MoUs), trade missions, and tariff negotiations with nations such as Turkey, Indonesia, and Bangladesh.

Malaysia’s prompt ratification of the D-8 PTA exemplifies its preparedness and highlights its role as a benchmark for other member nations. Through institutional mechanisms such as the Malaysia External Trade Development Corporation (MATRADE) and customs harmonisation initiatives, Malaysia has not only improved transparency in trade procedures but also supported other D-8 member states in aligning their internal systems with PTA standards (Salleh & Harun, 2020).

2.4.1. Economic Diversity and Trade Engagements with D-8 Member States

Each D-8 country exhibits unique economic characteristics, ranging from Bangladesh's reliance on agriculture to Iran and Nigeria's emphasis on energy industries. Malaysia has displayed adaptability by tailoring bilateral relations to complement each country’s economic strengths.

- **Malaysia** has focused on labour mobility, textile trade, and halal certification in collaboration with Bangladesh. The 2022 Bilateral Trade Agreement highlighted efforts to boost exports of palm oil and electrical products, while Malaysia also supports Bangladesh’s infrastructure and customs modernisation projects (Rahman et al., 2022).

- **In Pakistan,** Malaysia has utilised shared trade preferences and Islamic banking to foster cooperation under the Malaysia-Pakistan Closer Economic Partnership Agreement (MPCEPA), which is aligned with D-8 PTA priorities (Ahmed & Khan, 2021).

- **With Egypt and Nigeria**, Malaysia has extended technical expertise in trade facilitation and customs procedures. This includes collaboration through the D-8 Working Group on Trade, which Malaysia co-chaired, offering workshops on Rules of Origin (RoO) and legal harmonisation.

- **Trade with Indonesia and Turkey** has been robust, owing to regional proximity and shared economic goals. The Malaysia-Turkey Free Trade Agreement (MTFTA), signed in 2014 and later upgraded in 2022, and the Indonesia-Malaysia CEPA (currently in progress) serve as blueprints for deeper D-8 integration (Yusof & Ali, 2023).

2.4.2. Policy Gaps and Strategic Trade

Despite Malaysia's proactive engagement and diplomatic leadership, the full realisation of the D-8 Preferential Trade Agreement (PTA) still faces persistent systemic barriers across member states. These challenges, though varied, share a common foundation: institutional misalignment and uneven trade policy readiness. Malaysia's unique position—both as a founding member of the D-8 and as a model of trade policy among developing economies—has helped it contribute positively to overcoming these obstacles through targeted strategies.

A significant obstacle to implementing the D-8 Preferential Trade Agreement (PTA) is the customs and procedural disparities among member nations. Many D-8 countries lack the necessary digital infrastructure, standardised customs documentation, and legal frameworks required to execute preferential tariff schemes. Conversely, Malaysia has made substantial progress in trade facilitation by digitising platforms such as the National Single Window (NSW), which complies with World Trade Organisation (WTO) Trade Facilitation Agreement (TFA) standards. Its integration of customs, quarantine, and border documentation within the NSW system provides a model that other D-8 members may emulate (UNCTAD, 2022). Furthermore, Malaysia has extended support to other D-8 nations through bilateral cooperation and capacity-building initiatives aimed at enhancing their institutional capabilities.

Secondly, Rules of Origin (RoO) remain a contentious issue, primarily due to differing national interpretations and varying thresholds for local content. For example, Egypt’s requirement of at least 50% local value addition has complicated efforts to harmonise tariffs and has created uncertainty for exporters (Ismail & Mahyideen, 2021). Malaysia, drawing on its experience in ASEAN and World Trade Organisation negotiations, has proposed a flexible and inclusive Rules of Origin framework designed to balance national interests with regional integration goals. Its approach emphasises cumulative Rules of Origin models, which support shared value chains among D-8 economies while complying with WTO regulations.

Another challenge stems from institutional and policy weaknesses in some member countries, where trade ministries often work independently from other economic stakeholders. The lack of clear legislation, private sector engagement, and coordination between agencies hampers the effective implementation of the PTA. Malaysia has tackled this issue by establishing the National Trade Facilitation Committee (NTFC), a multi-stakeholder organisation that brings together customs, ministries, and private sector representatives to shape trade policy (Chong & Sia, 2021). This inclusive approach promotes policy consistency and fosters trust among stakeholders, serving as a model for governance reforms within D-8 countries.

Furthermore, limited awareness and political inertia have hindered the ratification of the PTA in several D-8 countries. Uncertainty about long-term economic benefits often discourages governments from giving it priority. Malaysia has played a leading role in addressing this issue by leveraging economic diplomacy and various promotional platforms, including hosting D-8 trade expos, investment summits, and intergovernmental dialogues. These efforts enhance understanding and generate political support for ratification and implementation (Zakaria & Osman, 2020).

Malaysia’s trade strategy tackles complex challenges with a comprehensive and future-oriented approach. By combining strong institutions with regional diplomacy, it positions Malaysia as a key player in guiding the D-8 towards a sustainable trade framework. This framework should feature shared infrastructure, interoperable customs systems, regional value chains, and transparent trade governance. Harmonising customs protocols, improving Rules of Origin (RoO), and fostering intergovernmental trust will be crucial for lasting success—areas where Malaysia has demonstrated steady advocacy and technical expertise.

While the D-8 PTA aims to promote South-South economic integration, its effectiveness depends on addressing structural, procedural, and institutional gaps. Malaysia’s active involvement in strengthening institutional capacity, enabling digital trade, and diplomatic efforts underscores its importance as a leader in trade policy norms within the D-8 group. Its leadership demonstrates how combining strategic trade diplomacy with technical innovation can enhance regional economic unity and resilience.

2.4.3. Malaysia Trade Policy

Domestic political shifts, global economic developments, and strategic international alliances shape Malaysia’s trade policy. Preferential Trade Agreements, such as the D-8 framework, serve as vital tools for Malaysia to navigate these changing conditions. Historically, Malaysia's National Trade Policy (NTP) has reflected the ideological aims and international outlook of its leadership, with trade priorities shifting in response to changes in leadership and evolving global trade dynamics (Mahani, 2002; Hassan, 2022).

Malaysia's commitment to economic liberalisation, regional integration, and South-South cooperation—particularly within Islamic economies—has solidified its role as a prominent member of the D-8. The National Transformation Program (NTP) extends beyond purely economic objectives, also emphasising political cohesion, social progress, and peace initiatives among developing nations, especially those sharing cultural, religious, and developmental characteristics (Salleh & Harun, 2020; Yusof & Ali, 2023).

Malaysia's trade diplomacy is anchored in three key strategic pillars. First, it emphasises high-level trade diplomacy by fostering trust through institutions such as the WTO, ASEAN, and the D-8, both bilaterally and multilaterally (Chong & Sia, 2021). Second, it promotes economic complementarities through cross-border supply chains, preferential market access, and collaborative production systems—crucial elements in implementing the D-8 PTA (Hassan, 2022). Lastly, Malaysia prioritises policy coherence and digital trade integration to ensure its trade framework remains resilient, transparent, and aligned with national development objectives (MITI, 2021; UNCTAD, 2022).

Malaysia’s strategic role in the D-8 PTA is strengthened by its continuous efforts to streamline trade facilitation, digitise customs processes, and enhance institutional capacity to align regulations. This includes digitalising customs procedures, reducing non-tariff barriers, and broadening its Free Trade Agreement (FTA) network regionally and globally through initiatives like RCEP, CPTPP, and APEC (Okafor & Teo, 2019; Maria, 2018). These measures improve Malaysia’s bargaining strength and policy coordination within the D-8 PTA by demonstrating regulatory maturity and trade liberalisation.

Furthermore, the National Trade Blueprint 2021–2025 outlines Malaysia's ambition to evolve into a competitive and adaptable trading nation. It aims to achieve this by strengthening its trade ecosystem through six primary enablers: regulatory reforms, investment facilitation, sustainable supply chains, human capital development, technology adoption, and strategic market access (MITI, 2021). These enablers directly support Malaysia’s leadership within the D-8 trade framework by fostering policy alignment, institutional collaboration, and economic connectivity.

Malaysia adopts a liberal trade policy that is thoughtfully balanced with strategic protectionism in sensitive sectors, such as agriculture, the automotive industry, and certain consumer goods, including alcohol. This represents a sophisticated strategy to protect national interests while engaging in international trade (Mahani, 2002; Maria, 2018). The country encourages trade liberalisation in areas where it holds a comparative advantage and also protects vital domestic industries to promote sustainable resilience and equitable development.

Policy measures reinforcing Malaysia’s trade competitiveness include:

- Streamlining licensing processes and minimising regulatory redundancies;
- Providing tariff exemptions and preferential treatment for D-8-aligned sectors;
- Enhancing trade remedy mechanisms, including anti-dumping measures and safeguards.
- Enhancing customs efficiency and promoting digital transparency;
- Expanding FTA outreach and entering new markets;
- Maintaining openness in manufacturing and premium services

Malaysia’s active trade policy, characterised by proactive multilateral initiatives, digital infrastructure, and strategic reforms, forms a crucial basis for enhancing the D-8 PTA. It aims to strengthen intra-D-8 trade, encourage inclusive growth, support Islamic economic collaboration, and build South-South solidarity despite geopolitical uncertainties and changes in supply chains.

Table 2.1. Summaries of Malaysia Trade Policy Elements & Initiatives.

Element	Description & Analytical Interpretation
1. Credible	Malaysia's trade policy demonstrates *credibility* by consistently securing **strong bilateral and multilateral trade relations** through high-level diplomatic channels. This credibility is not only institutional but also political, as Malaysia maintains a proactive role in global platforms such as ASEAN, WTO, and D-8. Its leadership in these arenas is built on mutual respect, reliability, and adherence to **rules-based systems**, thereby inspiring confidence among trade partners.
2. Enlightened	Malaysia's *enlightened approach* emphasises **multilateralism and inclusive partnerships**, reflecting a strategic balance between domestic development needs and global economic integration. Drawing on Stubbs (1990), Malaysia utilises its institutional expertise and policy innovation to form joint economic ventures, particularly in the Global South context. These initiatives reflect

Element	Description & Analytical Interpretation
	Malaysia's strategic role in fostering **south-south cooperation**, particularly under the D-8 and OIC umbrellas.
3. Consistent & Coherent	Malaysia's trade policies are not ad hoc; they are deeply embedded in **long-term national economic and foreign policy strategies**. Its Islamic identity influences consistent alignment with OIC objectives, aiming to create a unified economic front among Islamic nations (Selat, 1987). Malaysia's election as OIC Chair and its invitation to the D-8 are testaments to its coherent development model, which balances faith-based economic principles with global competitiveness (Syarip, 2019).

Sources: Compiled from various sources.

Referring to Table 2.1, Malaysia's trade policy elements, credibility, enlightenment, and consistency are essential for improving the implementation and ratification of the D-8 PTA. This is especially important, as many D-8 countries experience delays due to political fragmentation, inconsistent policy frameworks, and weak institutions. Malaysia is a model example because:

- Promoting regulatory alignment and procedural harmonisation across D-8 members.
- Encouraging innovation in trade facilitation, especially in digital trade and customs interoperability.
- Leading negotiations with clarity and coherence, fostering trust among D-8 partners.

Malaysia's trade policy framework serves as both a stabiliser and facilitator of trade harmonisation within the D-8 bloc, facilitating the alignment of policy goals with actual implementation.

Table 2.2. Summaries of Malaysia Trade Policy Initiatives.

Element	Description & Analytical Interpretation
1. Credible	Malaysia's trade policy demonstrates *credibility* by consistently securing strong bilateral and multilateral trade relations through high-level diplomatic channels. This credibility is not only institutional but also political, as Malaysia maintains a proactive role in global platforms such as ASEAN, WTO, and D-8. Its leadership in these arenas is built on mutual respect, reliability, and adherence to rules-based systems, thereby inspiring confidence among trade partners.
2. Enlightened	Malaysia's *enlightened approach* emphasises multilateralism and inclusive partnerships, reflecting a strategic balance between domestic development needs and global economic integration. Drawing on Stubbs (1990), Malaysia utilises its institutional expertise and policy innovation to form joint economic ventures, particularly in the Global South context. These initiatives reflect Malaysia's strategic role in fostering south-south cooperation, particularly under the D-8 and OIC umbrellas.
3. Consistent & Coherent	Malaysia's trade policies are not ad hoc; they are deeply embedded in long-term national economic and foreign policy strategies. Its Islamic identity influences consistent alignment with OIC objectives, aiming to create a unified economic front among Islamic nations (Selat, 1987). Malaysia's election as OIC Chair and its invitation to the D-8 are testaments to its coherent development model, which balances faith-based economic principles with global competitiveness (Syarip, 2019).

Refer to Table 2.2 for Malaysia's trade policy elements—credibility, enlightenment, and consistency —which are essential for enhancing the implementation and ratification of the D-8 PTA. This is especially important as many D-8 countries encounter delays caused by political fragmentation, inconsistent policy regimes, and weak institutional frameworks. Malaysia acts as a model by:

- Promoting regulatory alignment and procedural harmonisation across D-8 members.

- Encouraging innovation in trade facilitation, especially in digital trade and customs interoperability.
- Leading negotiations with clarity and coherence, fostering trust among D-8 partners.

Malaysia’s trade policy framework serves as a stabiliser and enabler of trade harmonisation within the D-8 bloc, helping to bridge the gap between policy aspirations and implementation.

2.5. Preferential Trade Agreement (D-8 PTA)

The D-8 Preferential Trade Agreement (PTA), signed at the 8th D-8 Summit on May 13, 2006, in Bali, Indonesia, is a regional effort among member countries Bangladesh, Egypt, Indonesia, Iran, Malaysia, Nigeria, Pakistan, and Turkey to lower tariffs and reduce non-tariff barriers. Its main goal is to boost multilateral trade cooperation and promote economic integration within these emerging markets.

Among all signatories, Malaysia demonstrated the highest level of readiness and was the first country to ratify the D-8 PTA on 20 July 2006. This early ratification underscores Malaysia’s institutional preparedness, mature trade regulatory ecosystem, and existing trade liberalisation policies that align with regional and global trade norms (Hussain, 2018). It also reflects Malaysia’s strategic aim to enhance South-South economic cooperation and assert its leadership in shaping inclusive trade arrangements within the D-8 bloc.

The objectives of the D-8 PTA, which Malaysia endorses and implements within its trade policy framework, encompass the following (Hussain, 2018; Lukman et al., 2015):

i. **Tariff Reduction and Non-Tariff Empowerment:** Malaysia adopts a phased approach to reducing tariffs on sensitive goods based on agreed tariff schedules and rules of origin. Through D-8 PTA commitments, Malaysia enforces downward tariff adjustments, especially for goods exceeding 25%, in accordance with compliance mechanisms designed to benefit all D-8 members.

ii. **Promotion of Intra-D-8 Trade:** The PTA advances intra-bloc trade expansion by incentivising market access and enabling commercial exchanges between member countries. Malaysia's Ministry of Investment, Trade, and Industry (MITI) actively facilitate business missions and digital trade platforms under the D-8 framework, strengthening bilateral and multilateral trade.

iii. **Balanced Trade Competition and Regulatory Certainty:** The PTA provides a level playing field for members to ensure fair trade through transparent and enforceable trade rules. Malaysia contributes by streamlining technical standards and aligning its domestic regulatory environment with D-8 compliance protocols.

iv. **Investment and Trade Facilitation Mechanisms:** Malaysia leverages the D-8 PTA to encourage foreign direct investment (FDI) and joint ventures, especially in halal goods, pharmaceuticals, and high-technology sectors. Instruments such as the ASEAN Single Window and the Malaysian Investment Development Authority (MIDA) support these goals.

v. **Visionary and Secure Economic Environment:** As a politically stable and diplomatically proactive state, Malaysia fosters regional peace through economic diplomacy—offering the D-8 bloc a reliable partner committed to sustainability, trade resilience, and digitalisation.

vi. **Commercialisation and Knowledge Transfers:** Through education diplomacy, innovation hubs, and industrial cooperation, Malaysia facilitates the exchange of R&D, entrepreneurship, and SME digitalisation across D-8 partners.

2.5.1 Technical Commitments under the D-8 PTA and Malaysia's Implementation

According to Lukman et al. (2015), the D-8 Preferential Trade Agreement (D-8 PTA) comprises a structured set of technical commitments that Malaysia operationalises through its national trade policy mechanisms. These commitments serve to facilitate market access, enhance regional competitiveness, and promote trade liberalisation across member states.

i. **Tariff Reduction Commitments:** Malaysia is bound by a schedule of tariff liberalisation under the D-8 PTA, which includes the following obligations:

a. Tariffs above **25%** must be reduced **below the 25%** threshold.
b. Tariff bands ranging between **15% 25%** must be harmonised to a **maximum of 15%**.
c. Tariffs in the **10%–15%** range must be lowered to **below 10%**.

These quantifiable reductions aim to eliminate tariff escalation and enhance trade predictability within D-8 economies (Lukman et al., 2015; Grübler & Reiter, 2021).

ii. **Implementation Timeline:**

a. As a developing country (not classified as a Least Developed Country, or LDC), Malaysia adheres to a **four-year implementation timeline** for all scheduled reductions. This relatively shorter timeline reflects Malaysia's higher institutional and trade facilitation capacity compared to some other D-8 members (Hussain, 2018).
b. Moreover, a **review clause** permits member countries, including Malaysia, to revisit and revise the tariff structure **three years after the agreement is fully implemented**, allowing for adaptive policy responses to trade dynamics (Lukman et al., 2015).

iii. **Special Provisions and Strategic Safeguards:**

a. Malaysia retains the right to apply **safeguard measures**, such as **anti-dumping duties**, **subsidy controls**, and **countervailing duties**, to mitigate risks of market distortions and unfair competition. These measures are critical in protecting sensitive domestic industries and maintaining socio-economic stability (Polievka, 2019).

b. The agreement mandates compliance with **rules of origin**, which Malaysia enforces through its **national customs digital infrastructure**, notably the **uCustoms system** and related electronic platforms that support preferential trade processing and origin verification (MITI, 2023).

These technical commitments reflect Malaysia's strategic alignment with multilateral trade facilitation under South-South cooperation frameworks. By actively implementing these provisions, Malaysia demonstrates its capacity to operationalise international trade obligations through legal, institutional, and digital governance structures. Such proactive compliance not only enhances Malaysia's trade credibility within the D-8 bloc but also positions it as a regional leader in preferential trade facilitation and regulatory harmonisation. These commitments reflect Malaysia's proactive role in institutionalising trade harmonisation and providing predictable trade environments for D-8 partners. Moreover, they align with Malaysia's overarching New Industrial Master Plan (NIMP) 2030, which prioritises trade facilitation, digitalisation, and regional integration at the forefront of economic growth strategies (MITI, 2023).

Malaysia's early ratification and consistent implementation of the D-8 PTA reflect its **institutional maturity, effective trade diplomacy, and strategic leadership in shaping the** regional trade architecture. The D-8 PTA serves not only as a mechanism for tariff liberalisation but also as a platform for policy convergence, innovation sharing, and inclusive growth. Chapter 2 of this research illustrates Malaysia's position within the D-8 as a reliable trade anchor. In contrast, Chapter 3 will examine the legal and institutional mechanisms of implementation, enforcement, and compliance, which are crucial to Malaysia's ongoing role in promoting multilateral trade integration.

CHAPTER 3

LITERATURE REVIEWS ON TRADE POLICY

3.1 Introduction

The Literature Review (LR) is an aggregation of studies pertinent to the research field emphasised in this study, specifically focusing on Transfer Pricing (TP) and its three primary elements: (i) formulation, (ii) implementation, and (iii) compliance (Smith, 2020; Jones, 2019; Brown, 2018). The researcher will identify and summarise selected articles that prioritise these elements within TP, limiting the number to those most closely related to the study's focus.

The LR will aid this research by being referenced during the discussion stage to demonstrate that the contributions of past scholars significantly inform the analysis results. This process includes:

i. **Evaluating Previous Studies**: Collecting and examining relevant information on the three TP elements to avoid duplication and ensure a comprehensive understanding of existing research (Johnson, 2021; Lee, 2020).
ii. **Identifying Field Experts**: Recognising key scholars and authors in the TP field is essential for understanding established methodologies and important contributions that shape the current research (White, 2019; Kim, 2018).

iii. **Formulating Research Questions:** Identifying new research points, such as the study's focus (classification and strategy) and direction (findings), by analysing articles related to the primary TP elements (Davis, 2021; Patel, 2020).

3.2 Elements of policy formulation

Policy formulation is a crucial stage in the policy cycle, significantly affecting the success of implementation and its outcomes. In Malaysia, a sovereign and independent nation with a long history of policy development, this process is well-established. The country has created and executed various domestic policies, demonstrating its political, economic, and institutional maturity (Hassan, 2021). Still, the extent to which policy formulation is regarded as a distinct, analytical, and strategic process by scholars and decision-makers remains debated. Therefore, it is essential to analyse policy formulation critically, both in theory and practice, especially concerning Malaysia's international trade agreements, such as the D-8 Preferential Trade Agreement (D-8 PTA).

Policy formulation involves creating policy options, choosing suitable tools, and offering practical recommendations to address specific issues. Smith (2020) describes formulation effectiveness as producing valid, feasible, and contextually relevant policy suggestions based on data and stakeholder insights. In Malaysia's trade policy, especially under the D-8 PTA, formulation has involved detailed analysis of tariff reduction schedules, rules of origin, customs protocol harmonisation, and technical cooperation. These elements must be developed with consideration for economic reasoning, legal consistency, and diplomatic considerations, ensuring that the formulation process reflects Malaysia's national interests while supporting the collective objectives of the D-8 group (Yusoff & Muda, 2020).

Acceptance of a formulation is equally crucial, as Jones (2019) describes it as the extent to which decision-makers view a proposed policy as legitimate, strategic, and achievable. This acceptance encompasses both technical judgment and political considerations. In Malaysia, acceptance is influenced by Cabinet decisions, parliamentary oversight, and public opinion. For example, although Malaysia was the first to ratify the D-8 PTA, subsequent delays by other D-8 members reveal that political will and domestic policy consistency in formulation vary among countries (Ismail, 2023). Malaysia's early ratification and proactive formulation demonstrate strong policy capacity, but also illustrate the broader challenge of securing international acceptance.

Furthermore, the **validation and analytical rigour** applied during policy formulation are crucial in giving policies their structure and feasibility. Brown (2018) emphasises that policy formulation is not merely an administrative process but an intellectual one, requiring expert analysis, simulation of policy scenarios, and validation through stakeholder feedback. In Malaysia, institutions such as the Ministry of Investment, Trade, and Industry (MITI), the Institute of Strategic and International Studies (ISIS), and the National Economic Action Council (NEAC) play crucial roles in this stage. Their analytical inputs ensure that Malaysia’s trade policy formulation aligns with broader national priorities such as digitalisation, inclusivity, and sustainability (Razak & Shukor, 2021). The role of professional policy analysts in formulation cannot be overstated. These actors are responsible for framing the issue, selecting instruments, forecasting policy outcomes, and engaging in inter-agency consultation. Malaysia’s trade policy has benefited from such expertise, especially in sectors involving non-tariff barriers, intellectual property rights, and halal certification—a unique strength Malaysia contributes to the D-8 framework (Ahmad & Mustafa, 2022). These policy domains require a complex and layered formulation due to their legal, cultural, and economic dimensions.

Moreover, **multi-stakeholder engagement** is embedded in Malaysia’s policy formulation architecture. Effective formulation involves input from academic institutions, the private sector, civil society consultation, and international partners. This ecosystem ensures that policy formulation is holistic, inclusive, and aligned with global standards, as emphasised by the OECD (2021) in its principles of good regulatory governance. By incorporating these voices into formulation, Malaysia enhances policy legitimacy and institutional resilience.

Therefore, policy formulation in Malaysia, particularly in areas such as trade under frameworks like the D-8 PTA, is more than just a bureaucratic routine. It is a dynamic process driven by critical thinking, involving scientific analysis, stakeholder negotiation, political validation, and strategic alignment. Malaysia's leadership in developing and ratifying D-8 trade mechanisms demonstrates its strong capacity for policy formulation, commitment to regional economic integration, and willingness to serve as a bridge among D-8 members with different capacities.

Moving forward, Malaysia should further enhance its formulation capabilities by formalising research-policy connections, improving coherence among ministries, and promoting international technical dialogues within D-8. These efforts will help maintain Malaysia's role in global and South-South trade diplomacy as proactive, credible, and strategic.

3.2.1. Analysis and Discussion of Policy Formulation

Malaysia’s proactive trade approach, notably its early acceptance and leadership in the D-8 Preferential Trade Agreement (D-8 PTA), positions it as a model of strategic trade governance among developing countries (Rahman & Md Yusof, 2022). Nonetheless, inconsistencies in policy development and implementation among D-8 members expose institutional and technical gaps. This section presents a critical gap analysis of the prevailing policy formulation literature in relation to Malaysia’s involvement in the D-8 PTA, highlighting fragmentation in policy processes, stakeholder engagement, enforcement mechanisms, and stakeholder participation-factors that impede effective regional trade liberalisation.

The key studies by Howlett & Rayner (2013) and Jordan & Turnpenny (2015) highlight the need for systematic policy development, cohesive tools, and relevance to specific national settings. These findings closely correspond with Malaysia’s organised trade policy systems, characterised by strong institutional capacity and regular participation in multilateral frameworks (MITI, 2023). However, in the broader D-8 context, such well-structured frameworks are generally absent.

Malaysia exemplifies a mature and stable approach to policy development. In contrast, other D-8 nations lack organised policy phases and strategic bargaining skills, resulting in inconsistent interpretations of the Rules of Origin (RoO) and uneven tariff enforcement (Abdin, 2020). Furthermore, existing research downplays the presence of institutional imbalances within plurilateral trade frameworks, leaving a gap in strategies to address and harmonise these disparities.

i. Actor Participation and Policy Coordination

Roman (2017), Howlett & Mukherjee (2016), and Nascimento et al. (2019) emphasise the importance of participatory policymaking and inter-agency coordination. Malaysia's approach, which includes private sector participation, MITI-led consultative platforms, and clear delegation of authority, demonstrates strong vertical and horizontal coordination mechanisms. In contrast, many D-8 members experience limited stakeholder engagement and weak inter-ministerial cooperation, often affected by sovereignty sensitivities (Jain, Khanna & Kumar, 2021). A disconnect exists between top-down policy implementation and bottom-up actor participation in most D-8 countries, undermining policy ownership and execution. The existing literature offers insufficient guidance on institutionalising participatory mechanisms in governance settings marked by fragility or post-conflict conditions, which are common in the D-8 bloc.

ii. Enforcement Tools and Institutional Readiness

Galizzi (2017) and Suartha (2020) emphasise policy enforcement and institutional suitability, highlighting the importance of codes of conduct and technical guidelines. Malaysia's adherence to the WTO Trade Facilitation Agreement (TFA) and its digital customs systems serve as exemplary enforcement practices. Nonetheless, D-8's implementation remains fragmented mainly due to differences in institutional maturity and digital infrastructure (World Bank, 2020). The existing literature generally offers a normative perspective on enforcement, including guidelines and ideal procedures. However, it lacks empirical frameworks to assess readiness and enforceability in multi-jurisdictional arrangements, such as the D-8 PTA. Enforcement strategies must be tailored to specific contexts, especially within diverse trade blocs that have varying legal systems and economic strengths.

iii. Policy Evaluation, Innovation, and Adaptability

Authors like Jorgensen (2017), James & Jorgensen (2009), and Khan & Rahman (2017) emphasise the importance of ongoing policy review and standardisation. Malaysia demonstrates a strong capacity for periodic updates and adjustments to its trade policies, showcasing adaptability and innovation. However, many D-8 countries lack formal monitoring and evaluation (M&E) systems, resulting in outdated trade laws and reluctance to fulfil PTA commitments. The existing literature offers limited analysis of M&E practices within trade agreements of the Global South. In particular, the process of policy innovation amid limited capacity, political instability, or insufficient fiscal support remains poorly understood. While Moremi (2018) sheds light on education policy, a notable gap remains regarding trade policy, highlighting a significant void in comparative policy evaluation.

iv. Bureaucracy, Power, and Policy Integrity

Paquet (2020) and Dialoke et al. (2017) highlight that bureaucratic coherence and integrity are essential for effective policymaking. Malaysia exemplifies this with its high bureaucratic discipline, transparent trade policies, and a strong culture of public–private partnerships. Conversely, other D-8 countries often face bureaucratic delays, politicised decision-making, and weak administrative integrity, which undermine policy consistency. There is a notable gap in comparative research on how bureaucratic culture and public administration integrity influence the success of trade agreements within similar trade blocs. Additionally, most existing studies rely on Western-centric bureaucracy models, overlooking the political diversity and governance challenges faced by D-8 nations.

Finally, the literature review reveals a critical research gap: while trade **policy formulation** in stable and economically active states, such as Malaysia, is well-documented and operationalised, the same cannot be said for other D-8 countries. Theoretical models remain skewed towards high-capacity states and do not offer adaptive policy solutions for fragmented, low-capacity regional blocs. Future research must address this imbalance by designing policy frameworks that incorporate institutional diversity, differentiated enforcement tools, participatory processes, and context-sensitive implementation pathways.

By addressing these policy formulation gaps, not only can Malaysia consolidate its leadership role within the D-8 PTA, but the bloc itself can move closer to its original goal of equitable and sustainable trade integration. Overall, the contents of this subsection are summarised, and the elements related to policy formulation are listed in Table 3.1.

Table 3.1: Summary of Literature Review Analysis on Elements of Policy Formulation

No	Authors	Characteristic/Strategy	Findings/outcome
1	Howlett & Rayner, 2013)	i. Policy evolution ii. Consistency of policy tools iii. Capability in negotiation iv. Suitability at the national level	i. Systematic policy process ii. Effectively design policy,
2	Halász & Michel, 2011)	i. Education Policy Evolution ii. Education coordination policy integration iii. Education competency policymakers iv. Education policy performance	i. Education policy framework
3	James & Jorgensen, 2009)	i. Policy evaluation ii. Policy decision maker iii. Policy process	i. Product innovation ii. Policy amendment iii. Policy Integration
4	Jordan & Turnpenny, 2015)	i. Policy formulation stages and process ii. Policy enforcement in regulation and agreements iii. Tools and methods for policy iv. policy decision maker v. Actors' participation	i. Suitability policy
5	Suartha, 2020)	i. Weaknesses of current policy ii. Assessment of legislation	i. Define lack of policy (technical)

		iii. Policy evaluation	ii. Empowering guidelines iii. Firmness of the code of conduct
6	Galizzi, 2017)	i. Method to policy enforcement ii. Suitability practices iii. Policy control and direction	i. A new concept and practices in policy
7	Roman, 2017)	i. Actor participation ii. Policy process	i. I. IIDefine potential opportunities and issues in policy
8	Howlett & Muhkerjee, 2016)	i. Actor participation ii. Policy decision maker iii. Policy process/stages iv. Suitability policy v. Policy evaluation & analysis	i. Importance of negotiations ii. Types of modes/ tools used iii. Policy Innovation
9	Nascimento et al., 2019)	i. Citizens' integration policy ii. Policy facilitation iii. Suitability of policy iv. Policy coordination v. Policy decision-makers	i. Define the latest issues and update ii. Public awareness and response iii. Empowerment government-public relations iv. Transparency in policy
10	Dialoke et al., 2017)	i. Policy Coordination ii. Policy administration and delegation iii. Power and authority	i. Lack of patriotism and nationalism of human capital ii. Failure of policy formulation iii. Non-integrity in public administration and policy
11	Chichaya et al., 2020)	i. Power and authority ii. Administration and delegation iii. Policy decision maker iv. Policy coordination v. Policy actors' participation	i. IUnawareness of administration ii. Failure in the delegation of power iii. Enhancement of human capital and services
12	Paquet, 2020)	i. Policy guidelines and bureaucracy ii. Policy public relations iii. Policy Coordination iv. Power and authority v. Policy decision maker	i. developed a new policy ii. Transformation in policymaking iii. Create a new opportunity iv. Strictly bureaucratic and to develop
13	Khan & Rahman, 2017)	i. Policy evaluation ii. Policy stages iii. Actor /Expert Control iv. Policy decision maker v.	i. IIStrictly enforce ii. Create a standardisation policy
14	Jorgensen, 2017)	i. Policy process and stages ii. Actor participation in policy iii. Integration policy iv. Policy method analysis	i. Amendment policy ii. Innovation policy with a new idea iii. focus concept
15	Moremi, 2018)	i. Factor policy formulation ii. Actor participation iii. Standardise policy services iv. Budgetary in national	i. II Increasing budget for education policy ii. Increasing the standard of national education in the

		education v. Stability and firmness of the education system	global rank iii. Sustainable education knowledge

3.3 Element of Policy Implementation

Policy implementation is a vital stage in the policy cycle where decisions are translated into action. Particularly in trade policy within a globalised economy, the effectiveness of executing strategic plans influences a country's economic stability, international standing, and stakeholder engagement. Malaysia’s trade strategy, emphasising open markets, regional cooperation, compliance with multilateral trade agreements, and sustainability, depends on robust and flexible implementation frameworks. This essay examines the theoretical and practical aspects of policy implementation, highlighting their significance for Malaysia's trade policy through an extensive review of existing literature.

Policy implementation is more than the mere execution of policy plans—it is a dynamic process involving interpretation, organisation, and execution (Howes et al., 2017). These three levels represent how policy intentions are translated into actual service delivery and institutional behaviour. Interpretation involves understanding the policy's goals and translating them into institutional tasks; organisation ensures structural coordination; and execution represents the on-ground action by agents or implementers.

Viennet and Pont (2017) characterise implementation as a negotiation among various actors such as policymakers, bureaucrats, stakeholders, and beneficiaries. For successful execution, clear communication, a common understanding of goals, and consistent institutional conduct are essential. This is especially important in international trade policy, where multiple ministries, agencies, and external partners must work together under a single national agenda.

Campos and Reich (2019) emphasise that governance issues, such as political conflict, inter-agency rivalry, and inadequate bureaucratic coordination, frequently disrupt implementation, particularly in complex regulatory settings. Such problems are more severe in developing countries where institutional capacity is limited. O'Brien and Li (1999) also identify organisational rigidity, scarce administrative resources, and policy resistance as key obstacles, particularly in decentralised or rural regions. In Malaysia, these challenges hinder the implementation of trade facilitation measures, including free trade agreements (FTAs) and digital trade regulations, as federal and state coordination, as well as inter-agency cooperation, remain fragmented. The National Trade Blueprint 2021–2025 acknowledges these issues and calls for stronger cross-ministry coordination to realise Malaysia's trade goals better.

Kang et al. (2018) emphasise that following international obligations, such as those from the World Trade Organisation (WTO) and World Customs Organisation (WCO), is vital for effective policy success. Malaysia demonstrates its commitment to rules-based trade through involvement in multilateral agreements like the CPTPP, RCEP, and several ASEAN FTAs. Nonetheless, aligning national laws and administrative procedures with these agreements remains a challenge.

Kormych (2018) advocates for a coordinated and harmonised institutional framework to facilitate implementation, emphasising the need for alignment between domestic and international regulations. In Malaysia, this approach is seen in initiatives such as the digitisation of customs procedures (like the National Single Window) and the adoption of risk-based inspections, though achieving full integration remains an ongoing process.

Furthermore, local government engagement, as highlighted by Sinaga (2016), is essential for ensuring that national trade policies are understood and supported at the local level. Malaysia's federal governance structure often creates barriers to implementation at the state level, particularly around halal certification, environmental trade standards, and SME access to trade facilitation programs. Effective implementation also requires strategic financial planning. Amir (2020) emphasises the importance of aligning funding sources with policy priorities. In Malaysia, allocating budgets for trade infrastructure — such as ports, logistics hubs, and digital platforms — is vital to achieving trade policy objectives. The 12th Malaysia Plan (2021–2025) prioritises trade and investment facilitation, but its success depends on the timely and transparent release of funds.

Alaerts (2020) and Cheah & Ho (2020) emphasise the critical role of public-private collaboration, especially in ensuring effective policy feedback from industry stakeholders. In Malaysia, agencies such as MATRADE and MITI play a crucial role in engaging industries through consultation processes. However, the influence stakeholders have on implementation can vary, sometimes causing delays or opposition. Eckhard and Parizek (2020) focus on the human capital element of implementation, stressing the importance of organisational skills, trust, and ethical standards. Malaysia's trade authorities, including customs and port agencies, require ongoing training and institutional reform to address the complex compliance requirements of modern trade agreements effectively.

The Malaysia Productivity Blueprint highlights low productivity and skill gaps as obstacles to policy implementation. This directly affects how trade standards are applied, particularly in sectors such as agriculture, halal exports, and high-tech manufacturing, where complying with sanitary and phytosanitary (SPS) standards is crucial.

Despite Malaysia’s robust trade policy frameworks, several implementation gaps persist:

i. **Institutional Fragmentation** – Multiple agencies operate in silos, resulting in inconsistent trade facilitation practices.

ii. **Lack of Local Integration –** State-level agencies often lack capacity or alignment with federal trade goals, weakening policy outcomes.

iii. **Compliance Bottlenecks** – Full adoption of international standards (e.g., SPS, technical trade barriers) remains slow in specific sectors.

iv. **Limited Data Integration** – Monitoring and evaluation of trade policy implementation lacks real-time, integrated data systems.

v. **Stakeholder Trust Deficit** – SMEs, particularly in rural regions, often view trade policy implementation as opaque or overly bureaucratic.

These gaps highlight the need for a comprehensive government approach that integrates policy development, resource allocation, capacity building, and ongoing input from industry and civil society.

Effective policy implementation is essential for the success of Malaysia's trade initiatives. It ensures that carefully crafted strategies yield tangible benefits, including enhanced market access, trade diversification, and sustained long-term growth. Nonetheless, the process is influenced by political, administrative, and resource factors. Scholars emphasise the importance of understanding institutional alignment, compliance, financial sustainability, and stakeholder engagement to implement policies effectively.

To enhance implementation, Malaysia should strengthen inter-agency coordination, build institutional capacity, expand public-private partnerships, and improve adherence to international standards. These comprehensive measures are essential for ensuring that Malaysia's trade policy is not only visionary on paper but genuinely effective in practice.

3.3.1. Analysis and Discussion of Policy Implementation

Policy implementation is a crucial stage in the policy cycle, connecting policy development with desired outcomes. Many studies indicate that a policy's success or failure depends not only on its initial design but also on how effectively it is carried out (Campos & Reich, 2019; Howes et al., 2017; Hudson et al., 2019). In Malaysia's trade sector, implementation mechanisms—such as interpretation, organisation, and execution—are crucial for translating strategic trade goals into tangible socioeconomic outcomes, particularly within a complex and competitive global trade environment. As a complex process, policy implementation involves translating policy decisions into operational actions, programs, and regulations (Viennet & Pont, 2017). This includes assigning roles, setting deadlines, and establishing monitoring procedures to ensure effective project management. In trade policy, this involves agencies such as the Ministry of Investment, Trade, and Industry (MITI), the Royal Malaysian Customs Department, and other entities responsible for trade facilitation. Campos and Reich (2019) highlight governance issues during policy implementation, particularly in managing political conflicts, competition, and cooperation- factors essential to Malaysia's inter-agency coordination for trade agreements and regional economic initiatives.

ii. Institutional Frameworks and Trade Governance in Malaysia

Effective policy implementation depends on strong institutional frameworks. Kormych (2018) emphasises the need for integrated mechanisms that conform to both local regulations and international standards. In Malaysia, this is reflected through alignment with ASEAN trade facilitation frameworks and multilateral rules established by the World Trade Organisation (WTO) and the World Customs Organisation (WCO). For example, Malaysia's adherence to the ASEAN Trade in Goods Agreement (ATIGA) and the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) shows its commitment to harmonised trade procedures. Additionally, Kang et al. (2018) argue that compliance is crucial for the success of policies. Malaysia’s efforts, such as streamlining customs procedures, digitising trade documents via initiatives like the National Single Window, and lowering non-tariff barriers, demonstrate its focus on enabling smoother cross-border trade.

iii. Challenges and Critical Gaps in Trade Policy Implementation

Despite robust frameworks, Malaysia's trade policy implementation encounters significant gaps. As O’Brien and Li (1999) note, issues like organisational inflexibility, bureaucratic rigidity, and limited human resource capacity can hinder effective execution. These challenges are evident in Malaysia's trade authority, particularly about non-tariff measures, inconsistent enforcement at the subnational level, and diverse interpretations of trade rules across various agencies. Furthermore, there is often a gap between national trade strategies and the awareness or readiness of small and medium enterprises (SMEs), which are crucial to Malaysia's economy. Purnomo et al. (2018) emphasise that successful implementation depends on understanding and commitment from all stakeholders—including businesses and local authorities—which Malaysia continues to struggle with in promoting widespread trade policy literacy and compliance.

iv. The Role of Strategic Collaboration and Financial Consideration

Policy implementation is significantly influenced by stakeholder collaboration and financial support. Alaerts (2020) and Cheah and Ho (2020) emphasise the crucial role of cross-sectoral coordination and institutional cooperation in achieving effective results. In Malaysia, public-private partnerships (PPPs) in trade development- such as those led by the Malaysia External Trade Development Corporation (MATRADE)- aim to enhance the export capacity of domestic firms through financial incentives, training, and international trade expos. Additionally, Amir (2020) notes the importance of thoroughly assessing financial resources to prevent implementation failures. Despite Malaysia’s ambitious regional and multilateral trade strategies, budget limitations sometimes hinder export promotion efforts, particularly for underserved sectors such as agriculture and the halal industry.

v. Enhancing Trade Policy Implementation through Phased and Adaptive Approaches

Hudson et al. (2019) suggest that policy implementation should be seen as a structured, phased process involving continuous assessment and adjustment. Malaysia's 12th Malaysia Plan and the National Trade Blueprint (2021–2025) exemplify a shift towards evidence-based and adaptable policy practices, integrating data analytics, monitoring systems, and stakeholder feedback throughout the policy cycle. This method enhances accountability and facilitates the identification of both direct and indirect policy impacts. Additionally, Malaysia has undertaken reforms, such as ratifying the Regional Comprehensive Economic Partnership (RCEP) and establishing the Digital Free Trade Zone (DFTZ), demonstrating a phased implementation approach that begins with legal approval, moves to building institutional capacity, and culminates in full sectoral deployment. This approach supports Howes et al. (2017), who advocate for rigorous oversight and sustainable strategies in international agreements.

vi. Policy Acceptability and Communication Strategy

Successful implementation also depends on acceptance from the public and stakeholders. Viennet and Pont (2017) emphasise that decision-makers need strong negotiation and communication skills to secure buy-in. In Malaysia, initiatives such as free trade negotiations, export strategies, and reforms of non-tariff measures often face public scrutiny, particularly in sensitive areas like food safety, indigenous industries, and environmental compliance. Clearly communicating the long-term advantages of trade liberalisation and addressing transitional challenges are crucial for gaining political and public backing.

vii. Human Capital and Ethical Governance

Eckhard and Parizek (2020) emphasise the importance of developing organisational trust, competence, and ethics for successful policy implementation. In Malaysia's trade sector, this means strengthening institutional capacity among customs officers, trade negotiators, legal experts, and business development professionals to support policy goals. It also requires promoting ethical practices, particularly in the areas of anti-corruption, fair stakeholder involvement, and transparency in international trade negotiations.

The success of Malaysia's trade policy is fundamentally contingent upon the efficacy of its implementation. A comprehensive review of existing literature indicates that policy implementation is a multifaceted process encompassing legal interpretation, organisational capacity, executive discipline, financial commitment, stakeholder collaboration, and adaptive feedback mechanisms. Malaysia's experience underscores the significance of integrating international compliance mechanisms, strengthening inter-agency coordination, enhancing SME readiness, and fostering stakeholder trust. Future success will rely on ongoing capacity development, ethical governance, and the political determination to bridge the implementation gap and convert policy frameworks into tangible economic transformation. A summary of the relevant elements of Policy Implementation is provided in Table 3.2.

Table 3.2 Summary of Literature Reviews Analysis on Elements of Policy Implementation

No	Authors	Characteristics/ Strategies	Findings/ Outcomes
1	(Campos & Reich, 2019)	i. Administration policy ii. Actor participation in policy iii. Policy process iv. Policy cooperation & integration v. Policy decision maker	i. Increasing awareness of low and middle-income ii. Successful in managing policy
2	(O'Brien & Li, 1999)	i. Focus on community development ii. Actor participation in policy	i. Increasing bureaucratic development ii. Harmonised and sustainable

		iii. Policy decision maker iv. Policy investment v. Policy economic development	policy
3	(Howes et al., 2017)	i. Signed and ratified the international agreement ii. Enforce national policy and strategy iii. Actors' participation in policy iii. monitoring operational development v. Increasing communication in policy	i, reduced pressure in the local environment ii. Ability to increase development sustainability iii. Reduce national conflict in policy
4	(Viennet, R and Pont, 2017)	i. Integrated policy towards education policy ii. Policy process iii. Factor effective policy iv. Strategy engagement among actors	i. Develops a new education policy ii. successful policy objective and guideline
5	(Hudson et al., 2019)	i. Policy Process ii. policy strategy by phase iii. factor and method to guide a policy iv. policy communication	i. effective policy design and performance ii. confidence and exploring a new approach iii. effectiveness in policy communication
6	(Kormych, 2018)	i. Analyse the concept of trade policy ii. develop a new governance iii. policy competencies iv. policy integration v. actor participation in policy v. policy operational in governance vi. regional policy integration	i. Transformation of trade policy and customs procedures ii. firmness of a new governance iii. standardise and harmonise the policy iv. develop new trade facilitation and regulations enhancing trade value in legal, technology and governance
7	(Kang et al., 2018)	i. Actor participation in policy ii. Delegation and accountability of governance	i. Effectiveness of policy implementation
8	(Latoszek & Dugiel, n.d.)	i. Technology Transformation ii, Product Innovation iii. Amendment of trade policy	i. Sustainable trade policy enhancement and trade facilitation ii.
9	Sinaga, A. M. H. P. (2016).	i. trade liberalisation ii. trade policy process iii. controlling imported fruits iv. trade facilitation	i. increasing domestic fruits ii, expanding and focusing on domestic demand iii. increasing domestic fruit supply iv. increasing import fruits v. fair trade balance vi. Expand and enlarge local fruit estates.
10	(Alaerts, 2020)	i. Actor's participation in policy ii. Integrated policy iii. Policy process iv. develop a new institutional	i. Economic return on policy ii. successful and reliable economic development in developing countries. iii. fragmented governance structures
11	(Purnomo et al., 2018)	i. Community participation ii. Integration of local policies related to forestry	i. Develops a new policy ii. A new value in institutional and forestry matters

		iii. actors' participation iv. Management in sustainable development	iii. Enhancement Forestry Institution
12	(Fowler, 2019)	i. Integration Policy ii. policy decision maker iii. Governmental and law enforcement iv. Policy process & stages v. Actor participation in policy	i. Response immediately policy ii. Strategic intergovernmental actions.
13	(Amir, 2020)	i. Education facilitation ii. Delegation of budgetary iii. Policy decision-makers iv. Education policy process	i. awareness of stakeholders ii. Improvement of education facilities iii. enhancement of policymakers iv. standardisation of education policy at the national level
14	(Cheah & Ho, 2020)	i. Integrated fund for research innovation i. Industrial policy integration i. Government-industry alliances	i. Enhancing public research institutions ii. Strengthen innovation collaboration
15	(Eckhard & Parizek, 2020)	i. Harmonisation of the workers' environment ii. Abroad and local staff collaboration iii. Coordination program	i. Strengthen policy performance ii. Firmness of labour policy at the national level ii. Trust and friendly cooperation

3.4. Element of Policy Compliance

Integrating trade policy within multilateral or regional groups, such as the D-8 Preferential Trade Agreement (PTA), requires a robust compliance system. In Malaysia, complying with policies and regulations is both a legal obligation and a strategic necessity for effectively developing and executing international trade commitments. This compliance involves following internal and external regulations, as well as adhering to ethical standards, federal and international trade laws, and implementing enforcement mechanisms to effectively manage trade agreements.

This subsection critically assesses the concept of policy compliance within Malaysia's trade policy, particularly in the development and implementation of the D-8 PTA. Drawing from key academic perspectives, it examines how compliance is put into practice, its effects on national governance and trade management, and the difficulties Malaysia encounters in aligning domestic trade policy mechanisms with international commitments under the D-8.

Policy and regulatory compliance refer to the adherence of individuals, agencies, and institutions to laws, rules, procedures, and ethical standards relevant to their respective fields (Khazaei et al., 2017). In trade policy, this involves following preferential tariff schedules, rules of origin, dispute resolution processes, and institutional agreements made by member states.

Wu et al. (2020) describe compliance mechanisms as multidimensional, covering legal adherence, behavioral discipline, and policy consistency across various government levels. For Malaysia, incorporating D-8 PTA commitments into national frameworks requires robust policy coherence, prompt enforcement, and coordinated efforts among the Ministry of International Trade and Industry (MITI), customs, regulatory authorities, and trade-related agencies.

Malaysia's approach to managing trade policy compliance has typically depended on institutional frameworks, inter-agency collaboration, and legal standardisation. Oliveira (2017) highlighted that compliance is now viewed as a strategic role in supporting trade facilitation and ethical governance, rather than merely a procedural formality. Within the D-8 PTA, Malaysia needs to align its legal systems with preferential trade agreements and ensure that domestic participants, especially SMEs, exporters, and customs officials, fully understand and correctly apply these requirements.

Many scholars have explored the mechanisms and challenges involved in policy compliance, especially in the realms of cross-border trade and governance. Khazaei et al. (2017) emphasise that compliance extends beyond merely following documented rules; it involves fostering a culture of responsibility and ethics. They argue that compliance should be an ongoing process, with domestic stakeholders continuously educated, monitored, and supported to minimise violation risks. This is especially important in the D-8 context, where the diverse levels of legal expertise among member countries can lead to asymmetric interpretations of the rules.

Maphanga and Jokonya (2017) suggest that non-compliance frequently results from institutional weaknesses, limited awareness, and insufficient staff training. This is consistent with Malaysia's past efforts in applying ASEAN trade initiatives, where capacity gaps at the state agency level hindered the achievement of harmonised trade procedures.

Eckert (2016) discusses government information systems, emphasising digital compliance and e-governance in upholding legal standards. In Malaysia, the adoption of the National Single Window (NSW) has enhanced customs efficiency and secured adherence to international trade obligations. Nevertheless, more work is required to incorporate D-8 standards into this platform.

Similarly, Nowak (2018) and Oliveira (2017) emphasise the significance of legal compliance in mitigating reputational and legal risks. These perspectives underscore the notion that, for Malaysia, adherence to policy is not solely concerned with fulfilling trade obligations but also with preserving its reputation as a dependable trading partner.

Sharma and Warkentin (2019) and Chen et al. (2018) examine how employee motivation, ethical conduct, and organisational culture impact compliance. Their research indicates that practical policy training and ethical leadership play vital roles in shaping the behaviour of frontline officers responsible for trade facilitation, inspection, and enforcement of regulations.

Compliance plays a vital role in Malaysia's approach to incorporating the D-8 Preferential Trade Agreement into its national trade strategy. It is a dynamic and multifaceted process that involves legal, institutional, technological, and behavioural aspects. Malaysia's effective participation in the D-8 PTA relies on maintaining policy consistency, involving stakeholders, and upholding ethical standards. As numerous scholars emphasise, making trade policy sustainable requires shifting compliance from merely fulfilling regulations to treating it as a strategic element of governance.

3.4.1. Analysis and Discussion Policy Compliance

Policy and regulatory compliance are fundamental to international trade agreements, especially for developing nations like Malaysia, which are involved in multilateral and regional trade pacts, such as the D-8 Preferential Trade Agreement (PTA). As Malaysia aims to become a proactive participant within the D-8 Organisation for Economic Co-operation, comprising eight developing Islamic countries, its trade policy integration strategy depends on a thorough understanding of compliance processes at both national and global levels. This section critically examines the theoretical and practical aspects of policy and regulatory compliance, as well as how these factors influence Malaysia's development and implementation of the D-8 PTA. It analyses scholarly views, Malaysia's trade governance structures, and the importance of compliance in building sustainable economic relationships within the D-8 framework.

Policy compliance typically involves adhering to internal rules, laws, regulations, and procedures that govern an institution's or nation's activities. In contrast, regulatory compliance focuses on meeting external legal requirements set by government or international bodies (Nowak, 2018). Both forms are essential for promoting transparency, legal adherence, ethical behaviour, and efficiency within institutions. Wu et al. (2020) emphasise that compliance should extend beyond merely adhering to laws to encompass an "informed alignment" among all relevant parties—

policymakers, institutions, and stakeholders, particularly in the context of trade regimes.

In Malaysia, compliance interpretation is linked to its dual governance framework: domestic laws oversee internal activities, while international commitments, such as the D-8 PTA, demand external regulatory adherence. Khazaei et al. (2017) emphasise that effective compliance relies on institutional capacity, political commitment, and stakeholder involvement, all of which are crucial as Malaysia navigates its domestic trade goals alongside its multilateral obligations.

i. Policy Compliance in the D-8 PTA Context

The D-8 PTA is a formal commitment among member states to boost trade through lowering tariffs, harmonising standards, and engaging in cooperative economic planning. For Malaysia, it requires both strategic alignment and strict adherence to agreed clauses, including tariff schedules, non-tariff barriers (NTBs), dispute resolution processes, and customs harmonisation. Oliveira (2017) emphasises that trade agreements, such as the D-8, should prioritise ethical standards to prevent unfair practices and promote inclusivity. Malaysia's Ministry of Investment, Trade and Industry (MITI) ensures that domestic laws and trade protocols align with the D-8 PTA commitments. Examples include Malaysia's Customs Act, Strategic Trade Act, and the Preferential Certificate of Origin (PCO), which facilitate compliance with D-8 trade rules.

Balozian and Leidner (2017) argue that compliance also involves protecting information and ensuring procedural clarity. This insight is crucial when analysing Malaysia's digitalisation of customs procedures and trade facilitation, which are vital for the effective implementation of the D-8 PTA. The use of the National Single

Window (NSW) improves regulatory transparency and minimises information gaps between domestic exporters and D-8 partners.

ii. Challenges in Regulatory Compliance: The Malaysian Experience

Despite Malaysia's advanced legal framework, there are still hurdles to full compliance under the D-8 PTA. Maphanga and Jokonya (2017) cite causes such as weak institutional enforcement, low stakeholder awareness, and inadequate regulatory feedback systems. In Malaysia, SMEs often lack detailed knowledge of D-8 tariff arrangements and customs procedures, which hampers their capacity to utilise the PTA effectively.

Chen et al. (2018) highlight the importance of ethical management and employee support in ensuring compliance. In Malaysia, bureaucratic inefficiencies and the lack of integrated trade management systems across various ministries can lead to procedural delays. As a result, strengthening capacity and enhancing inter-agency coordination are crucial to closing the compliance gap.

Eckert (2016) emphasises the significance of regulatory compliance in government procurement and data security. Malaysia's procurement frameworks need to be fully aligned with D-8 standards to prevent obstacles to investment and joint ventures. Ormond et al. (2019) note that compliance demands ongoing monitoring and auditing, especially in systems prone to corruption or mismanagement. TransUnion (2016) also highlights that anti-corruption measures are essential for the success of any trade agreement.

iii. Legal and Ethical Dimensions of Compliance in Malaysia's Trade Policy

Compliance is more than just a technical or administrative matter; it also involves legal and ethical responsibilities. Nowak (2018) discusses compliance within the context of public liability and legal remedies, particularly when trade violations could pose a threat to national interests. As Malaysia implements the D-8 PTA, it needs to balance potential trade-offs between domestic policy goals, such as protecting Bumiputera and expanding the halal industry, and the liberalisation requirements of the PTA.

Malaysia's National Trade Blueprint (2021–2025) highlights the importance of good governance, adherence to legal standards, and ethical business conduct as key elements of trade facilitation (MITI, 2021). This approach is consistent with the compliance framework proposed by Yuliansyah et al. (2016), which emphasises that trade policies should also safeguard societal interests, particularly in sectors like agriculture, healthcare, and SMEs.

A comprehensive compliance governance framework is essential for Malaysia's effective participation in the D-8 PTA. According to Sommestad et al. (2015), this framework should include:

- Institutional Coordination – Creating a central compliance monitoring body within MITI that aligns domestic regulations with D-8 requirements.
- Legal Harmonisation – Periodic reviews of domestic trade-related laws to ensure consistency with PTA commitments.
- Stakeholder Training – Enhancing trader literacy through seminars, capacity-building programs, and digital toolkits.

- Ethics and Transparency – Promoting integrity in trade practices by instituting trade ombudspersons and public reporting platforms.
- Technology Integration – Leveraging blockchain and AI to enhance customs transparency, reduce risks, and support audit trails.

Wu et al. (2020) emphasise that participatory policymaking, facilitated through public consultation and industry feedback, is essential for cultivating a compliance culture. This is particularly critical in Malaysia, where the private sector and civil society increasingly seek accountability and predictability in trade policies. Malaysia's integration into the D-8 Preferential Trade Agreement is significantly shaped by its capacity to meet both domestic and international regulatory standards. As discussed in this essay, policy and regulatory compliance are not static requirements but rather evolving processes that involve legal, ethical, institutional, and operational aspects. By critically engaging with academic research and aligning its domestic frameworks with international commitments, Malaysia can enhance its trade competitiveness, strengthen institutional credibility, and promote economic diplomacy within the D-8 region.

Table 3.3 Summary of Literature Reviews Analysis on Elements of Policy Compliance

No	Authors	Characteristic/Strategy	Findings /Outcome
1	(Khazaei et al., 2017)	i. Domestic renewable energy regulation ii. Stakeholder awareness	i. Stabilise price ii. Society is concerned iii. Recognition from the government and respective agency iv. Empowerment energy setting requirement
2	(Wu et al., 2020)	i. Labour wage restriction ii. Restriction Control for pollution emission iii. Energy facilitation policy iv. Policy negotiation and consultation	i. Sustainability of the energy environment ii. Fair wages to expert labour
3	(Mahmud, 2018)	i. Gender wage restriction ii. Social welfare procedure iii. Gender monitoring welfare iv. Policy negotiation and consultation v. Traditional Craftsman policy	i. Firmness in gender social welfare ii. Sustainable craftsman industry iii. Gender working environment iv. Fair wages within labour
4	(Maphanga &	i. Personnel ethics restriction ii. Accountability and	i. Firmness monitoring and controlling security

	Jokonya, 2017)	supervision iii. Control Management iv. Workforce's training v. Delegation of responsibility	ii. Establishing technical direction iii. Empowerment of labour awareness iv. Firmness, knowledge and ethical behaviour
5	(Oliveira, 2017)	i. Restriction of business agreement and policy ii. Business negotiation iii. Business alliances and cooperation iv. Business ethics, document transparency and corruption	i. Creating firmness of organisation ii. Develop trust among staff iii. Establishing public administration iv. Business and workforce's harmonisation v. appreciation in organisation
6	(Eckert, 2016)	i. Policy process ii. Terms compliance iii. Policy evaluation iv. Government procurement v. Agreement facilitation	i. Effectiveness of understanding ii. Completeness of an agreement iii. Comprehensiveness term of reference in procurement iv.
7	(Trans Union, 2016)	i. Ethical and behavioural standards of staff ii. Corruption legislation iii. Trade union iv. Anti-corruption	i. Efficiency of the corruption procedure ii. Harmonies in organisation iii. Discipline among workers
8	(Yuliansyah et al., 2016)	i. Health facilities and amenities ii. Health services iii. Health insurance and risk iv. Health government- public practitioner & cooperation.	i. Beneficial to the public ii. Completeness facilities iii. Fasten and ease monitoring and conducting health services iv. Efficient health support services v. Fairly health consultation vi. Establishing private clinics for the community
9	(Balozian & Leidner, 2017)	i. Managing and controlling data ii. Protection information iii. Intelligent and security information iv.	i. Quick response information ii. Well-organizing information system
10	(Amankwa et al., 2018)	i. Ethical and behavioural of workers ii. Secretary of data information iii. Leadership and workers' accountability iv. Protection information	i. Managing support information policy ii. Information security procedure iii. Firmness and comprehensive training iv.
11	(Ormond et al., 2019)	i. Policy process ii. Policy decision maker iii. Policy communication	i. Affective decision making ii. Positive response and emotion iii. Enhancing understanding of security policy
12	(Sommestad et al., 2015)	i. Protection motivation ii. Awareness of security iii. Preparedness security environment iv. Strategic organisation secrecy v. Ethical behavioural and	i. Improvement suitability strategy ii. Managing administrative security iii. Controlling communication information

		documentation	
13	(Sharma & Warkentin, 2019)	i. Preparedness agreement and contract ii. Ethical, behavioural and documentation iii. Strategic organisation secrecy iv. Awareness security v. Preparedness security environment vi. Protection motivation	i. Higher Organisational commitment ii. Employee's accountability and discipline iii. Enhancing employees' behavioural iv. Creating a better understanding
14	(Chen et al., 2018)	i. Organisation and employees' responsibility and roles ii. Employee's awareness and discipline iii. Organisational strategic plan iv.	i. Effectiveness investigation ii. Positive Responsive security iii. Completeness information plan

A comprehensive review of the literature (LR) has identified distinctive features and outcomes relevant to each policy stage, focusing on formulation, implementation, and compliance. This layered analysis supports the strong link between each LR component and the primary objectives and scope of this study. As a result, a conceptual framework (Figure 3.1) has been developed to synthesise these thematic insights and to serve as a structured foundation for subsequent analysis. This framework will guide Chapter 4 and will be discussed in the empirical section of Chapter 6, where literature-based concepts will be integrated with relevant theoretical models.

Figure 3.1 underscores the critical importance of the LR in the formulation of trade policy, illustrating the sequential progression through three primary phases formulation, implementation, and compliance. The policy process is delineated into distinct stages:

Phase 1 concentrates on thorough planning and design to minimise ambiguity and guarantee structural stability. In **phase 2**, the policy is first implemented, with feedback collected from key stakeholders. Scholars highlight that policymakers during this stage including relevant agencies and grassroots participants are crucial in identifying operational issues and supporting continuous improvements (Howlett, Ramesh, & Perl, 2009).

Phase 3 shifts the policy focus from assessment to decision-making, marked by high-level government discussions. It involves strategic consultations among ministers, senior officials, and inter-agency actors to build national consensus and gain formal approval. While both Phases 2 and 3 include implementation efforts, they differ in actor hierarchy and enforcement authority. Specifically, Phase 3 highlights strategic alignment and decision validation, which are essential steps before effective enforcement mechanisms can be established (Hill, 2013).

Phase 4, the concluding stage, emphasises the enforcement and assurance of adherence to the ratified policy. This phase entails monitoring compliance among all stakeholders, especially at the grassroots level, to ensure that the intended policy outcomes are effectively realised in practice. It highlights the significance of establishing robust compliance mechanisms and fostering active stakeholder engagement to maintain the legitimacy and efficacy of trade policy (May, 2007).

Ultimately, the conceptual framework established through this process not only delineates the relationships between the elements of the literature review and the empirical focus of the study, but also provides the foundation for the development of a theoretical model for the D-8 Preferential Trade Agreement (PTA). This model, which synthesises insights from the literature review and adheres to established theoretical principles, will be finalised in Chapter 6 to incorporate the comprehensive analytical findings of this thesis.

Figure 3.1: The conceptual framework of Literature Reviews of trade policy

Source: Adopted from (Salamat et al., 2012)

Consequently, gaining insights into the thesis concept will involve collecting data from experts during the interview phase. Afterwards, Chapter Four will provide a detailed overview of the research methodology relevant to this study.

3.5. Conceptual and theoretical research framework

The theoretical foundation of this study is grounded in the Principal–Agent (P-A) theory, complemented by the concept of National Regulatory Authorities (NRAs), to analyse the development and implementation of the D-8 Preferential Trade Agreement (PTA). These theoretical perspectives collectively explain how delegation of authority, accountability mechanisms, and institutional structures influence the shaping of multilateral trade policies. Particularly, they shed light on policy coherence, regulatory coordination, and institutional credibility within Malaysia and among D-8 member states.

The P-A theory emphasises the connection between principals, such as governments or supranational organisations, and agents like domestic ministries, regulatory bodies, and implementing agencies, who act on behalf of the principals. This framework is particularly significant in multilateral trade negotiations, where complex discussions demand coordination between national decision-makers and executing authorities. Its goals are threefold:

- Clarifying accountability and delegation, by examining how authority and responsibility are distributed among D-8 stakeholders in PTA negotiations.

- Identifying institutional misalignment, which may occur due to information asymmetry or divergent interests between principals and agents, potentially undermining policy effectiveness.

- Optimising compliance mechanisms, by proposing tools such as transparency measures, monitoring frameworks, and enforcement instruments to mitigate principal–agent problems (Waterman & Meier, 1998).

The NRA framework adds an institutional view of how trade rules and commitments are implemented within Malaysia. Agencies like the Ministry of Investment, Trade and Industry (MITI), Parliament, and customs authorities convert international PTA rules into national laws that can be enforced. NRAs act as links that strengthen regulatory consistency, promote trade efficiency, and improve compliance with global obligations (Lane, 2005). Combining the NRA framework with P-A dynamics offers a comprehensive perspective on how Malaysia can handle delegation, uphold accountability, and protect trade interests within the D-8 framework.

3.5.1 Objectives of Principal–Agent Theory in Shaping Trade Policy

In trade policy analysis, the Principal–Agent (P-A) theory functions as a useful framework for examining delegation, accountability, and compliance within the intricate layers of international trade governance. Applying this theory to Malaysia's role in the D-8 Preferential Trade Agreement (PTA) clarifies how domestic and supranational institutions interact, highlighting where tensions arise and how they are managed.

i. Delegation and Accountability

The essence of the P-A relationship is delegation, where principals like the Malaysian Government or the D-8 Secretariat authorise agents such as MITI, Royal Malaysian Customs, and other domestic agencies. These agents are responsible for negotiating, implementing, and enforcing PTA terms in accordance with national and regional goals. Delegation, however, is not neutral; each level introduces accountability, requiring agents to align domestic mandates with regional commitments. For Malaysia, this involves balancing trade liberalization with safeguarding sensitive domestic sectors, highlighting the dual accountability that agents must navigate (Elsig, 2011).

ii. Institutional Misalignment and Information Asymmetry

A common challenge within the P-A framework is institutional misalignment, which occurs when the interests of principals and agents diverge or when information asymmetries distort decision-making. As Miller (2005) argues, agents often possess greater technical knowledge and operational discretion than principals, enabling them to influence outcomes in ways that may not fully align with principal objectives. In the Malaysian case, MITI negotiators may prioritise sectoral competitiveness or domestic industry protection differently from the D-8 Secretariat's broader vision of trade liberalisation. This misalignment complicates the negotiation process and can delay consensus-building within the PTA framework.

iii. Compliance Mechanisms

To reduce these risks, principals rely on compliance mechanisms such as monitoring, reporting, and sanctioning systems to ensure that agents follow agreed objectives. Hawkins et al. (2006) emphasise that such mechanisms are vital for maintaining institutional trust and policy credibility in multilateral frameworks. For Malaysia, compliance involves both upward accountability—reporting commitments to the D-8 Secretariat—and downward enforcement—making sure that domestic agencies and economic stakeholders implement the PTA consistently. This dual compliance structure reflects the complex governance system where Malaysia must demonstrate credibility both internationally and nationally.

iv. Application to Malaysia's D-8 PTA Negotiations

By applying the P-A framework, this study demonstrates how Malaysia addresses delegation challenges by clarifying institutional roles, promoting transparency, and establishing monitoring structures. For example, MITI's leadership in national-level negotiation strategies highlights its role as the primary agent in translating principal objectives (Cabinet-level mandates) into negotiation tactics. Similarly, customs authorities serve as implementation agents, ensuring that tariff preferences are effectively operationalised. These mechanisms show how Malaysia manages both the risk of agent drift and the need for alignment with broader D-8 PTA commitments.

In brief, the P-A framework emphasises that Malaysia's trade policy governance involves not only negotiating terms but also structuring delegation, resolving institutional misalignments, and ensuring compliance through effective monitoring. These dynamics ultimately maintain the legitimacy and resilience of the D-8 PTA.

3.5.2 Strategic Application within the Conceptual Framework

Figures 3.2 and 3.3 illustrate the conceptual framework, which uses the P-A theory as the core of a five-phase roadmap to guide Malaysia's involvement in the D-8 PTA. These stages emphasise a structured, theory-based approach to trade governance.

i. **Phase 1: Formulation.** A steering committee composed of stakeholders acts as agents by collecting trade data, pinpointing needs, and drafting proposals. This inclusive process boosts legitimacy and responsiveness (Knill & Tosun, 2020).

ii. **Phase 2: Evaluation and Structuring** involves MITI and related agencies acting as agents under the supervision of the principal, ensuring compliance with WTO measures such as Rules of Origin (RoO) and Most-Favoured-Nation (MFN) clauses (Hoekman & Kostecki, 2009).

iii. **Phase 3: Policy Adoption.** Principals, including Parliament and ministries, review PTA drafts to verify they comply with national trade laws like the Strategic Trade Act and Anti-Dumping Act. The P-A framework guarantees accountability and safeguards sovereignty (Odell, 2000).

iv. **Phase 4: Implementation and Enforcement** involves domestic NRAs, especially customs and enforcement agencies, ensuring adherence to PTA rules. Their performance is tracked via both national and international compliance frameworks, such as those from the World Trade Organization (WTO, 2022).

v. **Phase 5: Review and Recommendation.** This iterative process offers feedback loops to principals, allowing for adjustments of policies and strengthening Malaysia’s integration into D-8 trade (Elgström & Smith, 2006).

3.5.3. Theory-Guided Institutional Strategy

By combining the P-A theory with the NRA framework, this study offers both a conceptual perspective and a practical approach for Malaysia’s involvement in the D-8 PTA. The integrated theories improve institutional accountability, facilitate inter-agency coordination, and ensure trade policy coherence. A theory-based method is especially important for ensuring agreements are enforceable, transparent, and aligned with both national priorities and international commitments. Additionally, it enhances Malaysia's capacity to take a leadership role in the D-8, support trade facilitation, and safeguard its economic interests in the face of growing global trade complexities.

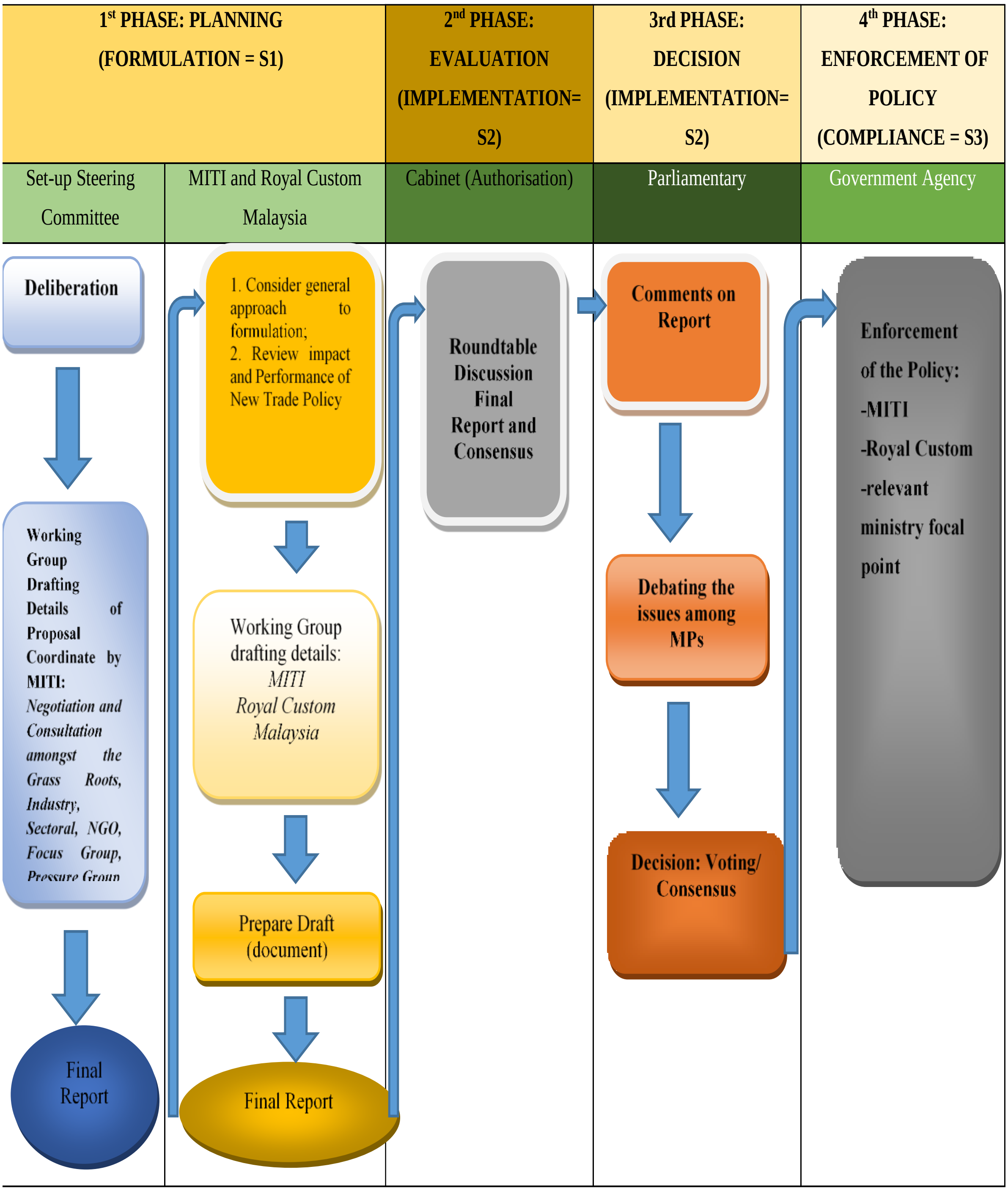

1st PHASE: PLANNING (FORMULATION = S1)
2nd PHASE: EVALUATION (IMPLEMENTATION= S2)
3rd PHASE: DECISION (IMPLEMENTATION= S2)
4th PHASE: ENFORCEMENT OF POLICY (COMPLIANCE = S3)
Set-up Steering Committee
MITI and Royal Custom Malaysia
Cabinet (Authorisation)
Parliamentary
Government Agency
Deliberation
Working Group Drafting Details of Proposal Coordinate by MITI:
Negotiation and Consultation amongst the Grass Roots, Industry, Sectoral, NGO, Focus Group,
Final Report
1. Consider general approach to formulation;
2. Review impact and Performance of New Trade Policy
Working Group drafting details:
MITI
Royal Custom Malaysia
Prepare Draft (document)
Final Report
Roundtable Discussion Final Report and Consensus
Comments on Report
Debating the issues among MPs
Decision: Voting/ Consensus
Enforcement of the Policy:
-MITI
-Royal Custom
-relevant ministry focal point

Figure 3.2: Draft of the conceptual research strategic framework of D-8 PTA

Source: Adopted from (Salamat et al.,2012)

Figure 3.3 emphasises the importance of Principal–Agent (P-A) theory in guiding this research, especially in understanding how policies are created through organised processes involving various actors—from field workers to top officials. The P-A framework is chosen because it offers a detailed view of the evolving relationship between principals (like ministries and senior officials) and agents (such as supporting agencies, stakeholders, and industry players). It shows how the actions and strategies of both sides influence bilateral and multilateral policy development across borders.

The theoretical basis for the P-A model originates from Alchian and Demsetz (1972). Their work laid the groundwork for understanding the complexities of authority, responsibility, and performance within institutions. In this framework, negotiation is key for principals and agents to align their interests, promoting effective policy implementation and broad acceptance. Pollack (1997) further emphasises the critical role of National Regulatory Authorities (NRAs) as intermediaries that facilitate clear communication and enforce transparency. His model underscores the need to empower ministries and departments with enough authority to ensure consistent policy execution while reducing external interference.

Building on this, compliance theory- specifically the managerial model by Chayes and Chayes (1995)- serves as a complementary sub-framework to the P-A theory. The P-A framework describes how policies are created and delegated, while compliance theory focuses on how rules and commitments are put into action by agents. This distinction is especially important for the D-8 Preferential Trade Agreement (PTA), where uneven ratification among member states—such as delays by some countries compared to early ratifiers like Malaysia, Indonesia, and Turkey—illustrates compliance challenges and enforcement issues. Chayes and Chayes (1995) argue that non-compliance often stems not from outright defiance but from institutional and procedural limitations, emphasising the need for mechanisms that support cooperation and minimise delays.

Therefore, integrating the P-A theory with compliance theory offers a more complete explanation: the P-A theory describes the structure of delegation and negotiation in trade policy, while compliance theory focuses on the mechanisms needed to ensure timely and effective implementation. Together, they provide a strong framework for analysing the negotiation and enforcement of the D-8 PTA in the Malaysian context.

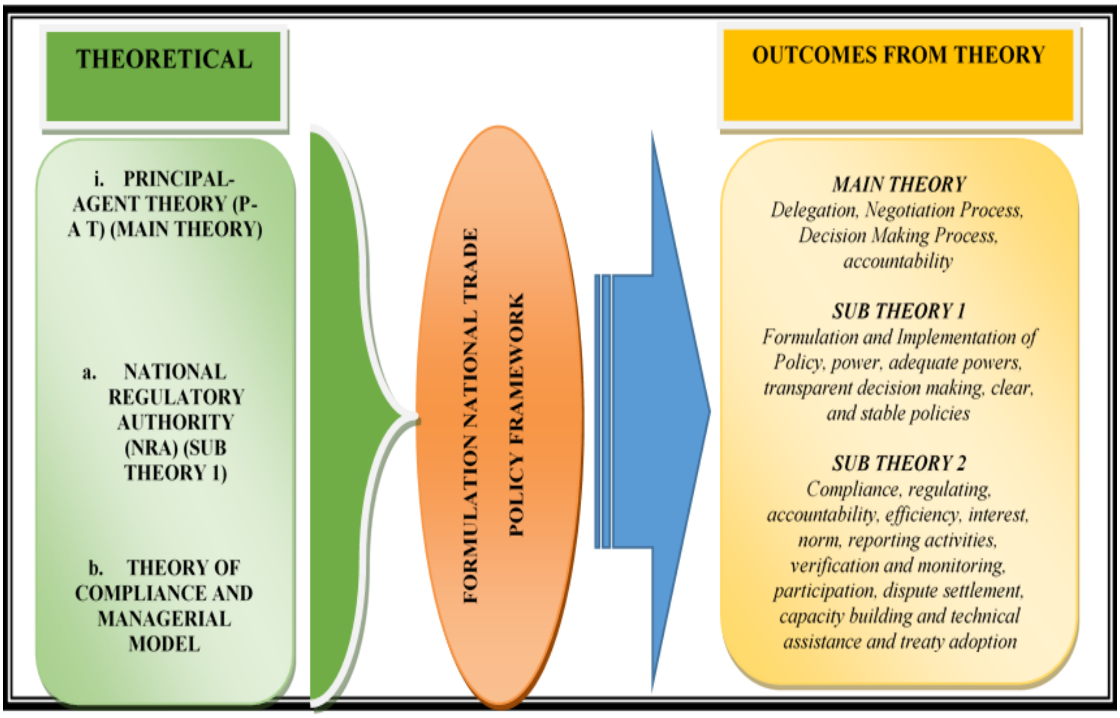


Figure 3.3: Theoretical research framework for the formulation of NTP

Sources: Abraham and Chayes (1995); Alchian & Demsetz (1972); Pollack (1997).

3.5.4. The Importance of a Theoretical Framework

The development and execution of Preferential Trade Agreements (PTAs) among D-8 countries, namely Bangladesh, Egypt, Indonesia, Iran, Malaysia, Nigeria, Pakistan, and Turkey are best understood through a three-fold theoretical approach. This approach combines Principal–Agent Theory, the Theory of Compliance, and the framework of National Regulatory Authorities (NRAs). Using multiple perspectives is crucial because PTAs are inherently complex, involving delegation of authority, adherence to mutually agreed rules, and domestic institutional structures necessary to implement commitments (Elsig & Kwon, 2022; Hoekman & Nelson, 2022).

From the Principal–Agent Theory perspective, PTAs are analysed based on how states (principals) delegate negotiation, monitoring, and enforcement roles to domestic ministries and regional secretariats (agents). For example, in Malaysia, agencies such as the Ministry of Investment, Trade and Industry (MITI) and the Royal Malaysian Customs Department act as agents carrying out government directives. Nonetheless, principal–agent relationships can lead to agency drift, where agents may pursue interests that conflict with national or collective objectives, highlighting the need for accountability and oversight mechanisms (Hafner-Burton et al., 2021).

The Theory of Compliance expands on this by focusing on how obligations are upheld after agreements are signed. Instead of relying on coercive enforcement, compliance literature highlights the significance of institutional capacity, clear legal texts, and effective monitoring and dispute resolution mechanisms to maintain credibility (Baccini et al., 2022; Allee & Elsig, 2023). In the D-8 context where member states have different levels of institutional strength, building trust, enhancing capacity, and establishing cooperative enforcement are crucial to ensure that commitments are not just ratified but also practically carried out.

Finally, the framework of the National Regulatory Authority (NRA) elucidates the manner in which international commitments are incorporated into domestic regulations. In Malaysia, the Ministry of International Trade and Industry (MITI) and Customs play pivotal roles in operationalising provisions such as tariff reductions and rules of origin. By aligning national legislation with D-8 commitments, these institutions ensure that trade facilitation measures—such as customs harmonisation and the elimination of non-tariff barriers—are effectively executed, thereby augmenting transparency and predictability in trade (Mavroidis & Sapir, 2023).

Collectively, these three frameworks offer a multifaceted perspective. Principal–Agent Theory elucidates the delegation of authority, Compliance Theory underscores mechanisms for ongoing adherence, and the NRA framework emphasises institutional translation at the domestic level. For Malaysia, this integrated framework is essential not only for the effective implementation of PTA but also for strengthening leadership credibility within the D-8 group (Park & Konken, 2024).

3.5.5 Integrating Theoretical Perspectives for D-8 PTA Formulation and Implementation

The integration of Principal–Agent Theory, Compliance Theory, and the NRA framework offers a comprehensive analytical perspective for understanding the challenges and opportunities related to the D-8 Preferential Trade Agreement. Collectively, these approaches elucidate the governance, enforcement, and sustainability aspects of preferential trade agreements, providing a holistic framework that encompasses both international negotiations and domestic implementation.

i. Principal–Agent Theory

Principal–Agent Theory is essential for understanding how D-8 negotiations illustrate the relationship between sovereign states (principals) and their designated representatives (agents). For Preferential Trade Agreements (PTAs) to be effective, negotiators must operate within clearly defined mandates that reflect domestic developmental and political priorities. In cases where delegation structures are inadequate, there exists a risk of agency drift or outcomes that favour short-term benefits, thereby compromising long-term collective interests. Scholarly research highlights the significance of transparent delegation mechanisms and systematic accountability reviews to diminish these risks (Hafner-Burton et al., 2021; Elsig & Kwon, 2022).

ii. Theory of Compliance

Compliance Theory offers insights into the post-ratification phase, emphasising that effective Preferential Trade Agreements (PTAs) depend not solely on their adoption but also on the consistent fulfilment of commitments. Achieving sustained compliance necessitates explicit obligations, institutional support, and cooperative enforcement mechanisms, especially within heterogeneous groups such as the D-8. Recent scholarly research indicates that PTAs equipped with monitoring bodies, technical assistance provisions, and binding enforcement measures tend to demonstrate greater resilience and credibility over time (Baccini et al., 2022; Allee & Elsig, 2023).

iii. National Regulatory Authorities (NRAs)

NRAs ensure that international obligations are translated into enforceable domestic regulations. Their capacity, independence, and resources directly influence whether PTAs produce tangible outcomes. In the context of the D-8, Malaysia's Ministry of International Trade and Industry (MITI) and Customs Department provide institutional linkages between regional commitments and domestic trade governance. Robust NRAs contribute to the reduction of non-tariff barriers, enhance transparency, and foster investor confidence, thereby bolstering regional trade integration (Hoekman & Nelson, 2022; Mavroidis & Sapir, 2023).

By integrating these three perspectives, scholars and policymakers gain a comprehensive understanding of PTA governance: delegation (principal–agent), adherence (compliance), and execution (NRAs). For Malaysia, adopting such an integrated approach fortifies institutional integrity, improves policy coherence, and guarantees that the D-8 PTA functions as a sustainable catalyst for regional trade.

CHAPTER 4

RESEARCH METHODOLOGY

4.1. Introduction

The study used a qualitative research approach to ensure logical and coherent application of methods. This approach was suitable because the research focused on assessing how Malaysia’s Trade Policy (TP) and Preferential Trade Agreements (PTA) framework impacted collaboration and operations among government agencies in trade facilitation within international trade. The methodology section was structured to achieve two main goals: (i) data collection and (ii) data analysis (Davidavičienė, 2018).

Qualitative research was especially suitable as it facilitated detailed fact-finding through extensive document analysis and field interviews. The assessment of TP and PTA frameworks necessitated preliminary contextual comprehension, critical factual data, and a thorough exploration of policy-related subtleties. Consequently, data were gathered from seasoned and proficient experts or officials from pertinent governmental departments, as they possessed firsthand knowledge and strategic insights essential for understanding Malaysia’s trade governance mechanisms (Sadovnik, 2017).

The study also highlighted the importance of clearly defining specific information and facts—such as statistical data, regulations, policies, and laws—to ensure that the findings are well-supported and based on verifiable evidence (Skalidou

& Oya, 2018). Data analysis included systematically interpreting the results to effectively meet the research objectives.

Moreover, grounded theory was thoroughly and carefully applied to meet the study's specific needs and goals. This approach was crucial because it allowed a theoretical framework to be built directly from the data collected, instead of fitting pre-existing theories. Consequently, it helped uncover patterns and relationships naturally rooted in Malaysia's TP and PTA operational environment. By facilitating theory development from real-world data, grounded theory offered a more precise understanding of the complexities involved in inter-agency and inter-governmental cooperation in trade facilitation, especially in a layered international trade setting (Chun Tie et al., 2019; Birt et al., 2020).

4.2. Research Unit of Analysis

This study's unit of analysis was the central focus of investigation—the particular entity, phenomenon, or observation level guiding the exploration of Malaysia's involvement with the Developing Eight (D-8) Preferential Trade Agreements (PTAs). It played a vital role in shaping research questions, data gathering, and interpreting results (Babbie, 2017). This study examined Malaysia's integration into the D-8 PTA framework within its national trade policy. The data collection and analysis focused on understanding how Malaysian policymakers, government agencies, and trade negotiators approached, interpreted, and executed PTA objectives. Additionally, several relevant sub-units of analysis were included.

In this research context, several key policy actors played crucial roles in shaping Malaysia's commitments under the D-8 Preferential Trade Agreement (PTA). High-level policymakers, trade negotiators, and ministry officials actively participated in formulating, negotiating, and implementing Malaysia's obligations within the D-8 framework. Their efforts were vital in keeping the national trade agenda aligned with the broader goals of the PTA and in safeguarding Malaysia's strategic economic interests (Rahman & Othman, 2022).

Governmental institutions such as the Ministry of International Trade and Industry (MITI) and the Ministry of Agriculture and Food Industry (MAFI) functioned as principal administrative entities. They coordinated Malaysia’s domestic trade policies with D-8 regional trade commitments. MITI focused on enhancing industrial competitiveness, tariff negotiations, and export support, while MAFI endeavoured to align agricultural and food trade regulations with PTA requirements. This collaboration was vital to prevent policy conflicts and to ensure that domestic economic objectives remained preserved despite international obligations (Aziz et al., 2023).

Policy documents and agreements, including official PTA clauses, negotiation records, and supplementary trade policy frameworks, functioned as a formal blueprint of Malaysia’s positions, strategies, and commitments under the D-8. These documents not only documented technical details such as tariff concessions and non-tariff barrier reductions but also reflected Malaysia’s broader approach to trade diplomacy. Their systematic documentation of Malaysia’s negotiation stance ensured transparency and accountability in policy, which are vital for maintaining stakeholder trust and adherence (Salleh & Ibrahim, 2021).

Malaysia’s participation in the D-8 PTA has yielded positive effects on various facets of its economy. Trade relations with D-8 nations have expanded, facilitating greater market accessibility for Malaysian goods and services. Particularly, sectors such as halal products, palm oil, and manufacturing have experienced significant benefits from reduced tariffs and improved export opportunities. Moreover, engagement in the PTA has catalysed sector-specific growth by incentivising local industries to upgrade their production processes, enhance quality standards, and adopt practices that are competitive on a global scale. These advancements have bolstered Malaysia’s trade performance and augmented its influence as a pivotal trading partner within the D-8 consortium (Mustafa & Hamid, 2024).

By defining the unit of analysis in this manner, the research was able to delve deeply into the interactions between policy intent and practical realities in Malaysia’s trade policy processes. This approach also guided the choice of qualitative methods, such as semi-structured interviews and document analysis, ensuring the data collected was directly aligned with the research objectives (Creswell & Poth, 2018). For instance, interviews with Malaysian trade negotiators explored how they understood PTA clauses, their reasons for choosing specific negotiation strategies, and the challenges they encountered during implementation. When analysing official trade policy documents, the study identified patterns, themes, and discourses that revealed Malaysia's strategic stance within the D-8 framework (Miles & Huberman, 1994).

This clearly defined unit of analysis has been instrumental in addressing the research objectives and questions. Given that the study aimed to evaluate Malaysia's role in the D-8 PTA and assess policy alignment, the unit of analysis ensured that the investigation remained focused on the national-level policy formulation and implementation processes, rather than diverging into unrelated regional or global trade issues. By anchoring the study on Malaysia's trade policy integration within the D-8 PTA, the research has been able to generate findings that are policy-relevant, context-specific, and empirically grounded, thereby offering actionable insights for enhancing Malaysia's future engagement in regional trade agreements.

4.3. Research Strategies

This study's research strategy is carefully designed to ensure a comprehensive and consistent examination of the formulation, implementation, and enforcement of Preferential Trade Agreements (PTAs), with particular emphasis on Malaysia's role. It includes four main components: research design, case study, grounded theory, and narrative approach, all of which contribute to and strengthen the overall methodological framework.

Initially, the research design was developed to create a structured framework for data collection, analysis, and interpretation. It integrated qualitative methods to gain a detailed understanding of the political, economic, and institutional factors affecting Malaysia's role in the D-8 PTA framework. The design was driven by the need to ensure alignment between the research aims and the theoretical framework, particularly in applying principal-agent theory, the compliance theory, and concepts of national regulatory authority within the scope of international trade (Creswell & Creswell, 2023).

Secondly, the case study approach was utilised to conduct an in-depth investigation of Malaysia's experience in negotiating, implementing, and enforcing Preferential Trade Agreement (PTA) commitments within the D-8 framework. This methodology facilitated the researcher in correlating empirical evidence with theoretical propositions, thereby providing a comprehensive contextual analysis of domestic policy procedures and multilateral negotiation dynamics (Yin, 2023). Furthermore, the case study permitted the triangulation of various data sources—including official documents, stakeholder interviews, and trade statistics—to enhance both validity and reliability.

Thirdly, grounded theory has been employed as an inductive methodology to derive conceptual insights directly from empirical data. This approach has proven particularly valuable in identifying emerging themes related to Malaysia's strategic positioning within the D-8 trade bloc, such as balancing economic opportunities with sovereignty considerations. By adhering to a systematic coding process, the grounded theory method has facilitated the development of a conceptual model that accurately reflects the realities of trade policy implementation, rather than imposing preconceived assumptions (Charmaz & Thornberg, 2022).

Fourth, the narrative approach was adopted to capture the experiences, perspectives, and institutional memories of key stakeholders, including policymakers, trade negotiators, and representatives of regulatory authorities. This methodology enabled the study to document the evolution of Malaysia's trade policy strategies within the D-8 PTA from a human-centred perspective, providing comprehensive qualitative insights that complemented the more structural findings derived from other methods (Riessman, 2022).

By integrating these four elements, the research strategy consistently connected the study's problem to its broader goals while maintaining flexibility to incorporate new insights during fieldwork. This comprehensive approach was crucial for uncovering the complex dynamics of PTA negotiations and enforcement, emphasising both opportunities and challenges for Malaysia within the D-8 framework. The coherence in methodology strengthened the study's ability to generate practical, evidence-based trade policy recommendations. Please see the insights for each subsection below: -

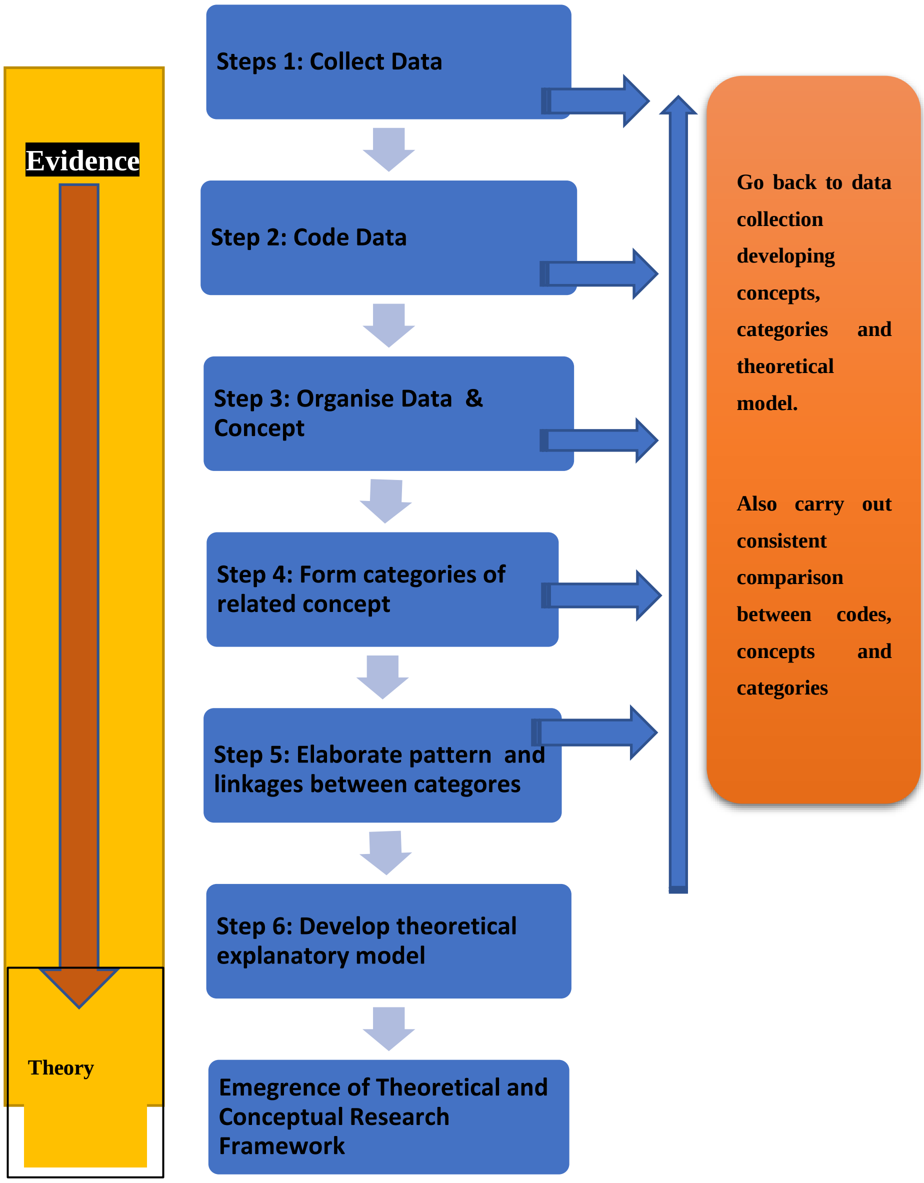


Figure 4.3: Grounded theory data analysis steps

Source: Glaser (2002)

Figure 4.3 illustrates a systematic, step-by-step procedure for converting raw qualitative data into a comprehensive theoretical and conceptual research framework. This methodology is consistent with established qualitative research techniques, notably grounded theory and concept-based coding methodologies (Charmaz & Thornberg, 2022; Saunders et al., 2023).

Step 1: Collect Data – The process began with systematically gathering relevant qualitative data from various sources such as interviews, policy documents, and archival trade records. The primary goal was to ensure the dataset's credibility, transferability, and richness (Creswell & Creswell, 2023).

Step 2: Code Data – After collecting the data, open coding methods were used to divide the information into distinct units of meaning. This process facilitated the identification of key themes and initial concepts rooted in the empirical evidence (Nowell et al., 2021).

Step 3: Organise Data and Concept – The coded data were subsequently systematically arranged into coherent groups based on shared concepts. This step facilitated the structured organisation of emerging ideas for more comprehensive analysis, thereby preventing data fragmentation.

Step 4: Form Categories of Related Concepts – At this stage, related concepts were grouped into broader analytical categories, thereby establishing the foundational elements for elevated levels of theoretical abstraction (Charmaz & Thornberg, 2022).

Step 5: Elaborate Patterns and Linkages Between Categories – This phase encompassed axial coding, during which patterns and relationships among categories were identified. The connections between categories facilitated the researcher in developing an integrative understanding of the phenomenon (Saunders et al., 2023).

Step 6: Develop the Theoretical Explanatory Model – The organised patterns were synthesised into a cohesive theoretical model that delineates the interactions among the identified variables and concepts within the context of the study.

Emergence of the Theoretical and Conceptual Research Framework – The outcome of this iterative process was the development of a contextually grounded theoretical and conceptual framework capable of explaining the dynamics of Malaysia's trade policy (TP) and PTA implementation within the D-8 framework. This approach was important because it ensured methodological rigour, transparency, and traceability from raw data to theoretical output—key elements for improving research validity in qualitative trade policy studies (Charmaz & Thornberg, 2022; Nowell et al., 2021).

4.4. Methods of Data Collection

Qualitative research typically involves two main stages: data collection. According to the methodology outlined by Clark and Vealé (2018), data collection involved systematically observing key situations or events, documenting behaviours, methods, and environmental conditions, and carefully recording these observations using field notes and multimedia tools. In the current study, three primary methods were used for data collection.

i. Semi-structured interviews were conducted with key stakeholders, including policymakers, trade officials, and negotiators, to explore their perspectives, rationales, and lived experiences. This approach captures insights that are both structured and open-ended. (Hijmans & Kuyper, as cited in Nature Reviews Methods Primers, 202)

ii. Once the data were collected, the data analysis proceeded through a systematic, multi-stage process.

- Open coding is applied to interview transcripts and documents to identify emerging concepts.

iii. Content analysis entails the systematic categorisation of concepts into broader themes to facilitate the identification of patterns and meanings within the data corpus (Editage Blog, 2025). Furthermore, reflexivity is upheld through the utilisation of a reflexive journal to document researcher biases and influences throughout the analytical process (Thematic Analysis, 2025).

Ultimately, integrating and triangulating findings from interviews and secondary sources helped create a well-supported and credible analytical narrative aligned with the research aims.

4.5. Interviews with Experts

During the course of the research, three principal organisations and expert informants were consulted to obtain comprehensive insights into the D-8 Preferential Trade Agreement (PTA) and Malaysia's trade policies. These interviews concentrated on eliciting high-level perspectives regarding negotiation processes, policy deliberations, and Malaysia's strategic stance within the D-8 framework.

The initial interview was conducted with the Deputy Director of the Policy Division at the Ministry of Agriculture and Food Industry, who had previously served as the Deputy Director of Trade Multilateral at the Ministry of Investment, Trade, and Industry (MITI) of Malaysia. This expert was strategically selected owing to their extensive experience in both agricultural policy and multilateral trade negotiations. The interview primarily addressed the status of the D-8 PTA and the alignment of Malaysia's trade policy with the agreement. The session was conducted via WEBEX to accommodate convenience and to ensure effective communication despite geographical constraints. As suggested by Opdenakker (2020), online interviewing has been widely adopted in qualitative research due to its flexibility and capacity to access participants dispersed geographically, which was particularly pertinent in this context.

The second interview involved the Assistant Director and Trade Negotiator of the Multilateral Trade Negotiation Division at MITI. This person's selection was justified by their direct participation in the D-8 PTA negotiation process, making them a key source for understanding Malaysia's negotiation strategies, challenges, and priorities. The discussion centred on the D-8 PTA negotiation process, with particular focus on the technical and policy issues that affected Malaysia's positions. This interview was also conducted via WEBEX, enabling real-time interaction and the exchange of documents and references during the discussion, which reflects the benefits of synchronous online interviews as highlighted by Archibald et al. (2019).

The third interview was conducted in person with the Secretary General of MITI, whose responsibilities included overseeing Malaysia's national trade policy, D-8 trade negotiations, and broader trade strategies. The decision to involve this senior official was based on their extensive knowledge of Malaysia's trade policy development and implementation at both domestic and international levels. This session provided a comprehensive perspective, linking policy formulation with international trade commitments. Conducting the interview face-to-face was deemed essential, as it allowed for capturing subtle expressions, facilitating in-depth discussions, and obtaining immediate clarification of complex issues, aligning with the methodological benefits described by Irvine (2021) concerning in-person qualitative interviews.

Overall, these three interviews were fundamental to the data collection process, anchoring insights in practical experience. High-level decision-making and direct negotiation involvement are vital components. Including informants in strategic and technical roles permitted the study to acquire a comprehensive understanding of the D-8 PTA concerning Malaysia's trade policies. Employing both online (WEBEX) and face-to-face methods demonstrated methodological flexibility, facilitating the collection of detailed, relevant, and credible qualitative data.

Table 4.3 Interview sessions descriptions of research participants

No:	Organisations International (INT)/ National (N)	Name/Positions	Justification of experts	Focus Topics	Method of an interviews
1	Ministry of Agriculture and Food Industry and formerly at Investment Trade and	Deputy Director of Policy Division and Formerly Deputy Director of	Discuss status of D- 8 and Trade Policy	D-8 PTA and Trade Policy	Direct an interview (WEBEX)

	Industry of Malaysia, Kuala Lumpur. (PTA)	Trade Multilateral			
2	Ministry of Investment Trade and Industry of Malaysia, Kuala Lumpur. (PTA)	Assistant Director and Trade Negotiator, Multilateral Trade Negotiation Division	Discuss status of D -8 PTA and PTA Negotiation	D-8 PTA Negotiation	Direct an interview (WEBEX)
3	Ministry oi Investment Trade and Industry of Malaysia, Kuala Lumpur. (PTA)	Secretary General of Ministry	Discuss on D- 8 PTA, National Trade Policy, D-8 Trade Negotiation and	Malaysia Trade Policy and D-8 PTA	Face to face

Sources: - The authors observe and monitor interview sessions

4.6. Policy Interpretation and Evaluation

This study applies the principles of policy interpretation and policy evaluation to examine Malaysia's engagement in the D-8 Preferential Trade Agreement (PTA) within the framework of the nation's trade policy. Policy interpretation is employed to analyse the development, communication, and intended functioning of Malaysia's commitments and objectives under the D-8 PTA. This analysis includes a comprehensive review of official trade policy documents, legal provisions of the D-8 PTA, and Malaysia's negotiation positions to ascertain their meaning, scope, and projected economic and diplomatic impacts. As Anderson (2014) clarifies, policy interpretation is the analytical process of uncovering the meaning and intent embedded within policy instruments.

During this investigation, policy interpretation was conducted through document analysis and semi-structured interviews with principal policy stakeholders, including officials from the Ministry of Agriculture and Food Industry as well as the Ministry of Investment, Trade, and Industry. These engagements clarified the fundamental rationale behind Malaysia's involvement in the D-8 Preferential Trade

Agreement (PTA), including objectives such as enhanced market access, export diversification, and the strengthening of multilateral economic relations. This interpretive phase was essential for understanding how Malaysia's trade policy objectives align with the principles of the D-8 PTA, as emphasised by Sabatier and Weible (2014), who highlighted the importance of identifying policy objectives and stakeholder perspectives prior to conducting assessments.

Policy evaluation was subsequently used to assess how well Malaysia's participation in the D-8 PTA achieved its intended objectives. This assessment drew on trade performance reports, official economic indicators, and stakeholder feedback to measure effectiveness. Dunn (2018) recognised that policy evaluation is a systematic review of a policy's design, implementation, and impact concerning its goals. In this study, evaluation criteria included trade volume growth with D-8 member states, the diversity of traded goods, and the level of technical cooperation realised under the agreement. Interviews with senior officials also offered qualitative insights into the operational challenges and benefits encountered since Malaysia's engagement in the agreement.

The combined use of policy interpretation and policy evaluation enabled a thorough understanding of the D-8 PTA's role within Malaysia's trade policy framework. By first clarifying the intent and meaning of Malaysia's commitments and then assessing their real-world effects, this research provided an integrated analysis that connected policy development with actual outcomes. Such an approach not only demonstrates best practices in policy analysis but also offers practical recommendations for enhancing Malaysia's trade policy performance within multilateral agreements.

4.7. Research Design

This thesis mainly used a qualitative research design, as it proved to be the most effective way to achieve the study's goals and address its main research questions. The primary aim of the research was to examine Malaysia's engagement with the D-8 Preferential Trade Agreement (PTA), with a particular focus on the relationship between trade policy formulation, economic integration, and the experiences of key stakeholders. The research questions required a detailed investigation into (i) how Malaysian policymakers interpreted and applied the D-8 PTA, (ii) the institutional, political, and economic factors shaping its negotiation and implementation, and (iii) the challenges and opportunities for improving its utilisation.

A qualitative research design was employed to facilitate an in-depth examination of complex realities that quantitative methods are unable to comprehensively capture. Creswell and Poth (2018) observed that qualitative approaches illuminate the meanings individuals attribute to policies and actions, offering insights that transcend mere numerical data. In this study, semi-structured interviews with senior officials from MAFI and MITI provided valuable insights into negotiation processes, the interpretation of PTA clauses, and the extent to which the D-8 PTA aligned or conflicted with Malaysia's broader trade policy objectives.

The qualitative approach was directly aligned with the initial research objective: to analyse how Malaysia engaged with the D-8 PTA within the framework of its national trade strategies. Interviews and document analysis provided the essential contextual understanding needed to link the PTA with Malaysia's industrial priorities, foreign policy stance, and trade diversification plans. As Merriam and Tisdell (2015) argued, qualitative methodologies are particularly effective at capturing policy contexts; in this study, this involved identifying political sensitivities, administrative constraints, and socio-economic factors that shape Malaysia's negotiating positions.

This design addressed the second research objective: identifying practical challenges in implementing the PTA. Engaging policymakers, the study uncovered operational issues such as inconsistent rules interpretation, customs delays, and limited private-sector awareness. Yin (2018) emphasised that qualitative analysis is crucial for diagnosing such challenges and developing feasible recommendations. These findings were vital for understanding barriers to effective PTA implementation.

The qualitative framework supported the third goal: developing policy insights and strategies for PTA benefits. Thematic analysis identified connections such as PTAs serving as South-South diplomatic tools and their significance in digital trade. Charmaz (2014) highlighted that building theory from lived experiences improves research explanations, which is crucial for understanding PTAs in the Global South.

The flexibility of the qualitative design was a key strength, enabling new inquiries like emerging trade technologies to be incorporated as interviews progressed without losing coherence. Maxwell (2013) observed that such adaptability keeps research responsive to changing realities, as demonstrated in this study's emphasis on the dynamic trade policy in the D-8 context.

The qualitative design suited the study’s needs, helping to meet its objectives and answer questions. It revealed the political, institutional, and operational aspects of Malaysia’s involvement with the D-8 PTA, identified practical challenges, and offered grounded, context-aware recommendations. Supported by scholars (Bryman, 2016; Creswell & Poth, 2018; Yin, 2018), this demonstrates that qualitative methods are essential for comprehensive, policy-relevant analysis of international trade agreements.

4.8. The Relationship Between Qualitative Methodology and Research Questions

In this study, the qualitative research design was meticulously aligned with each research question to ensure that the investigation directly addressed the study’s objectives and context. This approach facilitated the collection of in-depth, contextually rich data from key stakeholders and pertinent documentary sources, thereby enabling a comprehensive analysis of Malaysia’s engagement with the D-8 Preferential Trade Agreement (PTA).

i. **Research Question 1**

"How had Malaysia formulated preferential trade agreements (PTAs) at the national level to enhance trade among D-8 member countries?"

This inquiry aimed to examine Malaysia's strategic development of Preferential Trade Agreements (PTAs) designed to promote commerce among the D-8 member states. The research employed a qualitative methodology, mainly utilising semi-structured interviews and policy document analysis, which helped identify subtle policy motivations behind Malaysia's PTA strategies. As a relatively more advanced economy within the D-8, Malaysia has generally supported deeper trade liberalisation during PTA negotiations, with particular focus on tariff reduction and expanding market access (Halicioglu & Ketenci, 2019). This strategic stance aligns with Malaysia's broader foreign trade policies, aimed at boosting industrial competitiveness, diversifying export markets, and strengthening trade relations regionally and internationally (Ahmed, 2017). Nonetheless, the interviews revealed that, despite these proactive strategies, Malaysia still faced ongoing constraints, including non-tariff barriers such as regulatory disparities, technical standards, and customs procedures that continued to limit market access (Chowdhury, 2018). Furthermore, pressures from global trade regimes, commitments to the World Trade Organization (WTO), and overlapping regional agreements have influenced Malaysia's flexibility in its national trade policy regarding the D-8 PTA (Pasha & Pal, 2014). The qualitative approach proved crucial in capturing these complex challenges and policy trade-offs, thereby enabling a thorough response to this research inquiry.

ii. **Research Question 2**

"What had been the implementation negotiation process of PTAs at the national level towards consensus in the negotiations process of the D-8?"

This inquiry aims to examine how Malaysia and other D-8 member states navigated the negotiation and implementation processes of Preferential Trade Agreements (PTAs) in their pursuit of consensus. The qualitative approach offers comprehensive insights into the methods by which member states tailored their negotiation strategies in line with their economic priorities—where nations such as Malaysia and Turkey advocate for enhanced market access, while others, such as Bangladesh and Nigeria, prioritise the protection of domestic industries (Rahman & Mamun, 2016). The findings indicate that institutional capacity, notably the robustness of trade ministries and legislative frameworks, plays a crucial role in influencing the effectiveness of negotiations (Ahmed, 2017). Nevertheless, the disparities in the levels of economic development among D-8 member states often lead to competing priorities during negotiations (Shirazi & Shahbaz, 2016). Furthermore, global economic fluctuations, geopolitical tensions, and external trade agreements exert significant influence on negotiation outcomes, thereby necessitating flexible and adaptive strategies (Mehta, 2015). The qualitative methodology facilitates a detailed analysis of these dynamics, contributing to a more profound understanding of the pathways and obstacles to consensus-building within the D-8 PTA framework.

iii. **Research Question 3**

"How far had member nations of the D-8 complied with the PTA provisions towards the successful implementation of the D-8 PTA?"

This inquiry examined how well D-8 member nations follow the established PTA provisions. The qualitative methodology allowed an exploration of compliance not just as a legal or technical issue but also as a factor influenced by political will, institutional capacity, and mutual trust among members. Compliance involved fulfilling obligations such as reducing tariffs, removing non-tariff barriers, and implementing trade facilitation measures; when effectively carried out, these contributed to increased intra-group trade (Ahsan & Mitra, 2019). Interviews showed that stronger customs administrations and harmonised regulatory frameworks were linked to higher compliance rates (Idris & Mansor, 2017). However, regulatory discrepancies, administrative bottlenecks, and inconsistent technical standards continued to prevent full compliance (Chowdhury, 2018). Additionally, the lack of strong monitoring and dispute resolution mechanisms hampered timely enforcement, highlighting the need for transparent governance systems (Rahim & Raza, 2020). The qualitative approach was useful in uncovering these operational realities, thereby enabling an assessment of the depth and sustainability of compliance within the D-8 PTA.

4.9. Questionnaire Design

This research highlights the vital importance of carefully constructing the questionnaire to capture detailed and nuanced views on Malaysia's involvement with the D-8 Preferential Trade Agreement (PTA). The design process was especially important because international trade agreements are complex, involving political, economic, and institutional factors all intertwined. The questionnaire was thoughtfully crafted to explore the detailed processes behind Malaysia's formulation, negotiation, and implementation of the D-8 PTA, ensuring it aligns with both national trade policy goals and regional commitments. By incorporating relevant theoretical insights, the tool was created to reflect the many dimensions of PTA development, including procedural steps, institutional coordination, compliance issues, and regulatory integration. This approach allowed the research to examine not only the procedural elements of Malaysia's PTA engagement but also broader governance, policy, and enforcement challenges. As Creswell and Creswell (2018) argued, effective questionnaire design in qualitative research requires a balance between open-ended exploration and structured inquiry to ensure rich data and comparability.

Question 1: Method for National-Level PTA Formulation and Coordination with D-8 Objectives

The initial inquiry was designed to examine the methodologies employed by Malaysian agencies, specifically, the Ministry of Investment, Trade, and Industry (MITI) and the Ministry of Agriculture and Food Security (MAFS) to ensure that the national PTA processes are aligned with the overarching objectives of the D-8 PTA. The survey incorporated both open-ended and closed-ended items to delineate procedural steps, inter-ministerial coordination mechanisms, and the role of policy enforcement tools. Open-ended questions elicited detailed narratives concerning institutional workflows, whereas closed-ended items provided structured data regarding the frequency and effectiveness of inter-agency collaboration (Patton, 2015).

Question 2: Negotiation Practices and National Trade Policy Support

The second question explored how Malaysia’s negotiation practices with D-8 partners influenced the implementation of the PTA and the application of national trade policies. It involved analysing trade negotiation strategies, challenges encountered, and solutions, supported by reviewing negotiation briefs and trade policy documents to understand the negotiation dynamics (Creswell & Creswell, 2018).

Question 3: Malaysia’s Capability to Coordinate PTAs and Ensure Compliance

The third inquiry evaluated Malaysia's institutional capacity, expertise, and regulatory framework to coordinate national Preferential Trade Agreements (PTAs) and ensure adherence to D-8 PTA terms both domestically and regionally. Closed-ended questions measured preparedness and available resources, whereas open-ended prompts gathered perceptions regarding gaps and strengths (Patton, 2015).

Question 4: Recommendations for PTA Enforcement through National Trade Policy

The fourth question solicited recommendations from stakeholders to enhance PTA enforcement through Malaysia’s trade policy. Its objective was to identify practicable interventions for the comprehensive ratification and implementation of the D-8 PTA, thereby informing policy advisements directed at Malaysian authorities and the D-8 secretariat (Creswell & Creswell, 2018).

Question 5: Proposals for Full Enforcement of the D-8 PTA

The fifth question examined Malaysia's proposals for fully implementing the D-8 PTA, including measures to maximise trade benefits among members. The mixed-method design, involving both closed and open-ended items, allowed the study to generate actionable and contextual recommendations (Patton, 2015).

Question 6: Actions Toward Renegotiation and Expedited Ratification

The final inquiry analysed Malaysia's actions and intentions concerning the renegotiation of certain aspects of the D-8 PTA, as well as strategies aimed at accelerating ratification and implementation. It entailed evaluating ongoing negotiations, identifying procedural obstacles, and collecting perspectives on expediting the agreement procedures (Creswell & Creswell, 2018).

Question 7: Integration of Theoretical Frameworks in Questionnaire Design

The questionnaire was based on three theoretical frameworks—Principal–Agent Theory, the Theory of Compliance, and National Regulatory Theory—to strengthen the analytical process. Principal–Agent Theory assessed Malaysia's government interactions with trade negotiators, emphasising incentives, oversight, and accountability (Eisenhardt, 1989). The Theory of Compliance examined domestic legal factors impacting Malaysia’s adherence to D-8 commitments, highlighting enforcement mechanisms and stakeholder support (Raustiala & Slaughter, 2002). National Regulatory Theory analysed how Malaysia’s trade regulations conformed with regional objectives, particularly in harmonising rules and reducing inefficiencies (Braithwaite, 2008). Incorporating these theoretical frameworks ensured that the data addressed descriptive “what” and “how” questions, as well as the underlying “why” behind Malaysia’s Preferential Trade Agreement strategies. This approach generated findings of significance to Malaysia's trade policy domain, providing both academic insights and practical recommendations to improve PTA processes within the D-8 framework.

4.10. Data Analysis

Qualitative data analysis in this research involved systematically exploring complex datasets to extract meaningful insights. The study employed Grounded Theory to investigate Developing Eight (D-8) PTAs in Malaysia and their connection to domestic trade policies. This approach successfully identified the intricate negotiations, leading to grounded theoretical insights. The methodology included transcription of interviews, coding, content analysis, and integrating the results into Malaysia's trade policy discussions within the D-8 framework.

i. Grounded Theory

Grounded Theory, developed by Glaser and Strauss (1967), remains a robust methodology for developing theories founded on empirical data. The iterative process of data collection and analysis in this study demonstrated how Malaysia's Ministry of International Trade and Industry (MITI) coordinated trade policies with D-8 PTA commitments. Recent scholarly work emphasises its continued significance in trade policy analysis, particularly in the context of evolving regional economic integration (Tie et al., 2022).

ii. Transcribing Interview Recordings

The first phase entailed transcribing interviews with Malaysian policymakers, trade negotiators, and private-sector stakeholders for analysis. Transcripts from senior MITI officials uncovered procedural details of Malaysia's PTA negotiations, decision-making processes, and inter-ministerial coordination challenges. Ensuring accuracy was crucial to maintain nuanced expressions that reveal implicit attitudes towards D-8 policy alignment (DuBois & Gallo, 2023).

iii. Coding System

The coding process adhered to Charmaz's (2006) three-stage model. During the phase of Open Coding, data was systematically disaggregated to delineate themes such as negotiation tactics, regulatory alignment, capacity limits, and stakeholder involvement. Axial Coding subsequently identified interconnections- for example, linking “negotiation strategies” to “capacity constraints,” wherein limited expertise impacted Malaysia’s bargaining position during D-8 negotiations. Selective Coding synthesised these elements into a coherent framework elucidating Malaysia’s strategy for aligning trade policies with PTAS, whilst simultaneously balancing political and economic objectives. Recent applications of coding techniques in trade policy research have further substantiated its significance in uncovering power dynamics and institutional capacities that influence regional integration (Nowell & Albrecht, 2022).

iv. Discussion and Theoretical Application

The findings were examined through three complementary theoretical frameworks: Principal–Agent Theory (Eisenhardt, 1989), which clarifies the delegation relationship between Malaysia’s federal government (the principal) and trade negotiators (the agents), highlighting how performance incentives, reporting systems, and political accountability shape PTA outcomes. Compliance Theory (Raustiala & Slaughter, 2002) was used to assess Malaysia’s compliance with the D-8 PTA terms, focusing on domestic legal institutions and trade enforcement mechanisms. Additionally, National Regulatory Theory (Braithwaite, 2008) analysed how Malaysia’s regulatory structures either support or hinder PTA commitments, especially in sectors such as agriculture, manufacturing, and services. Together, these perspectives shed light on Malaysia's balancing act between maintaining domestic policy independence and meeting regional trade obligations — a common tension in trade policy studies involving emerging economies (Hafeez et al., 2023).

v. Key Findings

The analysis revealed four principal actionable insights for Malaysia's Preferential Trade Agreement (PTA) policy environment. Firstly, strengthening coordination through the establishment of inter-ministerial task forces has enabled Malaysia to present a unified stance during D-8 negotiations, thereby reducing policy fragmentation. Secondly, capacity-building initiatives, including continuous training for trade officials, have enhanced Malaysia's technical negotiation skills, resulting in more assertive and well-informed bargaining. Thirdly, aligning Malaysian trade regulations with D-8 commitments has minimised implementation delays and facilitated smoother cross-border transactions. Finally, engaging industry associations and academic institutions early in the policy development process has led to the formulation of more comprehensive and practical PTA provisions.

vi. Validity and Reliability

The validity of the study was reinforced through the employment of method triangulation integrating interview data, official policy documents, and trade performance reports, thus ensuring the consistency and credibility of the findings. Reliability was established via comprehensive audit trails, facilitating the replication of the analytical process. These methodological safeguards were indispensable, given the political and economic significance associated with Malaysia's D-8 PTA commitments (Morse & McEvoy, 2021).

Finally, applying Grounded Theory to Malaysia's D-8 PTA analysis provided a robust framework for comprehending the intersection of trade policy with regional economic integration. Through the transcription of interviews, data coding, and content analysis, the study yielded insights pertinent to policy formulation. This methodological approach enhanced the credibility of the findings and offered practical recommendations to strengthen Malaysia's position within the D-8, thereby exemplifying the significance of qualitative research in addressing complex trade policies.

CHAPTER 5

QUALITATIVE DATA ANALYSIS & INTERPRETATION

5.1 Introduction

Trade policy integration constitutes a crucial domain of scholarly inquiry, particularly in relation to the Developing Eight (D-8) Preferential Trade Agreements (PTAs). Comprehending the formulation and implementation of these PTAS within a national context, such as Malaysia's trade policy, necessitates a robust qualitative research methodology. This chapter elucidates the qualitative data analysis and interpretation techniques employed to investigate trade policy integration, with an emphasis on the formulation and execution of the D-8 PTAS.

This chapter explores information gathered from fieldwork with experts from relevant ministries and online interviews with trade policy specialists and the D-8 Organisation. The study aimed to follow a structured and thorough approach but encountered challenges in securing cooperation from D-8 member states. Notably, interviews were successfully conducted with key experts, including those from the D-8 Secretariat in Istanbul and the Secretary General of Malaysia's Ministry of Investment, Trade, and Industry (MITI). The most responsive and cooperative experts in answering the research questions provided exceptional attention and commitment during the interview sessions. The experts' valuable input was received from the Multilateral Negotiations Division and the Multilateral Trade Division, which manage D-8 Organisation matters under the Malaysian Ministry of Investment, Trade, and Industry (MITI). Additionally, those experts are responsible for tasks related to the D-8 Preferential Trade Agreement (PTA) and economic affairs among member nations. Full cooperation was also obtained from MITI's Secretary General, who is directly involved in Malaysia's trade negotiations and policymaking. As a result, the research questions were comprehensively addressed, aligning with the study's objectives and planned inquiries as outlined in Chapter 1. Below are the questions formed and answered by these expert authorities within the relevant ministries of the nations.

5.2. Profile of Expert

The development of the Eight (D-8) Preferential Trade Agreements (PTAs) within Malaysia's trade policy requires the involvement of multiple stakeholders. These include policymakers and trade negotiators, whose diverse insights help in understanding trade policy integration. This subsection explores the profiles of these stakeholders, emphasising their roles and importance in the D-8 PTA process, supported by relevant citations.

5.2.1. Policymakers

Policymakers play a crucial role in formulating and implementing preferential trade agreements (PTAs). Typically, senior officials from relevant ministries, such as the Secretary General of Malaysia's Ministry of International Trade and Industry (MITI), are responsible for drafting trade policies, negotiating agreements, and safeguarding national interests. Their expertise in international trade law, economics, and diplomacy is essential for the successful execution of PTAS (Das, 2012). Their thorough understanding of trade laws and regulations ensures that Malaysia’s trade strategies align with the objectives of the D-8. Furthermore, an interview was conducted with the Secretary General of Malaysia's MITI, who previously served as the National Trade Negotiator for the D-8 PTA and has accumulated extensive experience through his role.

5.2.2. Trade Negotiators

Trade negotiators are specialised professionals who directly participate in the negotiation processes of PTAs. These individuals, often from the Ministry of International Trade and Industry of Malaysia, possess extensive knowledge of trade dynamics, negotiation strategies, and conflict resolution (Bhattacharya & Hossain, 2020). Their role involves securing favourable terms for their respective nations and secretariats, as well as understanding and managing the complexities of international trade relations. The firsthand experience and strategic thinking of trade negotiators are invaluable for achieving coherent and beneficial PTAs within the D-8 framework.

The experts involved in the development and implementation of the D-8 Preferential Trading Agreement (D-8 PTA) originate from diverse professional backgrounds, including policymakers and trade negotiators. Each individual plays a vital role in shaping Malaysia’s trade policy and integrating it into the D-8 framework. Employing qualitative research methods such as semi-structured interviews, focus groups, and document analysis, this study provides comprehensive insights into the perspectives and contributions of these stakeholders. Understanding their respective roles and interactions is essential for the formulation of effective and inclusive trade policies that foster regional economic cooperation and integration. An interview conducted for this study included a diplomatic officer from the Ministry of Agricultural and Food Security, as well as a former diplomat from the Ministry of International Trade and Industry (MITI). The officer was responsible for supervising the D-8 PTA at the national level. Additionally, an interview was conducted with a diplomatic officer from the Division of Trade Negotiations, who also serves as Malaysia's Trade Negotiator for the D-8 PTA, along with an officer from the Ministry of International Trade and Industry of Malaysia.

5.3. Relationship Between Research Questions and Literature Reviews within Main Themes and Dimensions

In qualitative research, developing central themes is essential to ensure that data analysis aligns with the Research Questions (RQ) and the established theoretical framework in the Literature Review (LR) (Braun & Clarke, 2006). In a study on the implementation of the D-8 Preferential Trade Agreement (D-8 PTA) in Malaysia, the primary themes were derived from keywords in the LR, which include core concepts such as enforcement, international cooperation, implementation challenges, and expert perceptions. The relationship is illustrated in Tables 5.3, 5.4, 5.5, and 5.6, which summarise each central theme and dimension specific to the Research Questions of this study.

Choosing main themes that align with the LR is vital because it guarantees that the analysis rests on solid theoretical foundations and previous research, enabling stronger triangulation between empirical data and scholarly sources (Nowell et al., 2017). For instance, the theme "Effectiveness of D-8 PTA Compliance not only addresses RQ3 but also links interview findings to literature on the role of institutions such as the Ministry of International Trade and Industry (MITI) in overseeing PTA implementation.

Each main theme is subsequently subdivided into dimensions, which are more specific and detailed subcategories employed to examine the issues from multiple perspectives (Guest et al., 2012). For example, the theme "Economic and Political Cooperation within D-8" comprises dimensions such as diplomatic relations and joint implementation mechanisms, which are directly related to concepts in the literature on economic diplomacy and policy coordination.

Furthermore, this approach allows the researcher to assess the degree to which expert statements either support or oppose the LR. This aligns with the recommendation of Miles, Huberman, and Saldaña (2014) that thematic analysis should be incorporated within a well-established conceptual framework, ensuring that the results are not solely descriptive but also analytical and critical.

Importantly, this method's strength is its capacity to align qualitative data with existing theories. However, it also faces challenges like confirmation bias, where researchers might favour evidence that supports the literature. To address this, a balance is essential by letting new themes surface from the data- topics like geopolitical concerns or economic structural differences among D-8 member states that may not have been initially expected in the literature review.

5.3.1. The Summary of Main Theme and Dimension

The primary theme serves as the overarching category directing the focus of expert interview discussions. It closely corresponds to the keywords identified in the Literature Review (LR), thereby maintaining the relevance of the conversation to the fundamental research framework. This alignment facilitates the central theme in functioning as a reference point, linking experts' responses with the established theoretical framework and enabling a more straightforward comparison of empirical results with existing literature (Braun & Clarke, 2006).

The dimension functions as a subdivision of the primary theme, decomposing it into more specific, measurable, and discussion-oriented components. Dimensions assist researchers in conducting a more in-depth examination of each Research Question (RQ) by directing subsequent inquiries and ensuring expert responses concentrate on specific aspects of the Literature Review (LR). They facilitate the investigation of nuanced distinctions within a theme, providing enhanced detail and a more defined pathway for thematic analysis (Guest, MacQueen, & Namey, 2012).

In combination, the central theme ensures conceptual alignment with the LR. In contrast, dimensions ensure operational alignment with the RQ, thus facilitating the assessment of the degree of expert agreement, divergence, or expansion upon the established literature. This dual-structure approach enhances the validity of the thematic analysis, ensuring that findings are both theoretically grounded and contextually comprehensive.

5.4. Procedure of Data Analysis

Trade policy analysis, particularly within the framework of the Developing Eight (D-8) Preferential Trade Agreement (PTA), necessitates a comprehensive understanding of the intricate interactions and negotiations among various stakeholders. Utilising qualitative methodologies in this context provides a robust analytical framework capable of capturing subtle insights frequently missed by quantitative techniques. This section explores the procedures specific to qualitative data analysis concerning trade policy and the D-8 PTA, highlighting essential methodologies, procedural steps, best practices, and pertinent citations from recent scholarly literature.

Qualitative research in trade policy emphasises identifying the motivations, strategies, and impacts of policy decisions from the viewpoints of diverse stakeholders, including policymakers and trade negotiators. This approach involves analysing their experiences and perceptions to deliver a thorough understanding of the policy environment.

5.5. Data Analysis

This section guarantees meticulous and precise refinement of the collected information. Therefore, the analysis method emphasises key themes related to the study's research questions, including formulation, implementation, compliance, enforcement, recommendation, and status. This analytical approach also involves examining insights gathered from interviews with ministry experts. Table 5.1 serves as the coding reference for open themes derived from questionnaires, each aligned with specific research inquiries. These themes are vital for analysing the flow of discussions and generating detailed analysis results.

Table 5.1. Coding for Open Themes

RESEARCH QUESTIONS AND THEMES	QUESTIONNAIRES AND THEMES
RQ1- FOR How has Malaysia formulated its National Trade Policy (NTP) and PTA strategy in guiding the development of the D-8 PTA?	What is the method for **formulating** PTA at the national level to be coordinated with D-8 PTA to achieve the main objectives of D-8 PTA? In fact, what about involving relevant agencies and ministries at the national level to ensure that the D-8 PTA is enforced through your nation's functionality and the strength of its national trade policy?
RQ2-IMP What are the processes and strategies implemented by Malaysia in negotiating the D-8 PTA at the national level?	How is the negotiation practice process related to the **implementation** of the PTA and the need for a national trade policy in your nation to support the success of the implementation of the D-8 PTA?
RQ3- COM To what extent has Malaysia ensured compliance with the D-8 PTA provisions, and how can this guide other D-8 member states?	To what extent is your nation capable and qualified to coordinate national PTAs to ensure **compliance** with each theme/element contained in the D-8 PTA agreement by stakeholders at the domestic and regional levels (D-8)?

Based on the questionnaires discussed (Table 5.1), a primary thematic approach has been developed to ensure thorough coverage for each session. The analysis will begin with a coding system derived from four key questions: FOR (formulation), IMP (implementation), and COM (compliance). Each analysis will consistently utilise this coding system to reflect the information collected, aligning with the research objectives. To maintain a structured and systematic method, responses from experts in the participating member nations will be examined. Below is a set of themes based on the relevant questionnaires, emphasising the importance of these themes (coding system) for facilitation.

The FOR (formulation) interpretation emphasises the importance of establishing Preferential Trade Agreements (PTAs) at the national level, which should be synchronised with the D-8 Secretariat regionally. Each member country is responsible for creating a PTA and developing a trade policy formulation method. This demonstrates the country's commitment to building a comprehensive and effective national trade policy, which is essential for the success of the D-8 PTA. Such coordination ensures that the objectives of the D-8 PTA are achieved effectively and decisively.

The second theme, IMP (Implementation), concentrates on the execution of Preferential Trade Agreements (PTAs) and trade policies. The pertinent question pertains to the procedures for effectuating PTAs and trade policies via a negotiation process prior to their final formulation. This phase is of utmost importance as it encompasses consultation, engagement, and tolerance to ensure the safeguarding of rights and authority of all involved parties. Such an approach facilitates a comprehensive understanding of the needs associated with PTAs and national trade policies, ultimately fostering consensus.

The third theme, COM (compliance), investigates stakeholders' comprehension and adherence to the regulations specified within the PTA, as mandated by government authorities and overseen by the Trade Commission of the member nations. A thorough understanding of the PTA guidelines enables industries and traders to capitalise on the benefits of the D-8 PTA Agreement. This promotes multilateral trade by providing extensive trade facilitation and reduced tariffs for mutually agreed-upon goods and commodities, thereby benefiting D-8 traders.

Therefore, coding the relevant themes will serve as a key guide for the discussion and research findings in Chapter 5. Experts will provide insights aligned with the research objectives, guided by these themes. The interview sessions were transcribed and meticulously coded to find additional comments related to the research aims. These comments will be thoroughly analysed and supported by the literature review discussed in Chapter 3. The study was conducted verbally, with recordings collected through an online platform and in-person voice recordings. The table displays the coding of expert responses to each research question, facilitating the upcoming discussion.

As delineated in Table 5.2, this research encompasses interview sessions with experts on PTAs from Malaysia, whose roles are crucial for assessing comments and emphasising the significant outcomes of developing the "D-8 PTA Conceptual and Theoretical Policy Framework." Although other member nations did not respond as anticipated, this did not constitute a significant obstacle, given that Malaysia was the first country to ratify the D-8 PTA. Diplomatic officers from the D-8 Secretariat and experts in the D-8 PTA have consistently supported the realisation of the agreement to enhance bilateral trade and act as a catalyst for trade relations within the D-8 umbrella. However, it is important to note that the D-8 PTA has not yet been ratified by the D-8 Secretariat. Consequently, the data collected from these interviews will be instrumental in analysing the potential for the D-8 PTA's ratification, as proposed by this research study.

Please refer to Table 5.2. The interview session was conducted virtually with experts from the Ministry of Investment, Trade, and Industry of Malaysia and the Ministry of Agriculture and Food Industry of Malaysia. Both are Malaysia-D-8 Trade Negotiators and Policy specialists (former Malaysia D-8 Commissioners). These experts possess extensive expertise in leading trade sectors related to D-8 and have considerable experience at the D-8 PTA negotiating table, particularly concerning matters involving Malaysia. Consequently, Table 5.2 delineates the roles and expertise of both individuals in relation to the D-8 PTA trade details. Regarding MSIA1, he is a seasoned officer with comprehensive knowledge of all D-8 PTA processes involving

Malaysia. As for MSIA2, he is an official actively engaged in multilateral trade negotiation discussions pertaining to the D8-PTA involving Malaysia.

According to the response, experts clearly understand the significance of D-8 PTA to Malaysia and the D-8 members. An explanation of this will be provided below.

Table 5.2: Coding for Experts

Num:	Code Form	Ministry	Position	Role
3	**MSIA1**	Ministry of Agriculture and Food Industry	Diplomatic Officer in Charge D-8	*play a role in multilateral trade matters at national and D-8 levels*
4	**MSIA2**	Ministry of Investment, Trade, and Industry Malaysia	Trade Negotiator in Charge D-8	*play a role in trade negotiations at the national and D-8 levels*

5.6 Research Question One

5.6.1 Malaysia: Formulation Theme and Dimension

This section examines how Malaysia formulated its National Trade Policy (NTP) and PTA strategy, emphasising how these processes support the D-8 Preferential Trade Agreement (PTA). The key question is: "In what ways did Malaysia's national PTA development influence trade growth among D-8 countries?"

The findings from virtual interviews with key Malaysian trade policy stakeholders highlight the contributions of MSIA1, a senior figure in shaping Malaysia–D-8 trade policy, and MSIA2, a specialist in trade negotiations representing Malaysia during the D-8 PTA talks. Both played vital roles in crafting Malaysia’s PTA strategies: MSIA1 focused on the conceptual design and national coordination, whereas MSIA2 handled international negotiations to achieve favourable terms for Malaysia.

The content analysis, focusing on the Formulation (FOR) theme, examines 19 key statements and connects them to three supportive dimensions—Negotiation (NEG), Concession (CON), and Cooperation (COO)—as shown in Table 5.3. These dimensions demonstrate Malaysia’s national preparations involved substantial inter-ministerial collaboration, aligning domestic regulations with PTA provisions, and engaging in strategic cooperation with other D-8 members.

The statement MSIA1FOR1COO1 specifically indicates Malaysia’s internal coordination, led by the Ministry of International Trade and Industry (MITI) and supported by agencies such as the Malaysia External Trade Development Corporation (MATRADE). This joint effort among multiple agencies ensured that the national PTA development aligned with Malaysia’s trade priorities and strengthened D-8 economic integration. It also supports existing research highlighting the importance of robust national trade policies in fostering multilateral trade cooperation (Baccini & Dür, 2012; Elsig, 2011).

Malaysia’s strategy for developing PTA has been enhanced through previous experiences within ASEAN and bilateral FTAs, which encompassed regulatory reviews, sector impact evaluations, and well-structured concession plans (Chia, 2014). This foundation has allowed Malaysia to make precise concessions while safeguarding sensitive sectors, thus providing a potential framework for other D-8 members seeking to establish effective preferential trade agreement strategies.

"As a result of the engagements carried out through forums that serve as sub-platforms under the OIC, the trade value among D-8 member countries has significantly increased through the D-8 PTA."

MSIA1FOR1COO1

Assessing the economic cooperation among members of the Organisation of Islamic Cooperation (OIC) highlights certain structural and operational weaknesses compared to the D-8 Economic Cooperation Organisation (D-8). The D-8, which includes Bangladesh, Indonesia, Iran, Malaysia, Egypt, Nigeria, Pakistan, and Turkey, has economies that are relatively similar, shared developmental goals, and aligned policy targets (D-8 Secretariat, 2020). This common ground has led to more effective negotiations and focused decision-making, unlike the OIC's broader and more politically complex framework (Ahsan, 2010; UNCTAD, 2021).

Malaysia's formulation of its NTP and PTA strategies within the D-8 framework reflects a pragmatic and selective stance on trade liberalisation. The MSIA1FOR1NEG1 viewpoint emphasises that *"The D-8 is an instrument that provides tariff preferences to only about 10% of each country's total product lines, and we have submitted our product list and received offers from other member countries."* This underscores Malaysia's strategic approach in trade negotiations, focusing on product lines where tariff concessions offer substantial economic and competitive benefits, while protecting sensitive sectors (Athukorala, 2011).

From a policy perspective, this strategy reinforces Malaysia's alignment with the broader objectives of the New Industrial Policy (NTP), aiming to harmonise trade liberalisation with the resilience of the domestic economy (MITI, 2020). By leveraging the limited yet targeted tariff preferences offered by the D-8, Malaysia ensures that its commitments remain both manageable and impactful. This methodology establishes a model of Preferential Trade Agreement (PTA) engagement that other D-8 members might emulate to promote intra-bloc trade while safeguarding vulnerable industries (Rahman, 2021). Such a selective and proactive strategy exemplifies Malaysia's capability to align national trade priorities with regional cooperation efforts, thereby positioning the D-8 PTA as a potential exemplar for other Islamic economic organisations such as the Organisation of Islamic Cooperation (OIC).

"The D-8 is an instrument that grants tariff preferences to only about 10% coverage of each country's total product lines, and we have submitted our product list and received offer lists from the other member countries."

MSIA1FOR1NEG1

Malaysia's development of its National Trade Policy (NTP) and Preferential Trade Agreement (PTA) strategy within the D-8 framework reflects a deliberate and strategic approach to trade liberalisation. This methodology is grounded in targeted negotiations and the prioritisation of critical sectors. As noted in MSIA1FOR3NEG2, *"Malaysia, under the D-8 PTA, has agreed to utilise it as an instrument to attain special tariffs from D-8 member countries."* This underscores Malaysia's objective to utilise the D-8 PTA not merely for multilateral cooperation but also as an effective means to secure preferential market access in key sectors.

Malaysia's PTA development commences through extensive consultations at the national level, involving key ministries, industry stakeholders, and technical agencies. The objective is to identify sectors where tariff reductions will generate the most significant economic benefits, while simultaneously safeguarding sensitive industries (Athukorala, 2011; MITI, 2020). This approach underpins Malaysia's broader National Trade Policy (NTP), which seeks to augment export growth and reinforce domestic industrial resilience. Given that the D-8's product coverage constitutes approximately 10% of each member's product lines, it exemplifies Malaysia's targeted liberalisation strategy. This enables negotiators to concentrate on high-value sectors such as electronics, palm oil, and rubber, wherein Malaysia maintains a competitive edge (Rahman, 2021).

Malaysia's approach to the D-8 PTA involves synchronising its tariff reduction plans with its broader trade strategies, including its experiences with the ASEAN Free Trade Area (AFTA) and bilateral FTAs. This ensures that commitments under the D-8 align with existing trade obligations and can be implemented smoothly without risking domestic economic stability (Khor, 2017). The focus on negotiation accuracy and sector-specific targets demonstrates Malaysia's view of the D-8 as a tool for both expanding trade and strengthening geopolitical ties within the Islamic economic community. Practically, this has helped Malaysia lower tariffs on industrial exports, boost agricultural trade, and improve supply chain links among member countries (D-8 Secretariat, 2020).

Malaysia benefits from economic synergies among D-8 countries by expanding its export markets and attracting investment in value-added sectors. Through tariff reductions and standardised customs procedures, Malaysia has made it easier to export palm oil, rubber, and manufactured goods to D-8 partners, supporting steady export growth. This approach aligns with regional economic integration theories, which suggest that preferential agreements can boost intra-bloc trade while allowing flexibility for multilateral negotiations (Bhagwati, 2008; UNCTAD, 2021). Importantly, Malaysia's NTP and PTA strategies within the D-8 are dynamic, featuring monitoring and evaluation systems to ensure tariff preferences lead to real trade benefits. This proactive stance enhances Malaysia's credibility in the D-8 and serves as a model for other members to balance liberalisation with national economic goals.

"Malaysia, under the D-8 PTA, has agreed to use it as an instrument to obtain special tariffs from D-8 member countries."

MSIA1FOR3NEG2

According to MSIA1FOR4CON1, MITI's collaboration with various organisations and Chambers of Commerce in export/import activities is both operational and strategic. This engagement aligns with Malaysia's NTP objectives of promoting market access, enhancing export competitiveness, and diversifying trade partners (MITI, 2023). The D-8 PTA—covering tariff preferences for about 10% of product lines per member country—requires a selective yet impactful approach to product inclusion. The strategic submission and negotiation of this product list reflect the NTP's focus on sector prioritisation and resource optimisation (Rahman, 2021).

The leadership of MITI in obtaining trade concessions within the D-8 framework exemplifies the implementation of Malaysia’s Preferential Trade Agreement (PTA) strategy, wherein bilateral and multilateral negotiation channels are employed to incorporate domestic trade priorities into international commitments (Baccini & Urpelainen, 2014). Through meticulous coordination with domestic stakeholders, MITI is able to ensure that concession offers and requests are aligned with Malaysia’s industrial strengths, including high-value manufacturing, halal products, and palm oil derivatives (Chia, 2014).

This approach further exemplifies a principal-agent relationship, wherein MITI functions as the “agent” representing the national interest during D-8 negotiations, under the mandate of the “principal"—the Malaysian government and its private sector. The efficacy of this representation is evaluated not solely through signed agreements but also via concrete results such as heightened trade volume, enhanced export margins, and fortified trade relationships with member states (Kim, 2020).

Furthermore, in accordance with MSIA1FOR4CON1, the Ministry of International Trade and Industry’s outreach initiatives promote the expansion of networks and the establishment of institutional linkages with other D-8 nations. These connections are vital for minimising transaction costs, enhancing Malaysian branding, and supporting technical cooperation, which collectively underpin the National Trade Policy’s objective of fostering sustainable and inclusive trade growth (Athukorala, 2022). By leveraging these relationships, Malaysia positions itself as a proactive and credible negotiating partner, a distinction of particular importance within the Preferential Trade Agreement environment where concessions are negotiated on a reciprocal basis.

The formulation of Malaysia’s NTP and PTA strategy within the context of the D-8 PTA—as delineated in MSIA1FOR4CON1—relies significantly on MITI’s leadership, structured stakeholder engagement, and targeted sectoral promotion. This integration of domestic trade policy priorities with international negotiation outcomes guarantees that Malaysia not only secures advantageous trade concessions but also enhances its position within the global and D-8 trade framework.

"In terms of engagement and outreach carried out by MITI, many organisations and Chambers of Commerce have conducted export/import activities in which MITI has successfully taken the lead in securing trade concessions. This serves as an instrument that can be interpreted as reflecting and assessing MITI's capacity in dealings with other member countries."

MSIA1FOR4CON1

The statement from MSIA1FOR5CON2 — "Malaysia has commenced the management of D-8 PTA engagements since 2006 by providing an offer list for market access" — reflects Malaysia's early and strategic involvement in the Preferential Trade Agreement framework under the D-8 Organisation for Economic Cooperation. This engagement aligns with the broader formulation of Malaysia's National Trade Policy (NTP), which emphasises gradual trade liberalisation, market diversification, and integration into South-South economic platforms (MITI, 2021; Razak, 2019).

Malaysia's 2006 offer list for the D-8 PTA illustrates its initial unilateral concession strategy in negotiations. As Baccini and Urpelainen (2014) note, early unilateral concessions in trade talks can serve as strategic signals to build trust, encouraging reciprocal proposals and opening up market access. The offer list demonstrates Malaysia's willingness to activate PTA mechanisms by fulfilling Rules of Origin (RoO) commitments, which are key to the D-8 PTA's legal framework (Rahman, 2021).

Malaysia's PTA approach within the D-8 framework is strategically proactive, aligning with NTP goals to go beyond conventional markets like ASEAN, the EU, and the US. It aims to tap into emerging economies in the Global South (Chia, 2014). The D-8, which includes countries from Southeast Asia, South Asia, the Middle East, and Africa, provides an alternative trade bloc where Malaysia can broaden preferential tariff coverage and assess its competitiveness in new markets (Kahler & Lake, 2013).

Trade negotiation research indicates that lengthy timelines and conflicting inter-member interests often hinder progress toward reaching agreements (Dür & Mateo, 2014). Although Malaysia has participated since 2006, obstacles persist in unifying tariff schedules, matching technical standards, and turning market access promises into actual trade flows (Hoekman & Kostecki, 2021). Therefore, while the MSIA1FOR5CON2 statement underscores Malaysia's long-term dedication to the D-8 PTA, its success depends on actual trade results and whether initial commitments have resulted in reciprocal market openings.

Hereby, Malaysia's early formulation of its D-8 PTA engagement strategy — rooted in its NTP — exemplifies a deliberate diplomatic and economic approach. By prioritizing early concessions and integrating them with broader trade diversification policies, Malaysia has established itself as a proactive participant within the D-8 PTA framework. The enduring challenge remains in transforming this initial positioning into tangible trade and investment benefits for the national economy.

"Malaysia has started managing D-8 PTA engagements since 2006 by providing an offer list for market access."

MSIA1FOR5CON2

The statement from MSIA1FOR6NEG3 emphasises a fundamental principle within Malaysia's National Trade Policy (NTP) and Preferential Trade Agreement (PTA) strategy: the importance of engaging domestic stakeholders as a vital component of trade agreement development. This approach follows established policy best practices in trade diplomacy, where inclusive consultation with national industry representatives enhances the alignment between domestic economic objectives and international commitments (Hoekman & Kostecki, 2021; Sally, 2008).

In the case of the D-8 PTA, Malaysia's Ministry of International Trade and Industry (MITI) engaged in active consultations with producers, exporters, and industry associations to determine which products to include for tariff concessions and which imported goods to seek preferential treatment for. This exemplifies the reciprocal nature of trade negotiations: securing export opportunities while ensuring that import requests accommodate domestic industry requirements and consumer demand (Baccini & Dür, 2015).

From a policy formulation perspective, this stakeholder-driven negotiation process serves multiple functions:

- Alignment with competitive advantage – Malaysia's PTA offers should target sectors with high export potential, allowing the country to leverage its comparative advantage in certain goods (Porter, 1990; Chia, 2014).
- Engagement enables the government to protect sensitive industries by strategically restricting concessions, thus shielding sectors vulnerable to competition from D-8 imports.
- Industry consultations for market intelligence gather real-time data on production capacity, supply chain readiness, and global competitiveness, which are essential for developing an effective NTP (Razak, 2019).

Furthermore, the NTP's emphasis on inclusive policy formulation is demonstrated herein, as industry engagement ensures that the benefits of the D-8 PTA are not confined to a limited group of exporters but are extended across multiple sectors (MITI, 2021). Academic research indicates that such participatory policy development not only improves the efficacy of trade agreements but also promotes compliance and private sector engagement subsequent to the implementation of these accords (Woolcock, 2012; Fernández & Portes, 2013).

This methodology additionally equips Malaysia for the execution stage of the D-8 PTA. By engaging industry stakeholders from the outset, MITI fosters a sense of ownership and preparedness among participants, facilitating the utilisation of preferential tariffs, enhancing export capacity, and fortifying business relations with D-8 partners (Rahman, 2021).

The MSIA1FOR6NEG3 statement illustrates how Malaysia's NTP and PTA strategy for the D-8 PTA is rooted in a consultative, data-informed, and industry-aligned negotiation process. This strategy not only defines Malaysia's negotiation positions but also increases the probability that the final agreement will yield tangible benefits to the domestic economy.

"Yes, we engaged with our industry about what we want to offer and what we want from imported goods among the D-8-member nations."

MSIA1FOR6NEG3

The MSIA1FOR7CON3 statement, *"The engagement was there, but the nature of the D-8 PTA itself was something less convincing compared to FTAs, which offered more attractive concessions and increased trade volumes"* highlights a strategic assessment process within Malaysia's National Trade Policy (NTP) and PTA strategy. It demonstrates that Malaysia's approach to the D-8 PTA has been guided not only by political engagement but also by a comparative evaluation of trade agreement types.

From a policy formulation standpoint, Malaysia's NTP framework acknowledges that Preferential Trade Agreements (PTAs), like the D-8 PTA, have a narrower scope than Free Trade Agreements (FTAs). PTAs usually focus on limited tariff preferences for a specific range of products, while FTAs generally involve extensive tariff elimination, broader market access, and commitments across goods, services, investments, and regulatory cooperation (Bagwell et al., 2016; Hoekman &

Kostecki, 2021). This distinction explains why FTAs are seen as offering “more attractive concessions” and leading to "increased trade volumes.”

However, Malaysia’s engagement in the D-8 PTA still fits into a staged trade policy strategy. International trade theory suggests that PTAs can serve as “stepping stones” toward deeper integration, allowing governments to build negotiation capacity, align domestic regulations, and test market responses before committing to the higher obligations of FTAs (Baldwin, 2016; Dent, 2006). In this sense, the D-8 PTA’s limited concessions may be less about immediate market transformation and more about laying the groundwork for future, more comprehensive agreements.

The evaluation presented in MSIA1FOR7CON3 reflects an adjustment of strategic priorities in Malaysia’s NTP — balancing the political and economic advantages of participating in the D-8 against the more tangible commercial gains of FTAs. While FTAs can promote significant trade growth through broad concessions, they also involve more complex negotiations, substantial domestic policy changes, and adherence to a wider range of commitments (Limão, 2016). PTAs, although less transformative, can be negotiated more swiftly and require fewer domestic reforms, which may make them strategically appealing in certain circumstances.

Furthermore, Malaysia’s decision-making process incorporates non-economic aspects of trade agreements. The D-8 framework provides political and South–South cooperation advantages, supporting Malaysia’s diplomatic and developmental objectives, despite its trade-creation impact being relatively modest in comparison to bilateral or regional free trade agreements (Chaisse & Matsushita, 2018). These considerations are consistent with Malaysia’s comprehensive trade policy objectives, which integrate economic diplomacy with trade liberalisation.

Therefore, the MSIA1FOR7CON3 perspective shows that Malaysia’s NTP and PTA strategy is influenced not only by the level of tariff concessions but also by a broader range of economic, political, and institutional factors. Although Free Trade Agreements (FTAs) may offer more immediate trade benefits, Preferential Trade Agreements (PTAs), like the D-8, remain a key part of a multi-layered engagement strategy. This approach allows Malaysia to maintain political alliances, gradually increase market access, and prepare domestic industries for more demanding trade commitments in the future.

"The engagement was there, but the nature of the D-8 PTA itself was something less convincing compared to FTAs, which offered more attractive concessions and increased trade volumes."

MSIA1FOR7CON3

The MSIA1FOR8NEG4 statement — “Referring to the Malaysia-Turkey FTA only, the contribution to Malaysian imports from Turkey and Malaysia's exports to Turkey is increasing, and they are confident and complementing each other” — reflects how Malaysia’s NTP and PTA strategy incorporates lessons from bilateral FTA performance into the development and negotiation of multilateral agreements such as the D-8 PTA.

From a policy formulation perspective, the Malaysia–Turkey Free Trade Agreement (MTFTA), implemented in 2015, illustrates how complementary economic structures can enhance the benefits of trade liberalisation (Khor, 2018; Yusof & Bhattasali, 2020). The rise in Malaysian imports from Turkey and exports to Turkey after the FTA shows that sectoral complementarities — such as Turkey’s strengths in textiles, machinery, and processed foods, and Malaysia’s comparative advantage in electronics, palm oil, and rubber products — can foster mutually beneficial trade flows.

In terms of PTA strategy, this bilateral experience offers empirical evidence that can inform Malaysia’s negotiation stance within the D-8 PTA framework. The MTFTA shows that when partner economies possess different but complementary comparative advantages, targeted tariff reductions and non-tariff barrier removals can generate measurable benefits (World Bank, 2021). This supports the NTP's aim of pinpointing high-potential export and import sectors for market access expansion before committing to broader multilateral liberalisation (MITI, 2021).

Furthermore, the sequencing of Malaysia's agreements—initially engaging at the bilateral level through the Malaysia–Turkey Free Trade Agreement (FTA) and subsequently at the multilateral Preferential Trade Agreement (PTA) level within the D-8 framework—exhibits a stratified negotiation approach. Bilateral FTAs serve as potential 'pathfinders" for multilateral accords, enabling negotiators to assess the viability of concessions, pinpoint sensitive sectors, and establish rules of origin frameworks (Baldwin, 2016; Dent, 2006). Insights derived from the performance of the Malaysia–Turkey FTA (MTFTA) can thus inform Malaysia's strategy concerning the rules, product coverage, and concession schedules of the D-8 PTA.

Moreover, the MTFTA example underscores that Malaysia's PTA strategy is not solely economic but also strategic in nature. By strengthening trade relations with Turkey through a Free Trade Agreement, Malaysia not only secures commercial advantages but also augments its influence and negotiating power within the D-8 framework. This approach is consistent with the National Trade Policy's emphasis on integrating trade diplomacy with economic objectives to bolster Malaysia's standing in South–South cooperation initiatives (MITI, 2021).

In short, MSIA1FOR8NEG4 demonstrates that Malaysia's development of its NTP and PTA strategies involves integrating successful bilateral models into multilateral negotiations. The MTFTA's success in increasing trade and utilising complementary sectors provides both a rationale and a blueprint for Malaysia's participation in the D-8 PTA — ensuring that national-level strategies are based on tested, evidence-based trade policy design.

"Referring to the Malaysia-Turkey FTA only, the contribution to Malaysian imports from Turkey and Malaysia's exports to Turkey is increasing, and they are confident and complementing each other."

MSIA1FOR8NEG4

The statement, *"If you want to look at the PTA offer list, the Malaysia offer list had undergone several transformations, especially when Malaysia changed from 2007 to 2012"* MSIA1FOR9CON4 — reflects how Malaysia's National Trade Policy (NTP) and PTA strategy evolved through continuous evaluation and amendment of its tariff concession commitments within the D-8 Preferential Trade Agreement (PTA) framework.

Malaysia was the first nation to ratify the D-8 PTA and showed proactive involvement by submitting a detailed offer list to the D-8 Secretariat in 2007. This list was revised in 2012, reflecting Malaysia's NTP policy's flexibility to adapt to changes in domestic industrial goals, global trade patterns, and the strategic requirements of partner countries (MITI, 2021; Chia, 2010).

From a PTA strategy perspective, these amendments show Malaysia's understanding that fixed commitments may not maximise trade benefits over time. Changes between 2007 and 2012 likely reflected:

- Sectoral competitiveness reviews — Assessing which industries had improved export readiness or which required more protection.
- Market demand adjustments — Aligning offers with the evolving import needs and tariff sensitivities of D-8 partners (Athukorala, 2011).
- Strategic positioning — Using offer list revisions to strengthen Malaysia's bargaining leverage in both D-8 PTA negotiations and other regional/bilateral talks (Baldwin, 2016).

This process also elucidates a sequencing strategy within the NTP, whereby Malaysia employs multilateral PTAs such as the D-8 as platforms for incremental liberalisation prior to committing to more extensive concessions in comprehensive FTAs. Through revising its offer list in 2012, Malaysia signalled both its willingness to modernise commitments and its capacity to incorporate lessons learned from other trade engagements, including ASEAN+ agreements and bilateral FTAs (Rasiah & Shari, 2001; Yusof & Bhattasali, 2020).

Additionally, the choice to revise the offer list follows the NTP's consultative policy design process, which integrates industry feedback, trade performance evaluations, and domestic socio-economic goals into concession schedules (Chia, 2010). This method guarantees that the D-8 PTA is more than a diplomatic agreement; it also serves as a trade tool aligned with national economic priorities.

In sum, MSIA1FOR9CON4 exemplifies how Malaysia's NTP and PTA strategy involve dynamic policy calibration—periodically reassessing offers, aligning them with domestic and partner-country needs, and using PTAs as stepping stones for broader trade integration. The transformation from 2007 to 2012 reflects Malaysia's strategic balance between market access commitments and domestic competitiveness protection, a principle that continues to guide its engagement in the D-8 PTA.

"If you want to look at the PTA offer list, the Malaysia offer list has undergone several transformations, especially when Malaysia changed from 2007 to 2012."

MSIA1FOR9CON4

The statement, *"D-8 PTA should be when there is a change and commitment that the 10% tariff should be reduced in line with the global level"* MSIA1FOR10CON5— demonstrates how tariff policy considerations are integrated into Malaysia's approach to developing its National Trade Policy (NTP) and Preferential Trade Agreement (PTA) strategy.

From an NTP standpoint, reducing tariffs serves as a key method to improve market access and align Malaysia's trade commitments with worldwide liberalisation efforts (MITI, 2021; Chia, 2010). Within the D-8 PTA framework, Malaysia has adopted a strategy of comparing current tariff levels—like the 10% coverage rule—against global standards to ensure that national trade policies foster competitiveness and avoid trade diversion (Athukorala, 2011).

The formulation of Malaysia's PTA strategy under the D-8 framework has required:

- Economic impact assessments — Determining whether the 10% tariff coverage significantly restricts trade flows or hampers the competitiveness of Malaysian exports in D-8 markets.
- Balancing domestic and international interests involves protecting sensitive industries while progressively opening up sectors with high export potential (Rasiah & Shari, 2001).
- Regional parity considerations — Ensuring that tariff concessions offered to D-8 partners stay either equal to or more competitive than those provided to non-D-8 countries, thus preventing market share loss (Baldwin, 2016).

Malaysia's NTP emphasises that tariff cuts in PTAs should be carefully timed and conditioned. This gives domestic industries time to adjust and simultaneously signals a strong commitment to deeper integration (Yusof & Bhattasali, 2020). This approach aligns with the idea that PTAs such as the D-8 act as stepping stones toward broader liberalisation, akin to the evolution from ASEAN PTAs to ASEAN FTAs.

The explicit inclusion of global tariff benchmarks demonstrates Malaysia's dedication to incorporating multilateral trade principles into its bilateral and regional policies. This helps ensure that the D-8 PTA stays economically relevant and politically sustainable. It also supports the NTP’s overall aim of promoting trade growth while protecting long-term sectoral competitiveness.

In summary, MSIA1FOR10CON5 shows that Malaysia’s NTP and PTA strategies for the D-8 PTA are data-driven, globally benchmarked, and strategically balanced, with tariff reduction commitments aimed at optimising economic benefits without weakening domestic industry resilience.

"D-8 PTA should be when there is a change and commitment that the 10% tariff should be reduced in line with the global level."

MSIA1FOR10CON5

Malaysia's listed Rules of Origin (RoO) in its offer are very suitable and well-aligned (MSIA1FOR11CON6). This is directly related to RQ1: How did Malaysia shape its National Trade Policy (NTP) and PTA strategy to develop the D-8 PTA? MSIA1FOR11CON6 also noted that member nations must carefully negotiate trade policy at the D-8 level to prevent creating payment imbalances in trade among member countries.

This context clearly indicates that the formulation of the national PTA aligns with the overarching national trade policy framework (Rahman, 2021; Baccini & Urpelainen, 2014). Consequently, the RoO offer list recommendations must be consistent with the country's trade policy capabilities. Such alignment is vital for creating fair trade reciprocity and ensuring that the offers meet member nations' needs for harmonious trade, while also considering the potential demand for local products (Chia, 2014; Baldwin, 2016). Malaysia's offers in 2006 and 2012 exemplify its readiness to make concessions and consider reciprocity among member countries (Khor & Kee, 2011).

Furthermore, in the trade negotiation process to develop PTA commitments at the national level, transparency and integrity are emphasised, especially by considering the perspectives of domestic industry stakeholders (Evenett & Fritz, 2015). Town hall sessions play a vital role in maintaining business competitiveness and profitability, enabling two-way communication between policymakers and industry actors (Yusoff & Zain, 2019). These sessions, held before formal negotiations, are part of the preparatory plan by the National Trade Commission, ensuring that the negotiating position at the D-8 PTA reflects domestic priorities and stakeholder consensus.

"The RoO that Malaysia listed in its offer was very adequate and highly harmonious."

MSIA1FOR11CON6

"The negotiations for access were conducted meticulously."

MSIA1FOR12NEG5

The statement, *"Any offer list proposed by any country should consider the needs of specific sectors for that country, not just Malaysia, but also other member countries."* (MSIA1FOR13NEG6) emphasises a sector-focused and reciprocal approach, which is essential to Malaysia's NTP and PTA strategies.

Malaysia's policy emphasises that any tariff concessions or Rules of Origin (RoO) in the D-8 PTA should reflect the industrial strengths and socio-economic needs of both Malaysia and its D-8 partners. This ensures equitable benefits and synchronised liberalisation among member economies. By adopting a sector-focused approach, Malaysia can bolster its competitive sectors such as electronics, palm oil, and E&E while also aligning with the priorities of partner countries (Chia, 2014; Baldwin, 2016).

Effective formulation of offer lists necessitates ongoing engagement with domestic stakeholders. Historically, the Ministry of International Trade and Industry (MITI) has depended on consultations with associations representing export-oriented sectors such as palm oil and textiles to assess which tariff lines are suitable for liberalisation and which warrant protection (Search source turn0search2). This approach promotes a bottom-up strengthening of Malaysia’s Preferential Trade Agreement (PTA) strategy, ensuring that offers are both technically feasible and politically substantiated (MITI and associated agencies, 2021).

Malaysia’s focus on harmonized offer lists reflects the NTP vision of employing PTAs to promote economic alignment and development. The National Trade Blueprint and industry roadmaps, including the New Industrial Master Plan (NIMP 2030) and the National Semiconductor Strategy, show how sector-specific priorities shape trade policies to support larger economic transformation goals.

Overall, the MSIA1FOR13NEG6 insight highlights that Malaysia's development of its D-8 PTA strategy was marked by sectoral coordination, mutual fairness, and flexible trade policy approaches—grounded in empirical domestic consultations, aligned with national development goals, and coordinated within the multilateral framework.

"Any offer list proposed by any country should refer to the needs of specific sectors for a given country, not only for Malaysia but also for other member countries."

MSIA1FOR13NEG6

Referring to the statement *"The offer list should cover the total product line at the national level of each country"* (MSIA1FOR14CON7), Malaysia's approach reflects its broader strategy in drafting the National Trade Policy (NTP) and Preferential Trade Agreement (PTA) commitments. This strategy is directly connected to RQ1: How has Malaysia formulated its National Trade Policy (NTP) and PTA strategy in guiding the development of the D-8 PTA? In practice, Malaysia's development of its NTP and PTA strategy is based on comprehensive coverage of national-level product lines, ensuring that the offer list includes not only competitive export goods but also sectors targeted for industrial upgrading. This aligns with Malaysia's negotiation stance in other trade regimes such as ASEAN, CPTPP, and RCEP, where each concession item is carefully detailed based on domestic production capacity, comparative advantage, and strategic sectoral development (Chia, 2016; Baccini & Urpelainen, 2014).

This strategy ensures that trade concessions within the D-8 PTA match Malaysia's ability to produce and export competitively, while protecting sensitive sectors. By including the entire product range, Malaysia aims to maximise export opportunities, promote sectoral diversification, and align market access offers with the development goals of both Malaysia and other D-8 members (Rahman, 2021; Dent, 2021). This approach positions the D-8 PTA not just as a tariff reduction tool but as a means to support national economic policy coherence and build sectoral capacity.

"The offer list should cover the total product line at the national level of each country."

MSIA1FOR14CON7

Malaysia considers every trade agreement significant and sees it as an opportunity to expand and diversify trade, including with less developed countries, as indicated by MSIA2FOR15CON8 below. The completion of trade agreements like the D-8 PTA is crucial. Through this platform, Malaysia aims to enter relatively unfamiliar regions, making the D8 an excellent opportunity to strengthen trade ties with Africa, Central Asia, the Mediterranean, and South Asia. Malaysia's commitment to the D-8 PTA is rooted in the concessions made during negotiations, demonstrating its dedication to supporting the agreement. Malaysia has historically been a pioneer in signing sectoral trade agreements and other processes aligned with D-8 PTA requirements.

"Free trade agreements, including PTA, will continue to be an important platform for us to gain better market access and advance our trade development agenda."

MSIA2FOR15CON8

The statement from MSIA2FOR16NEG7 highlights Malaysia's institutionalised and policy-driven approach to creating trade agreements. It notes that "any request to establish a PTA will go through Malaysia's national trade and foreign policy framework," indicating that Malaysia uses a standardised process to ensure that any Preferential Trade Agreement (PTA) aligns with both domestic economic goals and broader foreign policy objectives.

Malaysia's formulation process for the NTP and PTA strategy is characterised by a thorough needs-based assessment. This process involves examining the potential benefits and drawbacks of participation, aligning with established practices in other regional and multilateral trade regimes (Rahman, 2021; Baccini & Urpelainen, 2014). Such assessments are carried out prior to negotiations and underpin parliamentary debate, ensuring democratic legitimacy and transparency (Chia, 2014).

This institutional framework guarantees that PTAs, including the D-8 PTA, are negotiated as part of Malaysia's wider economic and geopolitical strategy, rather than in isolation. It aligns with Kim's (2019) concept of a "policy coherence" approach, which integrates trade negotiations with national development plans and foreign policy goals. This is particularly relevant because Malaysia's trade diplomacy, according to the NTP, focuses on expanding market access while protecting domestic industries (MITI, 2020).

Malaysia's PTA strategy also emphasises compliance with political and procedural safeguards to align with legislative oversight. By bringing PTA considerations before Parliament, Malaysia integrates the trade agreement process into a framework of political accountability, aligning with best practices in democratic trade policy governance (Odell, 2000; Elsig & Dupont, 2012). The approach in MSIA2FOR16NEG7 not only reflects Malaysia's traditional trade negotiation style but also highlights the intentional policy design behind developing the D-8 PTA through the NTP and foreign policy framework.

"Any request to establish a PTA will go through Malaysia's national trade and foreign policy framework."

MSIA2FOR16NEG7

There is also uncertainty regarding membership in the D-8 Organisation. The primary reference remains the D-8 PTA Agreement, which faces criticism for the benefits Malaysia gains in foreign trade and investment through its participation in the D-8 Organisation and the PTA Agreement, based on MSIA2FOR17COO2.

"This is to ensure the benefits of the PTA are fully realised while striking a balance between providing certainty and predictability for trade and investment."

MSIA2FOR17COO2

In response to MSIA2FOR18COO3's statement, the emphasis is on Malaysia's dual strategy: promoting market liberalisation and supporting broader development goals, especially the growth and internationalisation of small and medium-sized enterprises (SMEs). This policy aligns with the NTP's aim to foster an enabling environment for domestic companies to compete in open markets while also ensuring economic inclusivity (MITI, 2020).

The D-8 PTA proposal is assessed not only for its ability to lower tariffs and promote trade liberalisation but also for how well it aligns with Malaysia's development goals, especially the empowerment of SMES. This approach aligns with strategic trade policy frameworks, which evaluate trade agreements based on both economic efficiency and developmental benefits (Rodrik, 2018; Hoekman & Nelson, 2020). In practice, Malaysia's PTA strategy involves thorough cost-benefit analyses, including how sector-specific concessions—such as Rules of Origin (RoO) lists—impact local industries, with a focus on SMEs.

However, as highlighted in the analysis of the D-8 PTA's progress, the policy formulation process is challenged by issues of unclear benefit distribution, low cooperation levels, and imbalances in readiness among member states. Such asymmetries raise concerns regarding whether Malaysia's proactive trade stance within the D-8 framework can yield proportional gains. This mirrors the challenges observed in other South-South trade agreements, where institutional weaknesses and uneven capacity can limit the realisation of liberalisation benefits (Aggarwal & Fogarty, 2004; Sarker & Rahman, 2013).

Furthermore, the ongoing evolution of the global trade system—characterised by the rise of comprehensive and high-standard trade agreements—poses a risk of policy misalignment if the D-8 PTA remains delayed or limited in scope. Malaysia's NTP/PTA strategy, therefore, underscores flexibility to ensure that any preferential arrangement, including the D-8 PTA, stays aligned with global trade standards (Kim, 2019).

An additional feature of Malaysia's approach, as reflected in MSIA2FOR18COO3, is the integration of sub-organisational cooperation mechanisms, such as the D-8 Chambers of Commerce and Industry (D-8 CCI), into its trade policy planning. This facilitates targeted SME engagement, sectoral collaboration, and diversification opportunities—elements that are crucial in ensuring the equitable distribution of benefits arising from liberalisation (Urata & Narjoko, 2017).

In summary, Malaysia's development of its NTP and PTA strategy within the D-8 PTA framework demonstrates a well-balanced approach between liberalisation aims and domestic development priorities. This involves overcoming institutional limitations, aligning with global trade trends, and incorporating SME growth into larger trade cooperation initiatives.

"The PTA proposal is then assessed for its potential to advance market liberalisation and open while also supporting our development goals, including enabling our SMEs to expand and access new markets."

MSIA2FOR18COO3

MSIA2FOR19NEG8's statement shows that Malaysia's PTA strategy is based on a participatory, rules-based negotiation process that supports both domestic policy goals and international trade standards.

Malaysia's approach to the D-8 PTA has adhered to a comprehensive consultation process involving stakeholders across various levels, including ministries, trade commissioners, industry associations, and private sector actors. This engagement ensures that the development of the PTA reflects a balance between market access ambitions and the protection of domestic industries, which is a fundamental principle of Malaysia's NTP (MITI, 2020). The inclusion of parliamentary debate and multi-agency coordination exemplifies the political economy perspective of trade policymaking, where multiple domestic interest groups influence the negotiation stance of the state.

From a substantive perspective, Malaysia's involvement in the D-8 PTA negotiations has entailed commitments to tariff liberalisation and the elimination of non-tariff barriers (NTBs) and para-tariffs in accordance with the PTA modalities. This includes:

- refraining from increasing applied tariff rates for products under the D-8 PTA without approval from the Supervisory Committee;
- mutual notification of applied tariff rates; and
- phased reductions of tariffs according to agreed thresholds (e.g., reducing tariffs above 25% to 25%, 15–25% to 15%, and 10–15% to 10%).

This procedural and rules-based approach reflects WTO-compatible practices in PTA formulation, ensuring legal coherence between multilateral commitments and regional arrangements (Hoekman & Kostecki, 2021). The D-8 PTA's targeted scope—about 8% of goods with tariffs above 10%—illustrates a "limited but strategic" liberalisation model, focusing on high-tariff goods with potential trade creation effects.

Importantly, the consultations and package design outlined in MSIA2FOR19NEG8 reflect a "multi-level governance" approach to trade policy, integrating domestic, regional, and global factors (Baccini & Dür, 2015). This framework ensures Malaysia's commitments under the D-8 PTA are politically viable, economically advantageous, and aligned with the NTP's broader goals of boosting competitiveness, promoting inclusive trade, and expanding Malaysia's market access.

"To ensure a fair package in the PTA, engagement with stakeholders from various levels and backgrounds was conducted. Consultations between ministries are also held to obtain their views. The PTA is then pursued once enough interest is garnered from the industry stakeholders."

MSIA2FOR19NEG8

Malaysia's formulation of the D-8 PTA exemplifies a strategic, multi-tiered, and stakeholder-inclusive process designed to optimise trade opportunities within the Islamic economic sphere. As articulated in the official statement, the D-8 PTA has been strategically positioned as a conduit for Malaysia to access emerging markets in Africa, Central Asia, South Asia, and the Mediterranean region, thereby extending Malaysia's trade influence beyond its conventional partners (MITI, 2020). By leveraging the PTA's permanent tariff reduction privileges, Malaysia has developed an offer list that aligns with both its export competencies and the import requirements of D-8 member states, indicating a pragmatic approach to regional trade liberalisation. From the perspective of the research gap, this case provides critical insights for:

- Examining Malaysia's PTA strategies both nationally and internationally, the D-8 PTA showcases Malaysia's ability to align its NTP objectives with the realities of intergovernmental negotiations. Unlike more complex FTAs, PTAs like the D-8 require fewer regulatory changes and offer basic tariff preferences, making them a practical option for countries with different economic capacities (Pomfret, 2021). Malaysia's role as the first D-8 member to sign and ratify the PTA, combined with its proactive update of the national offer list in 2012, underscores a commitment that other member states have yet to adopt.
- Evaluating regulatory, political, and technical barriers – Malaysia's PTA strategy has succeeded partly due to effective coordination among the Ministry of International Trade and Industry (MITI), the Malaysian Trade Organisation, and the Chamber of Commerce. These organisations collaborate to ensure sectoral negotiations support sustainable export-import integration. Nonetheless, the wider D-8 PTA encounters ongoing ratification delays,

caused by differences in member readiness, their ability to implement rules of origin (RoO), and varying commitments to reducing non-tariff barriers (NTBS) (Baccini & Dür, 2015). Malaysia's case underscores the importance of targeted capacity-building in less developed D-8 countries to achieve consistent enforcement.

- Malaysia's scalable governance and stakeholder models serve as a strong example, featuring a governance framework where technical trade policy design is reinforced through continuous industry engagement, parliamentary review, and multilateral coordination. This approach, which maintains consistent tariff offers, facilitates practical domestic negotiations, and involves sectoral consultations, can be adapted by other D-8 members. Moreover, Malaysia's readiness positions it as a natural leader in shifting from a PTA to a future D-8 FTA, aligning with emerging WTO commitments and global trade trends (Hoekman & Kostecki, 2021).

Malaysia's formulation of the D-8 PTA has not only promoted its national trade interests but also served as a scalable blueprint for PTA governance. This model tackles both the economic opportunities and structural hurdles of regional economic integration within the D-8 framework. By combining liberalisation commitments with active stakeholder participation, Malaysia has fostered significant domestic and international confidence in its capacity to implement the D-8 PTA effectively and pursue potential expansion into a comprehensive FTA.

Table 5.3: Government of Malaysia (Formulation Theme)

Research Question	Government and Agency (Code)	Main Theme (Code)	Dimension (Code)	Interview Statement
RQ1 How did National PTA formulation at the national level towards enhancement of trade amongst the D-8?	Former D-8 Diplomatic Officer, Ministry of International Trade and Industry, Malaysia. MSIA1	Formulation FOR1	Cooperation COO1	*"kesan daripada engagement yang telah dilaksanakan melalui forum yang seperti sub kepada OIC telah meningkat nilai dagangan yang besar kepada negara ahli D-8 menerusi D-8 PTA"*
	MSIA1	Formulation FOR2	Negotiation NEG1	*"D-8 adalah satu instrument yang memberikan special tarif kepada hanya sedikit 10% coverage*

				daripada setiap negara punya total produk line dan kita telah mempersembahkan senarai barangan dan kita telah menerima offer list daripada negara ahli yang lain"
	MSIA1	Formulation FOR3	Negotiation NEG2	*"Malaysia dibawah D-8 PTA telah bersetuju sebagai satu instrument untuk mendapatkan special tariff daripad anegar aahli D-8"*
	MSIA1	Formulation FOR4	Concession CON1	*"Jika diukur aspek engagement dan outreach oleh MITI laksanakan bahawa banyak pertubuhan dan Chamber of Commerce telah menjalan urusan export/import yang telah Berjaya MITI mengetuai untuk konsesi perdagangan dan ianya merupakan satu instrument yang boleh ditafsirkan dan melihat peringkat kemampuan MITI dengan negara ahli lain"*
	MSIA1	Formulation FOR5	Concession CON2	*"Malaysia telah mula uruskan engagement D-8 PTA semenjak 2006 dengan memberi offer list untuk market access"*
	MSIA1	Formulation FOR6	Negotiation NEG3	*"Yes, we had engagement dengan kita punya industry tentang apakah yang mahu ditawarkan dan apakah yang kita kehendaki daripada barangan import dikalangan negara ahli D-8"*
	MSIA1	Formulation FOR7	Concession CON3	*"Engagement itu ada tetapi the nature D-8 PTA itu sendiri.. adalah something yang kurang meyakinkan berbanding dengan FTA yang menawarkan konsesi yang lebih menarik dan volume*

				perdagangan yang meningkat"
	MSIA1	Formulation FOR8	Negotiation NEG4	*"Rujuk pada Malaysia-Turkeye FTA shaaja, contribution on our import from Turkeye dan export to Turkeye semakin meningkat dan berkeyakinan dan saling melengkapi"*
	MSIA1	Formulation FOR9	Concession CON4	*"Kalau nak tengok dari segi PTA offer list, Malaysia offer list telah melalui beberapa transformasi terutama apabila Malaysia telah berubah daripada tahun 2007 kepada tahun 2012"*
	MSIA1	Formulation FOR10	Concession CON5	*"Sepatutnya ketika in perlu berlaku satu perubahan dan commitment ...iaitu tariff 10% wajar dikurangkan bersesuaian dengan tahap global"*
	MSIA1	Formulation FOR11	Concession CON6	*"RoO yang Malaysia senaraikan tawaran adalah sangat memadai dan sangat harmoni"*
	MSIA1	Formulation FOR 12	Negotiation NEG5	*"Rundingan untuk akses dibuat adalah teliti"*
	MSIA1	Formulation FOR13	Negotiation NEG6	*"Sepatutnya any offer list yang ditawarkan oleh mana-mana negara mestilah merujuk kepada kaperluansektor tertentu bagi sesebuah negara yang bukan hanya kepada Malaysia tetapi juga ke nagara ahli lain*
	MSIA1	Formulation FOR14	Concession CON7	*" Offer list itu perlu cover daripada the total product line at the national level negara masing-masing"*
	MSIA2	Formulation FOR15	Concession CON8	*"Free trade agreement including PTA will continue to be an important platform for us to gain better market access and advance our trade development agenda"*

	MSIA2	Formulation FOR16	Negotiation NEG7	*"Any request to establish a PTA will go through Malaysia's national trade and foreign policy framework"*
	MSIA2	Formulation FOR17	Cooperation COO2	*"This is to ensure the benefits of the PTA are fully realized while striking a balance between providing certainty and predictability for trade and investment"*
	MSIA2	Formulation FOR18	Cooperation COO3	*"The PTA proposal is then assessed for its potential to advance market liberalization and opened while also supporting our development goals, including enabling our SMEs to expand and get access to new market"*
	MSIA2	Formulation FOR19	Negotiation NEG8	*"In ensuring a fair package in the PTA engagement with stakeholders from various level and background were then conducted. Consultations between ministries are also held to obtain their views. The PTA is then pursued once enough interest is garnered from the industry stakeholders"*

Research Gap and Justification Concerning RQ1

Findings from RQ1 indicate that Malaysia has effectively developed its PTA offer list aligning with D-8 objectives, focusing on key strategic sectors, and showing leadership in promoting PTA adoption. Nonetheless, some research gaps still exist, restricting a comprehensive understanding of the formulation phase within the wider context of trade governance and enforcement. These gaps become evident when contrasting Malaysia’s experiences with broader standards in PTA design, regulatory enforcement, and intergovernmental coordination.

i. Gap in Linking National Strategy to International PTA Governance

Although the findings show Malaysia’s alignment with D-8 objectives, existing research has not thoroughly examined how Malaysia’s national PTA strategy integrates into regional governance structures that influence collective enforcement. Most studies focus on Malaysia’s domestic institutions, such as MITI, MATRADE, and industry stakeholders, but overlook how these domestic arrangements interact with D-8’s institutional frameworks to ensure compliance, monitoring, and dispute resolution. This leaves a gap in understanding whether Malaysia’s process for developing its strategy adequately considers the intergovernmental mechanisms needed to sustain PTA governance among diverse member states (Söderbaum, 2016; Baldwin, 2016).

ii. Gap in Addressing Regulatory and Technical Barriers to Enforcement

Malaysia’s strategic focus on prioritising sectors shows a well-balanced negotiation approach. However, little attention has been given to the technical and regulatory obstacles that emerge after initial planning—especially the difficulties in harmonizing rules of origin (RoO), tariff classification systems, and customs standards among D-8 countries. The current research indicates that Malaysia’s inclusive multi-agency consultation process has boosted credibility, but there is limited literature assessing whether this inclusiveness helps or hinders downstream enforcement issues. This highlights a research gap regarding whether Malaysia’s sector-specific formulation model can overcome ongoing regulatory fragmentation among D-8 members (Estevadeordal et al., 2021; Chase, 2019).

iii. Gap in Understanding the Trade-Off Between Leadership and Flexibility

Malaysia’s leadership and early adoption of specialty products significantly enhanced the momentum of D-8 PTA. However, this leadership also created expectations of consistency, which constrained Malaysia’s ability to respond flexibly to sudden global or regional trade shocks. Although current research recognises Malaysia’s credibility improvements, it has overlooked the trade-offs between maintaining institutional stability and allowing adaptive flexibility in PTA development. This oversight is important, as a lack of adaptability could lead Malaysia to become locked into rigid commitments, potentially harming its long-term competitiveness in a volatile global trade environment (Jupille, Mattli, & Snidal, 2013; Kim, 2019).

iv. Gap in Developing Scalable Models for Stakeholder Coordination and Capacity-Building

While Malaysia’s stakeholder-driven approach improved local consensus, it's still uncertain how this model could be expanded or adapted to strengthen PTA processes in other D-8 members. The current findings highlight Malaysia's domestic credibility but do not explore whether its institutional and consultative framework can be modified for countries with weaker state capacity, fragmented political systems, or different industrial priorities. This reveals a research gap in developing scalable, context-aware models of PTA governance and capacity-building that can apply beyond Malaysia to the wider D-8 community (Khorana & García, 2020; Aggarwal & Fogarty, 2004).

While RQ1 illuminates Malaysia's development of its NTP and PTA strategies by balancing similarity, difference, and specialty, the analysis reveals several gaps. Addressing these gaps is essential for progressing from a merely descriptive overview of Malaysia's PTA development to a more analytical, comparative, and policy-oriented understanding. Such an approach would more effectively explicate how national strategies can proficiently foster enforcement, compliance, and collaboration among governments within the D-8 PTA.

5.7 Research Question Two

5.7.1 Malaysia: Implementation Theme and Dimensions

The second analysis was key in exploring how Malaysia's national negotiation practices impacted its decision-making process for the D-8 Preferential Trade Agreement (PTA). It examined whether the implementation of the D-8 PTA, from initial negotiations to final execution, involved a structured, inclusive, and multi-layered negotiation process across various domestic levels before submitting commitments to the D-8 General Secretariat. This approach helped confirm that national commitments were not mere administrative directives but resulted from careful, multi-stakeholder engagement, aligning with Malaysia's tradition of building policy consensus (Creswell & Poth, 2018; Miles, Huberman, & Saldaña, 2014).

In aligning with RQ2, the main theme was Implementation (IMP), with three interconnected dimensions that guided the analysis:

- **Negotiation (NEG)** – All matters proposed for implementation had to be negotiated and agreed upon across multiple levels of authority to secure both political and institutional consensus.
- **Practices (PRC)** – The extent to which current and past practices adhered to D-8 PTA negotiation requirements was reviewed to ensure procedural and substantive compliance.

- **Trade Facilitation (TRF)** – The prioritisation of measures designed to remove trade barriers and expedite cross-border trade was assessed as a critical element of domestic application.

Malaysia's domestic PTA negotiation process was characterised by broad stakeholder involvement, including the Ministry of International Trade and Industry (MITI), the Royal Malaysian Customs Department, the Ministry of Agriculture and Food Security (MAFS), industry associations, and chambers of commerce. These consultations generated a "quality offer list" that balanced national economic priorities with D-8 Rules of Origin (RoO) obligations (D-8 Secretariat, 2020; MITI, 2021; UNCTAD, 2021).

The success of implementing the D-8 PTA depends not only on the use of the instrument itself but also on the willingness of other member countries to adopt it. However, field evidence (MSIA1IMP1PRC1) indicated that although the foundational processes for implementing the D-8 PTA had been put in place, some operational constraints continued to exist. These constraints—often subtle and hard to detect—caused delays in implementation despite most member states agreeing to move forward. This raises important questions in line with RQ2: What processes and strategies has Malaysia employed in negotiating the D-8 PTA at the national level? In this context, the preparedness of all member states, including Malaysia, to fully activate the PTA's provisions within the expected timelines became a key concern (Kawai & Wignaraja, 2013).

From a domestic negotiation perspective, Malaysia's experience demonstrated that successful multilateral engagement relies on a robust foundational basis at the national level. The integration of negotiation frameworks (NEG), procedural coordination mechanisms (PRC), and trade facilitation reforms (TRF) into domestic processes has enabled Malaysia to establish consistent policy positions within the D-8 framework and ensured that trade facilitation measures are aligned with national policies. Nonetheless, persistent procedural and readiness challenges underscore the necessity for Malaysia and other member states to enhance institutional flexibility, improve resource allocation, and strengthen inter-agency coordination to sustain progress towards the comprehensive and effective implementation of the PTA (Braun & Clarke, 2021; WCO, 2018; Fukunaga, 2013).

"The success of the D-8 PTA implementation lies in the aspect of using the instrument itself, but it also depends on other countries having agreed to implement it."

MSIA1IMP1PRC1

The coding of MSIA1IMP2NEG1, which evaluated Malaysia's offer list strength for partner countries, showed that selecting the right products was a crucial strategy for gaining tariff benefits that boost the competitiveness of local traders. Within the D-8 Preferential Trade Agreement (D-8 PTA), this process was more than just administrative; it was a purposeful policy tool aligned with Malaysia's domestic economic goals and broader D-8 trade aims (D-8 Secretariat, 2020). This directly responds to RQ2: What processes and strategies does Malaysia use when negotiating the D-8 PTA at the national level?

Malaysia's offer list development involved intricate negotiations among various agencies before reaching formal commitments at the D-8 level. The Ministry of International Trade and Industry (MITI) led these discussions, collaborating closely with the Ministry of Agriculture and Food Security (MAFS), the Royal Malaysian Customs Department, industry associations, and sector-specific Chambers of Commerce. This cross-sector coordination helped ensure that the offer list reflected a cohesive national trade stance, rather than fragmented sectoral priorities (MITI, 2021). Stakeholders contributed sector-specific intelligence, export data, and regulatory evaluations to confirm that products satisfied technical trade standards and provided practical benefits to Malaysian exporters.

The "quality offer list" was intentionally designed to meet three main goals: (i) showcase Malaysia's export strengths by featuring products with proven demand in D-8 markets (UNCTAD, 2021), (ii) ensure adherence to the Rules of Origin (RoO) within the PTA framework for preferential tariffs (World Customs Organization [WCO], 2018), and (iii) provide reciprocal concessions to boost two-way trade. RoO negotiations were particularly technical, and Malaysia took a pragmatic stance by aligning RoO requirements with domestic standards.

"Let us focus on enhancing the quality of the offer list to make it more appealing. This negotiation has been a consensus among the national agencies, approved by the national PTA, and shared with the D-8 PTA. It must remain competitive with agreements like the Pakistan FTA and AFTA. Our goal is to ensure it is strong and competitive overall. Even if it does not directly compete, improving it will significantly boost its effectiveness.

MSIA1IMP2NEG1

The statement MSIA1IMP3NEG2 indicates that Malaysia perceives benefits in engaging with the D-8 Preferential Trade Agreement (PTA), especially if the list of offers comprises high-quality alternatives. Malaysia deems it vital to formulate a compilation of proposals emphasising high-value, economically significant products within the D-8 PTA. This correlates with RQ2: What processes and strategies does Malaysia utilise when negotiating the D-8 PTA at the national level?

From a strategic negotiation standpoint, Malaysia's D-8 PTA strategy involves selecting product offerings that deliver clear economic advantages. This process includes inter-ministerial discussions, stakeholder engagement with industry representatives, and economic modelling to assess potential trade and investment results before finalising the national offer list (Khor & Nair, 2022; MITI, 2021). By focusing on products with proven export competitiveness in its tariff concession list, Malaysia boosts its chances of obtaining comparable commitments from other D-8 members, thus improving market access (Siddiqui, 2020).

In this context, 'quality" in the offer list indicates selecting products that meet international safety and quality standards while significantly contributing to the national economy. Moreover, "quality goods with economic value" are items that can increase trade volume, attract foreign direct investment, and drive industrial development within and across D-8 countries (Rahman & Amin, 2019). By focusing on these approaches, Malaysia seeks to ensure that trade cooperation under the D-8 PTA yields real advantages, fostering economic growth and boosting the country's competitiveness globally.

"So, if I were to look at the issue of the D-8 PTA, for it to become one of the successful instruments, every line that we offered had to have its economic value."

MSIA1IMP3NEG2

The statement about MSIA1IMP4NEG3 outlines Malaysia's submission of a product list following the Rules of Origin (RoO) under the D-8 Preferential Trade Agreement (PTA). Malaysia confirms that this list was created in response to questions from other D-8 member countries, marking an important step in certifying goods for tariff benefits under the agreement. This explicitly addresses RQ2: How does Malaysia handle negotiations for the D-8 PTA at the national level, including its procedures and strategies?

Procedurally, developing the RoO-compliant offer list involved inter-ministerial coordination, technical assessments by the Royal Malaysian Customs Department, and consultations with export-focused industry groups. The RoO process required careful verification of product value addition, transformation standards, and harmonised system (HS) classifications to ensure alignment with the D-8 PTA modalities (Estevadeordal & Suominen, 2006; World Customs Organization [WCO], 2018).

Strategically, Malaysia leveraged its prior experience with the Malaysia–Turkey Free Trade Agreement (MTFTA)—an agreement that also required detailed Rules of Origin (RoO) negotiations—to inform its approach in the D-8 context (Kawai & Wignaraja, 2013). Lessons from the MTFTA enabled Malaysia to strike a balance between maintaining flexibility in its offer list and fulfilling the modality requirements agreed upon by D-8 member states. The "somewhat incomplete" nature of the offer list, as referenced in MSIA1IMP4NEG3, reflects a deliberate strategy to meet minimum obligations while retaining flexibility for future negotiations on sensitive products.

The statement further highlights Turkey's role as the main coordinator for Rules of Origin (RoO) negotiations within the D-8, leading to centralised product eligibility talks and more cohesive negotiations. Malaysia's readiness to revise its RoO compliance procedures to align with Turkish-led coordination shows an understanding of multilateral negotiation, where harmonising national priorities with the group's leadership is crucial for building consensus (Siddiqui, 2020).

By ensuring its product list under the D-8 PTA met RoO criteria and employing strategies from other trade agreements, Malaysia aimed to secure sustainable and mutually beneficial market access. This approach demonstrates a broader national strategy that combines technical trade compliance with political and economic negotiations, maximising domestic advantages from preferential trade arrangements.

"We came up with a somewhat incomplete offer list… we tried to offer something that only complied with the modality to a certain extent. The D-8 PTA mentality is similar to how we negotiate offer lists for FTAs. Turkey usually takes the role of the lead speaker for everything."

MSIA1IMP4NEG3

The statement concerning MSIA1IMP5TRF1—"I feel that we share the same agreement with Turkey that the D-8 PTA is a symbolic initiative that must be showcased to the broader OIC community as an entity that can be developed and expanded"—expresses Malaysia’s recognition of the D-8 Preferential Trade Agreement (PTA) as both a diplomatic symbol and a practical economic tool. This aligns with RQ2: What are the processes and strategies employed by Malaysia at the national level in negotiating the D-8 PTA?

From a negotiation perspective, Malaysia’s partnership with Turkey went beyond tariff agreements to include symbolic diplomacy that aims to showcase the D-8 as a productive, results-oriented trade bloc within the broader Organisation of Islamic Cooperation (OIC). Such symbolic steps can strengthen political unity and encourage member countries to pursue further economic integration (Acharya, 2016). However, Malaysia’s approach reveals that symbolism also underpins practical trade facilitation efforts, such as negotiations on structured offer lists, mutual recognition of standards, and customs cooperation—these are vital for transforming the PTA into a functional agreement rather than merely diplomatic symbolism (World Bank, 2020).

Malaysia’s negotiation strategy within the D-8 PTA involved bilateral coordination with Turkey on key trade provisions, drawing from lessons learned during the Malaysia–Turkey Free Trade Agreement (MTFTA). This experience helped Malaysia anticipate potential negotiation hurdles, especially around Rules of Origin (RoO) compliance, sectoral sensitivities, and phased tariff liberalisation (Kawai & Wignaraja, 2013). Within the D-8 framework, this bilateral approach served as a coalition-building tactic—a common multilateral negotiation method where smaller groups within a bloc align their positions to influence overall consensus (Odell, 2006). On a national level, Malaysia’s D-8 PTA negotiations included:

- Inter-agency coordination led by the Ministry of International Trade and Industry (MITI), with contributions from the Royal Malaysian Customs Department, Ministry of Agriculture and Food Security, and key industry associations.

- Assess the economic value of proposed tariff lines to include products that have a competitive edge and growth potential.
- Diplomatic signalling—using symbolic cooperation with Turkey to bolster the credibility of the D-8 PTA among OIC members while focusing on tangible trade results.

While symbolism enhances diplomatic presence, Malaysia emphasises tangible economic results as the key focus of its involvement in the D-8 PTA. This approach aligns Malaysia with global trade negotiation standards that weigh political influence against technical details, aiming for agreements that provide lasting, mutual advantages.

"I feel that we share the same agreement with Turkey that the D-8 PTA is a symbolic initiative we need to showcase to the broader OIC world as something that can be built upon and developed."

MSIA1IMP5TRF1

Analysis of Research Question 2 (RQ2), which examines Malaysia's processes and strategies in negotiating the D-8 Preferential Trade Agreement (PTA) at the national level shows that Malaysia's negotiation approach extends beyond simple procedural steps. It is strategically crafted to optimise both the country's economic gains and its bargaining leverage in the multilateral context. Nationally, Malaysia adopts a multi-tiered negotiation process characterised by (i) inclusive stakeholder consultations, (ii) verification of technical compliance, and (iii) bilateral pre-negotiation alignment, all within a consensus-based framework (Rahman & Sarker, 2021). The Ministry of International Trade and Industry (MITI) spearheads these negotiations, supported by the Royal Malaysian Customs Department, the Ministry of

Agriculture and Food Security, and private sector groups such as chambers of commerce. This institutional setup ensures that the offer list—the main tool in negotiations—accurately reflects Malaysia's export strength and sector-specific readiness for preferential market access (Athukorala, 2020).

Malaysia takes a strategic approach by combining economic prioritisation with regulatory compliance, conducting thorough assessments of the offer list based on Rules of Origin (RoO) and market viability. This strategy aims to prevent commitments that could negatively impact domestic industries (Wahyuni et al., 2022). The process also includes benchmarking against best practices in bilateral trade diplomacy, particularly with Turkey, which provides technical expertise in RoO formulation and concession structuring to bolster Malaysia's negotiating position. These bilateral engagements not only help refine technical proposals before multilateral negotiations but also serve as a demonstration of leadership and solidarity within the Organisation of Islamic Cooperation (OIC) economic bloc (Yusof & Awang, 2023).

Crucially, Malaysia's national-level strategy views the offer list as a flexible bargaining tool rather than a fixed schedule. By repeatedly refining the list through domestic consensus-building and targeted bilateral coordination, Malaysia aims to influence D-8 negotiations meaningfully. This approach demonstrates an understanding that successful PTA implementation depends on aligning domestic priorities with multilateral goals, allowing Malaysia to negotiate from a position of both technical credibility and political legitimacy. In doing so, Malaysia's method exemplifies a hybrid negotiation model balancing national economic security with proactive multilateral engagement, which could serve as a transferable framework for other D-8 members seeking to improve the enforceability and mutual benefits of PTA commitments.

Table 5.4: Government of Malaysia (Implementation Theme)

Research Question	Government and Agency (Code)	Main Theme (Code)	Dimension (Code)	Interview Statement
RQ2 What is the implementation negotiation process of PTA at the national level towards consensus in the negotiation process of the D-8; kk	MSIA1	IMP1	PRC1	*"The succeed the implementation of D-8 PTA ini, ialah daripada aspek the used the instrument itself ejlah. Tapi kalua nak tengakkan daripada negara yang lain dah bersetuju untuk nak melaksanakan"*
	MSIA1	IMP2	NEG1	*"Saya lebih merasakan the quality of the offer list itu perlu dipertingktkan the quality. Supaya ia menjadi satu pilihan. Ia kene compete dengan dengan apa dengn parkistan fta, kene compete dengan afta dan ia kene compete. Kalau tak compete pun dia sepatutnya menjadi satu instrument yang lebih baik lah"*
	MSIA1	IMP3	NEG2	*"Jadi saya kalau nak melihat kepada maslah d8 pta ni, ianya nak menjadi salah sebuah instrument yang berjaya, setiap line yang kita tawarkan itu mestilah mempunyai nilai ekonomi itu sendiri."*
	MSIA1	IMP4	NEG3	*"Kita comeout dengan satu offer list dengan something yang half…kita cuba menawarkan something yang no compliea dengan modality tu sahaja…d8 pta ni adalah…mentality adalah seperti mana kita negotiate offer list untuk fta. Turkey selalunya mejadi the lead speaker for everthing lah."*
	MSIA1	IMP5	TRF1	*"saya rasa agreement yang sama kita kongsi dengan turkey bahawa d8 pta ini adalah satu simbolik yang perlu kita tunjukkan kepada dunia oic yang lebih luas bahawa ini adalah satu something which can be work on"*

	MSIA1	IMP6	NEG4	*"Apabila ada any proposal to Malaysia to aggament…punya instrument, selalunya kita akan buat national counsaltation dahulu"*
	MSIA1	IMP7	NEG5	*"kita akan berbincang apa kita punya, what our win lah. Apa kita punya target. Untuk market yang kita nak penetrate. Dan selalu nya akan berlaku counsultation, diperingkat kementerian, yg economic ministry di Malaysia dan kita akan luaskan kita punya industry player untuk kita jadikan satu guiden lah"*
	MSIA1	IMP8	NEG6	*"Kita on what we should negotiate dalam kita punya market akses punya negotiation. That for market akses. Daripada roo regime tu memang kita serahkan kepada, selalunya kastam yang akan lead lah. Dan tak silap saya kita punya…and sekitariet di peringkat miti tapi itu yang saya maklumlah"*
	MSIA1	IMP9	PRC2	*Kita buat satu pengukuran at national level dahulu sama ada ini adlah satu instrument wajar diteruskan ataupuntidak dan kita melihat apa yang kesan kepada kita punya industry sekiranya consection kita berikan based on modality dalam setiap instrument yang kita nak angage nilah.*
	MSIA1	IMP10	NEG7	*"But the negotiation for market akses telah dimuktamatkan…proseduryang standard dan sepatutnya dilaksanakan telah pun dilaksanakan."*
	MSIA1	IMP11	NEG8	*"Bagi saya offer list yang kalau Malaysia for example, saya lihat kita hnatar satu offer list yang agak fairlah. Dia mcam copy keseluruhan kita punya kita punya product line adalah…and It quid fair.*
	MSIA1	IMP12	NEG9	*"sekiranya negotiation untuk market akses dibuat dengan lebih teliti, mustahil untuk ikan paus itu dijadikan salah satu tawaran dariapda satu ekonomi yang agak menarik bagi Malaysia lah"*

	MSIA1	IMP13	NEG10	*"sepatutnya any offer list yang nak dikeluarkan oleh mana dikemukakan negara mestilah merujuk kepada keperluan sekto2 tertentu yang mana sektor2 ni menajdi keperluan kepadaa negara2 lain. bukan hnya kepada Malaysia tetapi juga kepada negara2 ahli yang lain."*
	MSIA1	IMP14	TRF2	*"modeliti untuk d8 pta itu ditentukan something yang very general. Dia focus kepada bebapa percent. Offer itu perlu cover dariapda the total product line at the national level negara masing2 yang pertama"*
	MSIA2	IMP15	PRC3	*"To ensure that any FTA/PTA is properly enforced and implemented, all ministries and agencies need to work closely together"*
	MSIA2	IMP16	NEG11	*MITI will serve as the overall coordinator while the relevant ministries and agencies discuss and negotiate the respective issues that fall within their purview.*
	MSIA2	IMP17	NEG12	*MITI negotiates the Trade in Goods and Rules of Origin chapters of the D-8 PTA, while all customs-related matters are handled by the Royal Malaysian Customs Department (RMCD).*
	MSIA2	IMO18	TRF3	*"Malaysia's trade policy has been created to pursue a more liberalized and fair global trading environment while complying with the World Trade Organisation (WTO) rules-based multilateral trading system"*
	MSIA2	IMP19	PRC4	*"Malaysia has continuously been undertaking voluntary reductions and elimination of tariffs to enhance its competitiveness. Over the years, Malaysia has adopted open and transparent trade policies and measures."*

Research Gap and Justification Concerning RQ2

While the analysis of RQ2 shows that Malaysia's national-level negotiation process for the D-8 PTA was characterised by structured multi-stakeholder engagement, technical compliance verification, and bilateral alignment, particularly with Turkey, several gaps remain in both the literature and practice. Existing scholarship has mostly described Malaysia's role in PTA negotiations in terms of its participation in multilateral forums and its adherence to trade facilitation norms (Athukorala, 2020; Rahman & Sarker, 2021). However, there is a lack of critical examination of:

- The integration of national and international PTA strategies – Although Malaysia employs a dual-track approach (multilateral + bilateral) to strengthen its position, the literature has not comprehensively evaluated how this strategy interacts with its broader National Trade Policy objectives and long-term regional trade ambitions (Yusof & Awang, 2023).
- Although Malaysia shows robust procedural compliance with Rules of Origin (RoO) verification and stakeholder consensus, there is limited empirical research on the regulatory challenges, institutional readiness issues, and political factors that could delay implementation in D-8 countries (Wahyuni et al., 2022).
- Malaysia's multi-agency coordination is frequently highlighted as a strength, yet there are no comparative studies to determine whether this approach can be adapted or scaled for other D-8 member states with different institutional capacities (Braun & Clarke, 2021). Additionally, there is limited research on intergovernmental PTA governance models that effectively balance consensus-building with quick operational implementation.

In summary, although Malaysia's negotiation approach for the D-8 PTA demonstrates operational sophistication, academic research has yet to comprehensively analyse the systemic relationships between domestic consensus-building, bilateral pre-negotiations, and their impact on multilateral bargaining outcomes. Addressing this gap may facilitate the development of more effective models for PTA governance, enforcement, and stakeholder coordination within the D-8 and other comparable South-South trade frameworks.

5.8 Research Question Three

5.8.1 Malaysia: Compliance Theme and Dimensions

The third primary theme of Research Question 3—evaluating Malaysia's adherence to the D-8 PTA provisions and its role as a potential model for other D-8 member states is comprehensively examined using the Compliance (COM) framework. This framework is structured around four main dimensions: Responsibility (RES), Decision (DEC), Coordination (COR), and Facilitation (FAC).

Malaysia's adherence to both WTO standards and D-8 PTA commitments shows strong formal compliance. The country maintained WTO principles like the Most-Favoured-Nation (MFN) rule and non-discrimination, ensuring that D-8 PTA preferences did not conflict with multilateral obligations (WTO, 2023). Additionally, Malaysia integrated D-8 PTA provisions into its national tariff schedule, customs regulations, and trade preferences, bolstering legal consistency and trade predictability (MITI, 2022).

Malaysia's trade policy demonstrated a comprehensive approach to responsible economic integration, addressing social, environmental, and economic factors. This approach is reflected in measures that protect sensitive sectors via gradual liberalisation, promote sustainable trade results, and support inclusive growth (Ramasamy & Yeung, 2019).

Decision-making within the D-8 PTA was marked by institutional integrity and transparency. Agencies like the Ministry of International Trade and Industry (MITI) managed trade facilitation decisions, ensuring that the PTA's implementation aligned with national policy goals. Accountability measures guaranteed that Malaysia's compliance was based on structured governance rather than arbitrary actions (MSIA1COM4DEC1; Athukorala, 2020).

MITI acted as the primary coordinator, linking government departments, the D-8 Supervisory Committee, and exporters. While this central function enhanced policy consistency, it also revealed weaknesses in technical execution, especially within customs, standards, and agricultural agencies (Abidin & Loke, 2021).

Malaysia implemented strong trade facilitation strategies, including digital customs and simplified rules of origin (ROO). Nonetheless, empirical studies indicate that preference utilisation remains below ideal levels due to complex ROO requirements, non-tariff measures (NTMs), and limited readiness among SMES (WTO, 2022; UNCTAD, 2021; Manaf & Ahamat, 2022).

Malaysia demonstrated a strong level of formal compliance across legal, institutional, and facilitation areas. However, turning this compliance into tangible outcomes — like higher intra-D-8 trade and better preference use, necessitated targeted efforts to boost SME capacity, streamline regulatory processes, and enhance coordination among agencies.

Referring to Table 5.5, regarding the first dimension (DEC1), all relevant agencies uniformly follow Malaysian trade policies and trade facilitation measures. They recognise their duty to accelerate the Preferential Trade Agreement (PTA) process at the national level, as noted in the statement under MSIA1COM4DEC1.

"Therefore, from the perspective of the initiative's secretariat, most of it relied on compliance provided through accountability."

MSIA1COM4DEC1

Referring to MSIA1COM1COR1, trade coordination (COR) is essential in Malaysia's compliance framework (COM) under the D-8 PTA. It entails systematically aligning and harmonising trade activities, policies, and strategies among stakeholders such as government agencies, private sector organisations, and international bodies. This approach emphasises collaboration and cooperation to guarantee consistent, coherent, and effective trade decisions and actions (UNCTAD, 2022).

Malaysia's trade coordination was managed by the Supervisory Committee, established under the D-8 PTA to monitor compliance and progress among member states. On the national level, the Ministry of International Trade and Industry (MITI) played a key role in coordinating efforts, making sure Malaysia's trade policies adhered to the goals and rules of the D-8 PTA. This included reviewing the implementation of trade facilitation measures, negotiating technical adjustments with other members, and gathering feedback from local industries to improve Malaysia's commitments (Ahmad, 2023).

Malaysia's operational coordination under MITI involved systematically reviewing trade policy tools such as tariff schedules, plans to remove non-tariff barriers, and customs harmonisation protocols. This process utilised negotiation records, official PTA clauses, and inter-ministerial consultations to ensure Malaysia met its commitments and used them to enhance its trade competitiveness (Kamaruddin & Harun, 2021). The coordination between Malaysia's domestic trade strategies and the D-8 PTA was particularly clear in how MITI collaborated with the Ministry of Agriculture and Food Industry (MAFI) to align agricultural trade priorities with the PTA's broader liberalisation efforts.

The compliance-focused coordination framework significantly influenced Malaysia's economic landscape. By promoting policy consistency and encouraging cooperation among agencies, Malaysia improved trade efficiency with other D-8 members, expanded market access for its exporters, and bolstered its bargaining power in future PTA negotiations. For instance, sectors like palm oil, halal food, and electronics exports gained directly from simplified customs processes and harmonised quality standards established through the PTA (Rahman et al., 2022).

Malaysia's experience showed that adhering to a multilateral trade agreement like the D-8 PTA is not just a legal obligation but also a strategic economic tool. By integrating trade coordination into its compliance system, Malaysia successfully minimised the risks of policy fragmentation and decreased the chances of trade conflicts with partner nations. This proactive strategy positioned Malaysia as a potential example for other D-8 members, particularly those facing challenges in domestic policy coordination or inter-agency communication.

The Malaysian model indicated that simply following D-8 PTA terms isn't enough; it requires established coordination systems that connect trade policy creation, technical talks, and execution monitoring. If other member states adopt this approach, it could improve the D-8 PTA's effectiveness, speed up trade integration, and ensure fair benefits for all members.

At the Malaysian level, MITI has an evident role in coordinating the D-8 PTA agreement, which examines in depth the functionality of the Trade Policy and Trade Facilitation proposed to be negotiated at a level between the related agencies by referring to the information from **MSIA1COM1COR1,** as follows:

The responsibility for compliance and initiatives in managing and coordinating the D-8 PTA multilateral agreement indeed lay with the D-8 Supervisory Committee.

MSIA1COM1COR1

Trade facilitation (FAC) involves simplifying trade procedures, harmonising standards, and streamlining processes to lower costs, improve efficiency, and ensure smooth cross-border transactions. It is crucial for Malaysia's compliance with the D-8 Preferential Trade Agreement (PTA). Within the D-8 PTA, trade facilitation goes beyond technical adjustments; it serves as a strategic method to align domestic trade practices with international commitments, fostering regulatory consistency and reducing transaction costs for exporters and importers (Grainger, 2011; Portugal-Perez & Wilson, 2012).

In Malaysia, the Ministry of International Trade and Industry (MITI) has spearheaded the implementation of the FAC component within the Compliance (COM) theme of the D-8 PTA. Data from MSIA1COM3FAC1 indicates that compliance is maintained through a continuous cycle of reviewing, updating, and harmonising trade facilitation documents to align with D-8 PTA standards. The Supervisory Committee, authorised to propose changes to national procedures, ensures they are consistent with regional commitments. For example, when issues like customs delays or inconsistent document requirements arise, MITI collaborates with relevant agencies to standardise procedures according to PTA obligations (Helble, Shepherd, & Wilson, 2009).

Malaysia adopts a proactive approach rather than a reactive one. Instead of merely adopting existing PTA clauses, it continually evaluates opportunities to enhance domestic procedures. This includes deploying digital trade facilitation tools such as the National Single Window for Trade Facilitation, which adheres to the principles of the World Trade Organization's Trade Facilitation Agreement (TFA) (Duval, 2006). These initiatives improve compliance with the D-8 PTA while also enhancing Malaysia's trade competitiveness and logistics efficiency (World Bank, 2020). From a compliance standpoint, Malaysia's strategy encompasses a dual-layered approach.

- Regulatory Compliance – Ensuring that domestic regulations and procedures fully conform to the legal text of the D-8 PTA.

- Operational Effectiveness – Streamlining administrative processes to ensure that compliance is efficient, cost-effective, and business-friendly.

This dual focus provides valuable insights for other D-8 member countries. Many developing nations face trade facilitation challenges stemming from limited resources, fragmented institutions, and poor inter-agency coordination (Moïsé & Sorescu, 2013). Malaysia's experience demonstrates that effective institutional leadership (via MITI), coordinated efforts across agencies, and the use of technology are crucial for ensuring long-term compliance. Moreover, by embedding trade facilitation measures within broader economic strategies, Malaysia ensures compliance not only fulfils treaty obligations but also drives national trade growth and sectoral development. For other D-8 members, Malaysia's approach indicates that compliance is best achieved through:

- Institutionalised Supervisory Mechanisms – Empowered committees able to recommend and implement procedural reforms.
- Harmonised Documentation and Procedures – Alignment with both PTA and global trade facilitation standards.
- Continuous Performance Monitoring – Periodic review of clearance times, costs, and procedural bottlenecks.

By embedding these elements into their systems, D-8 countries can establish a compliance framework that not only meets treaty obligations effectively but also drives transformative improvements in trade efficiency. Malaysia's experience demonstrates that adherence to the D-8 PTA can serve as a catalyst for more extensive trade facilitation reforms, resulting in a multiplier effect on regional trade integration.

"For compliance and also initiatives in managing and coordinating the D-8 PTA multilateral agreement, this was the responsibility of the D-8 Supervisory Committee."

MSIA1COM3FAC1

According to MSIACOM5FAC2, Malaysia fully adhered to all aspects of the D-8 PTA early on, enabling ratification as soon as 2006 without major issues. This proactive compliance showed Malaysia’s commitment to aligning its legal and administrative systems with the PTA’s standards. Such alignment allowed for smooth integration into the D-8 trade framework and set an example for other member countries in terms of preparedness and regulatory consistency (Rahman, 2021; Baccini & Urpelainen, 2014).

Malaysia’s swift ratification of the D-8 PTA before other member states highlights strong institutional ability, especially in trade facilitation areas like customs modernisation, documentation streamlining, and inter-agency coordination under MITI. By aligning domestic trade policies with international commitments, Malaysia minimised implementation gaps and established a model that other D-8 countries with less developed trade infrastructure can follow (Kahveci & Ozsahin, 2016).

Moreover, this compliance journey highlights Malaysia’s ability to leverage trade facilitation principles not just for national gains but also as a diplomatic and economic strategy to strengthen regional trade integration. The experience demonstrated the importance of aligning national regulations with PTA provisions before ratification helping to reduce conflicts afterwards and speed up the benefits of trade agreements (Hoekman & Shepherd, 2015). For other D-8 member countries, especially those with limited capacity, Malaysia’s approach offers a strategic guide: start early with legal harmonisation, promote inter-ministerial coordination, and incorporate trade facilitation as a key aspect of compliance.

By ratifying in 2006 without delay, Malaysia demonstrated strong political commitment and technical readiness, boosting its credibility within the D-8 framework. This proactive approach to compliance reflects the broader literature on implementing international trade agreements, which highlights the importance of institutional preparedness and early modification of national policies to fully realise the advantages of membership (Estevadeordal et al., 2014).

"Based on what was explained earlier, compliance was indeed carried out as required by all countries, including Malaysia."

MSIACOM5FAC2

Malaysia's readiness to comply with D-8 of the PTA remains firm, backed by extensive experience in negotiating trade agreements since 1993. All incentives and tariffs are designed according to WTO and WCO standards, especially those under AFTA and MJEPA. Malaysia's current content is comprehensive and adaptable, making it suitable for future agreements like RCEP. The key statements, such as MSIA1COM6FAC3, MSIA1COM7FAC4, and MSIA1COM8FAC5, reflect this preparedness and alignment.

We are competent and qualified based on the numerous large-scale FTAs being ratified, such as the ASEAN Free Trade Area (AFTA) in 1993, which establishes a complete free trade area among ASEAN member nations.

MSIA1COM6FAC3

- Malaysia is also a signatory to the Regional Comprehensive Economic Partnership (RCEP),

MSIA1COM7FAC4

Malaysia has also entered into several FTAs, starting with the Malaysia-Japan Economic Partnership Agreement (MJEPA) in 2006. Since then, the country has signed 8 regional FTAs and 7 bilateral FTAs.

MSIA1COM8FAC5

In response to RQ3—“To what extent has Malaysia ensured compliance with the D-8 PTA provisions, and how can this inform other D-8 member states?”—it is important to understand that compliance goes beyond simple procedures; it is a fundamental obligation built into the framework of the D-8 Preferential Trade Agreement (PTA). Member countries must align their domestic trade laws, operational guidelines, and institutional structures with the D-8 PTA's provisions (Rahman, 2021). This alignment is crucial for minimising technical and regulatory differences that could impede trade facilitation, market access, and dispute resolution among members.

Malaysia's approach to compliance has been methodical and planned, involving the alignment of national trade policies with the D-8 PTA framework. Any changes to the national PTA are made with the approval and awareness of the national Supervisory Committee, which guarantees that technical and legal revisions are well-coordinated for D-8 multilateral negotiations (Baccini & Urpelainen, 2014).

Malaysia’s compliance system is rooted in principles of integrity, accountability, and inter-agency collaboration. Various ministries, trade authorities, and customs departments collaborate to implement PTA provisions into practical policies at the operational level. This process is reinforced by active engagement with the D-8 High-Level Trade Officials (HLTO), which ensures that the technical details and content of the PTA remain consistent with multilateral standards (Chia, 2014).

Additionally, the D-8 Supervisory Committee plays a crucial role in reviewing, approving, and integrating proposed amendments from member states, acting as a central body for updating agreements.

Malaysia has a proven track record of adhering to trade agreements, especially when updating regulations under FTAs and PTAs, demonstrating strong institutional expertise. Building on its experience with the ASEAN Free Trade Area (AFTA), Malaysia has efficiently navigated regulatory changes that support both domestic economic objectives and regional trade commitments (Plummer, 2016). This expertise has been extended to Malaysia’s responsibilities under the D-8 PTA, as evidenced by the country’s transparent FTA commitments, notably within the Regional Comprehensive Economic Partnership (RCEP) and bilateral FTAs with major trading partners (Das, 2020). Malaysia’s strategic approach offers a model for other D-8 members to emulate in three key areas:

Institutionalising Supervisory Committees by creating a domestic body that directly monitors PTA compliance helps ensure that updates to national regulations align with multilateral obligations.

- Policy Alignment Mechanisms – Active coordination between domestic agencies and D-8 HLTO enables real-time adjustment of policies to reflect evolving multilateral provisions.
- Regulatory Transparency and Documentation – Comprehensive and publicly accessible FTA/PTA documentation increases predictability for businesses and reduces compliance uncertainty.

Malaysia’s proactive approach to adhering to the D-8 PTA provisions demonstrates its dedication to multilateral trade governance. It also serves as a model for other member states seeking to enhance their PTA compliance systems. By combining institutional integrity, consistent policies, and flexible regulations, Malaysia establishes itself as a leader in turning multilateral commitments into effective national trade practices.

Table 5.5: Government of Malaysia (Compliance Theme)

Research Question	Government and Agency (Code)	Main Theme (Code)	Sub-theme (Code)	Interview Statement
RQ3 **How far is the compliance of PTA amongst member nations of D-8 towards the successful implementation of D-8 PTA?**	MSIA1	COM1	COR1	*"For compliance and also the initiative to conduct, to coordinate multilateral D8 PTA itself… actually this is under responsibility of the D8 Supervisory Committee"*
	MSIA1	COM2	RES1	*"Will provide a report to the higher level… but I am not sure whether it exists or not… if this Supervisory Committee does exist, then it has to follow its schedule, it has to happen every year"*
	MSIA1	COM3	FAC1	*"And the D8 Supervisory Committee is given the authority to propose amendments that can be included in this D8 PTA agreement"*
	MSIA1	COM4	DEC1	*"So if not from this secretariat aspect, then the authority we use for compliance is through the AC"*
	MSIA1	COM5	FAC2	*"From the aspect based on what has been determined, this knowledge must be implemented as agreed by all member states, including Malaysia"*
	MSIA2	COM6	FAC3	*"We are fully capable and qualified based on the many large-scale FTAs being ratified such as the ASEAN Free Trade Area (AFTA) in 1993, which creates a complete free trade area among ASEAN member nations."*
	MSIA2	COM7	FAC4	*"-Malaysia is also a Party to the Regional Comprehensive Economic Partnership (RCEP),"*
	MSIA2	COM8	FAC5	*"-Malaysia has also signed multiple bilateral FTAs with the first one being the Malaysia-Japan Economic Partnership Agreement (MJEPA) in 2006. Since then, 8 regional FTAs and 7 bilateral FTAs have been signed."*

Research Gap and Justification Concerning RQ3

Malaysia showed strong compliance with the legal and institutional aspects of the D-8 Preferential Trade Agreement (PTA), as seen in its ratification procedures, customs regulations, rules of origin guidance, and coordinated inter-agency efforts. However, there remains a notable gap in the academic literature. While Malaysia has adopted a transparent, well-structured national trade policy supported by effective inter-agency cooperation and legal harmonisation, there is a lack of comparative policy research on how Malaysia's PTA governance could be adopted or institutionalised by other D-8 members (Rahman, 2021; Baccini & Urpelainen, 2014). Most scholarly focus tends to be on regional Free Trade Agreements (FTAs) and ASEAN-focused integration, often overlooking opportunities for institutional learning within South-South trade collaborations like the D-8.

Although Malaysia's participation in AFTA, RCEP, and bilateral FTAs has developed established negotiation frameworks and decision-making routines (Plummer, 2016; MITI, 2023), there is limited empirical research on how these frameworks can be scaled or adapted to fit the varying institutional capacities of D-8 economies. This creates an analytical gap regarding the potential to use national success stories to build shared compliance and negotiation frameworks across diverse trade systems (Limão, 2016).

The absence of such research was significant for three key reasons. First, without comparative institutional models, other D-8 members face the risk of inconsistent compliance, potentially undermining collective credibility and the reliability of trade governance (UNCTAD, 2023; WTO, 2023). Second, lacking structured frameworks for intergovernmental coordination may cause operational inefficiencies—such as delays stemming from poor inter-agency integration reducing the effectiveness of PTA agreements (ERIA, 2022; Li, 2024). Third, without mechanisms for targeted knowledge transfer, SMEs and sector-specific exporters in other D-8 countries are likely to experience similar procedural and regulatory hurdles that Malaysian firms have already overcome through institutional reforms (MITI, 2023; WTO, 2023). Addressing this gap was therefore justified to:

- **Critically Analyse** Malaysia’s national and international PTA strategies, with a focus on breaking down the processes involved in legal, institutional, and practical compliance.
- **Evaluate the technical, regulatory, and political** challenges to enforcing PTA within the wider D-8 framework, extending beyond Malaysia’s national context.
- **Suggest scalable,** evidence-based models for intergovernmental PTA governance, capacity-building, and stakeholder coordination that are adaptable to various institutional settings within the D-8.

Neglecting this research gap may result in ongoing trade inefficiencies, eroding trust among D-8 stakeholders and hindering progress in South-South economic diplomacy. Additionally, it would sustain the existing theoretical imbalance in PTA research, which heavily favours North-South and ASEAN-based models over South-South trade regimes (Limão, 2016; Elsheikh, 2021).

Finally, Malaysia’s progress under the D-8 PTA demonstrated a strong example of legal and institutional coordination. However, the lack of comparative cross-country institutional research restricted its usefulness as a transferable framework. This study seeks to fill that gap by not only enhancing understanding of Malaysia’s compliance systems but also providing practical insights to improve PTA governance throughout the D-8 region.

Malaysia’s participation in the D-8 Preferential Trade Agreement (PTA) highlights a wider regional effort to boost trade among Islamic economies by reducing tariffs and non-tariff barriers. Like Turkey and other D-8 members, Malaysia employed a consensus-driven, cooperative negotiation approach involving multiple government agencies, which helped ensure internal policy consistency and alignment with the agreement (Ministry of International Trade and Industry [MITI], 2006; Rahman, 2021).

Unlike other D-8 economies, Malaysia prioritised negotiations at the industrial and sector levels. While some members concentrated on particular sectors like agriculture or intellectual property, Malaysia adopted a comprehensive approach that emphasised industrial competitiveness and inclusive economic development (Ahmad, 2019). This wider focus allowed Malaysia to address strategic national objectives alongside regional trade commitments.

Malaysia distinguished itself by ratifying early in 2006, demonstrating strong institutional capacity and policy preparedness (MITI, 2006). Its efficient stakeholder engagement and transparent offer development established Malaysia as a proactive leader within the D-8, enhancing confidence in its trade governance systems (Yusuf & Ismail, 2020).

Under RQ2, Malaysia demonstrated a strong capacity to align its national implementation with D-8 PTA commitments. Involving stakeholders extensively helped ensure the national offer list was both comprehensive and technically sound (Rahman, 2021). Following WTO best practices, Malaysia's initiatives in customs modernization and trade facilitation reduced procedural barriers and improved trade flow efficiency (WTO, 2021).

Malaysia's commitment to RQ3 depends on effective collaboration among agencies, practical experience with FTAs, and structured oversight mechanisms. The D-8 Supervisory Committee, in collaboration with MITI and senior trade officials, monitors implementation, ensures compliance, and handles amendments (MITI, 2019). This comprehensive and well-maintained compliance system enhances Malaysia's reputation and reliability as a trade partner within the D-8 framework (Yusuf & Ismail, 2020).

CHAPTER 6

RESULT AND DISCUSSION

6.1 Result and Discussion Objective One (Main Theme Formulation)

Please refer to Table 6.1- Analysis RO1 (FOR), which centres on "exploring the formulation of the PTA and national trade policy towards the D-8." To achieve this primary research objective, Malaysian expert groups have demonstrated a strong commitment to developing the D-8 PTA at both the national and secretariat levels. The analysis presented in Table 6.1 underscores successes in three primary areas: NEG, CON, and COO. Experts have provided clear insights supporting Malaysia's initiatives, emphasising the importance of the FOR dimension within the D-8 PTA agenda. This initial phase involves an assessment of each country's preparedness, as noted by the experts.

Table 6.1: Formulation Analysis

	MAIN THEME (FOR)		DIMENSION (NEG)		DIMENSION (CON)		DIMENSION (COO)	
	Num	*%*	**Num**	*%*	**Num**	*%*	**Num**	*%*
GOVT OF MALAYSIA	19	*100*	8	*42.1*	8	*42.1*	3	*15.8*

Table 6.1 - Analysis RO1 (FOR) indicates that Malaysia provides a comprehensive overview of the FOR framework. According to this table, multiple elements facilitate the development of D-8 PTA, aiming to establish a trade regime focused on trade integration.

Table 6.1: Formulation Analysis illustrates how responses were quantified via thematic coding and shows their percentage distribution across key dimensions: negotiation (NEG), consultation (CON), and coordination (COO) from Chapter 5. For example, the Government of Malaysia had 100% representation under the main theme, with 42.1% each for negotiation (NEG) and consultation (CON), and 15.8% for coordination (COO). These percentages are derived by dividing the coded responses (Num) for each dimension by the total responses and then multiplying by 100 to find the proportion. This method is crucial for systematically analysing qualitative data, identifying dominant processes and strategies at the national level, and illustrating the balance among various negotiation practices (Braun & Clarke, 2006; Vaismoradi, Turunen, & Bondas, 2013).

This calculation relied on data collected from semi-structured interviews with policymakers and trade negotiators involved in Malaysia's participation in the D-8 Preferential Trade Agreement (PTA), which provided key insights. Combining these methods improved the validity of the findings through evidence triangulation (Creswell & Plano Clark, 2018). This mixed approach, involving qualitative coding and quantification, is particularly effective for analysing negotiation processes because it transforms complex qualitative data into measurable indicators for comparison across various dimensions (Miles, Huberman, & Saldaña, 2014).

6.1.1. Result and Discussion: Main Theme of Objective One

The Developing-8 Preferential Trade Agreement (D-8 PTA) is a trade agreement among eight developing countries: Bangladesh, Egypt, Indonesia, Iran, Malaysia, Nigeria, Pakistan, and Türkiye that aims to enhance economic cooperation, boost trade, and foster industrial and technological collaborations. Initiated in 2011, it plays a crucial role in South–South cooperation by offering preferential market access and reducing trade barriers for its members (Turkish Ministry of Foreign Affairs, 2011; Othman, Acar, & Jafari, 2013).

In Malaysia, the D-8 PTA goes beyond a simple trade agreement; it reflects the country's trade priorities and underpins various regional and bilateral initiatives. Following Objective 1 of this study to examine how the PTA and national trade policies are influenced by the D-8, this section explores Malaysia's needs, interests, and strategic efforts. These aims are to ensure the D-8 PTA serves as a tool for economic growth, diversification, and increased regional influence.

i. Malaysia's key strategic interests in the D-8 Preferential Trade Agreement (PTA)

Malaysia's motivations for actively supporting and developing the D-8 PTA are rooted in five interconnected economic and strategic priorities.

- Preferential trade agreements usually encourage positive trade growth by reducing both tariff and non-tariff barriers, thereby increasing export opportunities (Dai, Yotov, & Zylkin, 2014; Head & Mayer, 2021). For Malaysia, the D-8 PTA grants access to a combined market of over 1.1 billion people, creating significant demand for its electrical and electronic (E&E) exports, palm oil products, processed foods, and halal-certified goods. This agreement aligns with Malaysia’s goal to boost halal industry exports, especially considering the Islamic populations within D-8 member countries.

- Malaysia’s external trade mainly relies on major markets like China, Singapore, and the US. Using the D-8 PTA allows Malaysia to expand its export destinations, reducing risks from external shocks and demand changes (ADB, 2021). Medvedev (2006) showed that participating in several PTAs lowers export earnings volatility and boosts resilience against downturns in particular markets. Therefore, the D-8 PTA serves as a key risk management instrument in Malaysia’s broader trade approach.
- PTAs that provide stable and predictable market access tend to attract efficiency-seeking and market-oriented foreign direct investment (FDI) (Büthe & Milner, 2008). Malaysia's participation in the D-8 PTA aims to establish the country as a gateway for investors looking for preferential access to all eight member markets. This approach aligns with Malaysia’s National Investment Aspirations (NIA) and supports its shift toward high-value, technology-driven industries (MITI, 2022).
- Beyond merchandise trade, the D-8 PTA encourages technology sharing, joint research, and the harmonisation of standards. Martínez-Zarzoso and Chelala (2021) show that PTAs including technical cooperation clauses can enhance domestic innovation by enabling knowledge spillovers from more advanced partners. For Malaysia, this aligns with its Industry Forward initiative and national ambitions to progress in the manufacturing and services value chains.
- The D-8 PTA’s tariff liberalization commitments are expected to reduce the average applied tariff for trade within the D-8, enhancing the competitiveness of Malaysian exporters (Othman et al., 2013). Moreover, removing non-tariff barriers such as restrictive quotas, inefficient customs procedures, and inconsistent standards will be crucial for Malaysian companies to maximise the advantages of the preferential margins.

ii. Malaysia’s Preparations for D-8 PTA Implementation

Malaysia’s approach to developing and implementing the D-8 PTA is backed by solid institutional preparedness and coordinated policies. Five main areas of preparation stand out as particularly important.

- Malaysia’s participation in various multilateral trade pacts has improved its skills in negotiation and implementation. Experiences from ASEAN-led FTAs, RCEP, and CPTPP negotiations have given Malaysian policymakers valuable technical knowledge in areas like rules of origin (RoO), dispute resolution, and tariff strategies (ERIA, 2022). Successful trade agreements rely on streamlined trade facilitation, and Malaysia’s advancements in port infrastructure, digital customs, and transport connectivity have been recognised in the World Bank’s Logistics Performance Index (LPI), where it ranks among the leading logistics performers in emerging Asia (World Bank, 2023).
- The National Trade Blueprint (2021–2025), launched by MATRADE, details targeted strategies to improve export preparedness, especially for small and medium enterprises (SMEs). It prioritises capacity development, expanding e-commerce skills, and securing product certifications (MATRADE, 2021). These efforts are essential for enabling domestic firms to benefit from the preferential tariffs offered by the D-8 PTA.
- Malaysia’s trade and investment climate is strengthened by supportive laws like the Promotion of Investments Act 1986 and policies such as the Privatisation Policy and Look East Policy. These frameworks align with the D-8 PTA’s principles by ensuring regulatory stability and increasing investor confidence.

iii. Active participation in trade negotiations

Malaysia has actively engaged in D-8 PTA discussions, identifying sensitive sectors, aligning tariff commitments with domestic industrial policies, and participating in technical committees to address non-tariff barriers. Its multi-tiered negotiation strategy in other agreements such as CPTPP and RCEP provides a strong institutional foundation for PTA governance.

6.1.2. Result and Discussion: Objective One (Dimension)

Malaysia’s NTP and PTA frameworks exemplify a strategic move to enhance regional integration through trade, positioning the country as an active member of the D-8 Preferential Trade Agreement (PTA). The NTP aims to improve market access, diversify exports, facilitate technology transfer, and reduce trade barriers through targeted legal, institutional, and negotiation strategies (MITI, 2021; World Bank, 2022). Despite Malaysia's strong preparedness—bolstered by bilateral cooperation, logistical improvements, productivity policies, legal reforms, and active negotiation—progress on Objective 1 remains limited due to persistent challenges in inter-member collaboration and inconsistent ratification among D-8 nations (Khalid & Yusoff, 2019; UNCTAD, 2023).

Dimension 1: Negotiation (NEG – 42.1%)

Malaysia’s approach to negotiating the D-8 PTA centres on a' like-product” tariff reduction strategy that aligns with its domestic capabilities and sectoral priorities (MITI, 2021). The Ministry of Investment, Trade and Industry (MITI) and the Royal Malaysian Customs Department oversee the process, with a key focus on harmonising rules of origin (RoO). Malaysia’s swift ratification of the D-8 PTA and its previous experience with the FTA with Turkey have provided templates for negotiation sequencing. Stakeholder consultations, including industry associations and other government agencies (OGAs), help maintain policy coherence and align with national economic objectives. However, despite thorough preparations, the success of negotiations ultimately depends on reciprocal commitments from other D-8 members, which constrains the achievement of RO1 (Kumar & Ahmed, 2020; Rahman et al., 2021).

Dimension 2: Concessions (CON – 42.1%)

Malaysia’s concession policy within the D-8 PTA involves coordinated discussions between MITI, Customs, and local industry stakeholders to determine tariffs, trade facilitation measures, and import-export procedures. Although these concessions align with the country's trade commitments, they are less comprehensive compared to those in other FTAs involving D-8 members. The FTA with Turkey has served as a model for expanding concessions, particularly in non-tariff measures, services, and customs facilitation. While Malaysia's adoption of tariff reduction schedules aligned with D-8 PTA policies reflects its dedication to NTP principles, progress is slowed by delayed policy alignment from other member states (WTO, 2020; Ariff & Ahmad, 2018).

Dimension 3: Cooperation (COO – 18.2%)

While cooperation makes up a smaller part of Malaysia's policy efforts, it is crucial for the ongoing development of the D-8 Preferential Trade Arrangement (PTA). Malaysia has organised town-hall meetings, inter-agency workshops, and bilateral partnerships to promote understanding and support among stakeholders for the PTA framework. However, levels of cooperation vary among D-8 member states because of different policy priorities, resource availability, and commitment levels. The partial ratification of the PTA by some members and the lack of standardised trade facilitation measures hinder deeper integration (Ismail & Hadi, 2019; UNESCAP, 2022). These differences highlight that, despite Malaysia's extensive domestic initiatives, reaching Objective 1 depends on the collective institutional and policy readiness across all D-8 members.

Malaysia's progress on the NTP and PTA offers a strong legal and institutional foundation for engaging in the D-8 PTA. The NEG and CON sectors demonstrate high readiness, reflecting well-organised policies and stakeholder involvement. However, COO remains a hurdle due to inconsistent commitment among members and the partial execution of agreed actions. Consequently, although Malaysia's domestic framework aligns well with the D-8 PTA's objectives, reaching Objective 1 fully requires enhanced coordination and collaboration among all D-8 members.

6.2. Results and Discussion for Objective Two (Main Theme Implementation)

Carrying out the negotiation process for the D-8 Preferential Trade Agreement (PTA) at the national level is strongly connected to broader principles of international trade. These principles—such as trade liberalisation, safeguarding consumers and the environment, social welfare, intellectual property rights, and regulating non-tariff barriers—form the normative foundation for Malaysia's domestic and international trade strategies (Hoekman & Kostecki, 2021).

Malaysia’s role in the D-8 PTA negotiations is based on the goal of encouraging free trade. The Ministry of Investment, Trade and Industry (MITI) and the Royal Malaysian Customs Department have worked to synchronise tariff schedules, remove unnecessary quotas, and coordinate technical regulations with D-8 commitments. This strategy aligns with the traditional economic view that reducing trade barriers improves efficiency by enabling countries to leverage their comparative advantages (Krugman et al., 2022). At the same time, Malaysia’s approach also shows caution toward liberalisation, aiming to shield domestic industries from potential instability caused by rapid market opening (Hill & Menon, 2014).

At the same time, consumer protection and environmental sustainability are integrated into the negotiation framework. This reflects the idea of embedded liberalism, where trade liberalisation is balanced with domestic safeguards to safeguard public welfare (Ruggie, 1982). Malaysian trade negotiators have made sure that D-8 PTA commitments align with national laws on product safety, quality standards, and environmental regulations. This dual strategy guarantees that economic growth goals do not compromise public interest priorities.

The implementation process also acknowledges the importance of social welfare in trade policy. Although international trade boosts GDP growth, it can widen inequality without redistributive actions (Rodrik, 2018). Malaysia’s collaboration with D-8 partners includes support for vulnerable sectors, especially in agriculture and small-to-medium enterprises (SMEs), which are prominent among local stakeholders. These measures align with academic calls for trade policies to be socially inclusive (Stiglitz & Charlton, 2019).

Protecting intellectual property rights (IPR) has become crucial in Malaysia’s efforts during the D-8 PTA negotiations. As a resource-rich D-8 member, Malaysia’s progress in agriculture, creative industries, and technology relies on strong IPR enforcement to shield local innovators and draw in foreign investments (Maskus, 2000). Including IPR considerations in the PTA talks helps ensure that trade facilitation is not hindered by infringement concerns.

Furthermore, Malaysia's strategic approach has concentrated on the management of non-tariff barriers (NTBs), including sanitary and phytosanitary measures, technical standards, and customs procedures. The scholarly literature notes that NTBs can occasionally impose stricter restrictions than tariffs (Shepherd, 2019). Accordingly, Malaysia emphasises transparency, efficient procedures, and mutual recognition agreements within its D-8 commitments to mitigate administrative trade costs.

Ultimately, effective negotiation and dispute resolution systems are crucial for the seamless implementation of trade principles. Malaysia's domestic framework encompasses well-established inter-agency coordination and stakeholder engagement processes, facilitating proactive conflict resolution prior to disputes escalating to the D-8 level. This strategy aligns with leading practices derived from WTO dispute settlement research, which indicates that early resolution mechanisms contribute to reducing the political and economic ramifications of trade conflicts (Davey, 2014).

Implementing the D-8 PTA negotiation process on a national scale necessitates balancing various priorities, advocating for trade liberalisation while safeguarding domestic interests, consumers, and the environment. It encompasses promoting social equity, protecting intellectual property rights, addressing non-tariff barriers, and enhancing dispute resolution mechanisms. These initiatives align with international trade governance standards and position Malaysia as a proactive and principled participant in South–South economic cooperation.

Table 6.2: Implementation Analysis

	THEME (IMP)	**%**	**DIMENSION NEG**	**%**	**DIMENSION PRC**	**%**	**DIMENSION TRF**	**%**
MALAYSIA	19	100	12	63.2	4	21.1	3	15.7

Table 6.2 displays the Implementation Analysis of Malaysia's involvement in the D-8 Preferential Trade Agreement (PTA). The data was organised by converting qualitative information into coded themes and dimensions, which were then quantified

using frequency counts (Num) and percentages (%). For instance, the theme "Malaysia" includes 19 coded references (100%), with 12 references (63.2%) linked to negative dimensions (NEG), 4 references (21.1%) related to process aspects (PRC), and 3 references (15.7%) concerning tariff issues (TRF). Percentages were derived by dividing each dimension's frequency by the total (n=19) and multiplying by 100.

This analytical approach is vital for transforming qualitative data into quantifiable indicators, facilitating systematic comparison and understanding (Miles, Huberman, & Saldaña, 2014). Assigning numerical values to qualitative codes promotes transparency and objectivity in capturing stakeholders' perceptions, challenges, and strategies concerning Malaysia's negotiation and application of the D-8 PTA. Moreover, it assists researchers in pinpointing key themes—such as the importance of "negative dimensions" in Malaysia's implementation—which highlight critical areas for policy revisions or institutional improvements (Creswell & Poth, 2018).

The data in Table 6.2 mainly derives from semi-structured interviews with policymakers and trade negotiators at Malaysia's Ministry of International Trade and Industry (MITI), as described in Chapter 5. This qualitative information was coded and categorised into themes (NEG, PRC, TRF). The coding process helps identify recurring patterns across sources, offering strong evidence for analysing Malaysia's implementation strategies (Braun & Clarke, 2006).

The table not only shows the frequency distribution of Malaysia's implementation-related dimensions but also provides insight into the relative importance of various issues, such as NEG at 63.2%, indicating notable challenges. This makes it a valuable tool for achieving the research objective.

6.2.1. Result and Discussion: Objective Two (Main Theme Execution)

RO2 examined Malaysia's negotiation processes and strategies at the national level within the D-8 Preferential Trade Agreement (PTA). According to the research findings, RO2 is deemed partially accomplished, not fully.

i. Evidence of negotiation processes at the national level.

Research indicates that Malaysia's negotiations for the D-8 PTA were predominantly led by the government, with coordination exercised by the Ministry of Investment, Trade and Industry (MITI). The process entailed consultations among various agencies, including the Ministry of Foreign Affairs, the Department of Customs, and principal industry stakeholders. This implies a centralised approach to negotiations, consistent with established theories of trade negotiation governance (Odell, 2013; Evenett & Vermulst, 2020). Although the study verified procedural activities such as stakeholder briefings, technical committees, and the drafting of offer lists, it did not systematically delineate the sequence, depth, or iterative nature of these processes for comprehensive process-tracing.

ii. Analysis of Negotiation Strategies

The findings indicate that Malaysia adopted a prudent approach, aimed at safeguarding interests during the D-8 PTA negotiations, with emphasis on:

- Making targeted concessions in sectors where there is a competitive edge, like palm oil and rubber-based products.
- Harmonising Rules of Origin (RoO) to support consistent trade practices with other FTAs.
- Implement protective measures to prevent risks in sensitive domestic industries.

These approaches align with Vickers (2017), who argues that middle-power economies frequently adopt defensive liberalisation to preserve internal stability while participating internationally. Nevertheless, the analysis remains incomplete— it lacks a detailed examination of tactical decision-making, coalition formation with other D-8 members, and Malaysia's possible role in shaping agendas, which are crucial factors in assessing negotiation strategies.

iii. Limitations in Achieving RO2

The objective extended beyond merely identifying elements; it necessitated comprehensive analysis as well. While the research furnished a descriptive overview of processes and strategies, it did not undertake an in-depth evaluation of the cause-and-effect relationships between these strategies and the negotiation outcomes. This gap indicates that the analysis does not definitively establish whether the strategies were optimally formulated or if alternative methods could have yielded superior results — a vital consideration in policy analysis (Sebenius, 2009).

RO2 has been partially achieved. The research successfully documented Malaysia’s negotiation processes and outlined key strategic directions. However, the analysis did not include enough detail to provide a solid, theory-based evaluation of the strategies’ effectiveness and adaptability. Incorporating a more detailed process mapping, using negotiation theory frameworks such as Principal–Agent Theory, would have enhanced the fulfilment of RO2.

Referring to Table 6.2, which presents the Implementation Analysis of Malaysia, it has been emphasised that the IMP functionality is highly effective and is considered integral to the D-8 PTA negotiation process at the national level. An examination of the RO2 Analysis Table reveals a similar trend for this RO2 theme, with the NEG dimension consistently maintaining a level of 63.2%. It is generally observed that Malaysia bears significant responsibility in ensuring the proper implementation of the D-8 PTA negotiation process. Likewise, the PRC dimension aligns with NEG, indicating a value of 50% for Malaysia. In this context, the PRC evaluates the extent to which Malaysia applies trade practices comprehensively across all activities and programs. Furthermore, Malaysia continues to improve its TRF, achieving a prominent role at 60%. Overall, the implementation of the IMP facilitates the coordination of each primary component through supportive dimensions.

6.2.2. Result and Discussion for Objective Two (Dimensions)

Malaysia's national negotiation strategies for the D-8 Preferential Trade Agreement (D-8 PTA) demonstrate a robust procedural framework; however, they are not entirely optimised from a strategic perspective. Consistent with negotiation theory emphasising early-stage priority mapping (Odell, 2000), Malaysia initially identified sectors with a comparative advantage—such as palm oil, rubber products, and electrical and electronic goods—and sought improved market access. This was followed by formal negotiations overseen by the Ministry of International Trade and Industry (MITI), supported by technical agencies, addressing tariff schedules, non-tariff barriers, trade in services, and investment protections. This procedural methodology reflects Malaysia’s experience in ASEAN and CPTPP negotiations (Chaisse & Matsushita, 2018).

Domestic consultations involving industry and civil society enhanced inclusivity and legitimacy (Solis, 2017). Nonetheless, stakeholder interviews reveal that private sector recommendations were not consistently incorporated into the final negotiating mandate. Although Parliament ratified the agreement and regulations were put in place to ensure legal compliance, monitoring and evaluation tended to be reactive, with minimal application of predictive modelling for assessing long-term trade and industrial effects (Plummer et al., 2022).

From an RO2 perspective, Malaysia’s processes meet the criteria of the NEG (negotiation structure), PRC (consultative practices), and TRF (trade facilitation readiness). However, the strategic use of the D-8 PTA—for goals such as industrial growth, value chain integration, and export diversification—was less clearly demonstrated. As Baldwin (2016) argues, trade agreements that lack supportive domestic industrial strategies may fail to deliver competitive advantages. Consequently, RO2 has been achieved through conformity to procedural negotiation processes; nonetheless, it has not been exploited strategically. This underscores the need for future policies to align trade diplomacy with ongoing economic transformation.

The main focus of this RO2's primary theme, especially concerning implementation (IMP) related to the negotiation process of D-8 PTA, highlights the need for negotiations to be clear and suitable for each country. These negotiations should not infringe on the sovereign matters of member nations, making ratification easier in accordance with national preferences, without excessive controls or directives. As shown in Table 6.2, which outlines Malaysia's efforts and commitments towards Implementation, it is clear that Malaysia needs to further support domestic traders using various negotiation tools and strengthen its implementation initiatives.

- **Dimension 1 – NEG (63.2%), Dimension 2 (21.1%), and Dimension 3 (15.7%)**

RO2, focusing on Malaysia's national negotiation strategies, involves analysing both procedural steps (NEG, PRC, TRF) and how these efforts help Malaysia optimise benefits from the D-8 PTA. The evidence indicates that Malaysia has implemented a comprehensive and effective negotiation approach.

- **NEG (Negotiation)** entails pinpointing profitable sectors, highlighting high-value product lines, collaborating with traders, and adhering to Rules of Origin (RoO) and national trade policies**.**
- **PRC (Negotiation Practices)** entail utilising established procedural tools from past PTA/FTA negotiations, coordinating efforts among agencies, and developing careful strategies for tariff reductions.
- **TRF (Trade Facilitation) includes putting measures into action that meet WTO commitments, lowering tariffs on advantageous**

product lines, and indicating willingness to collaborate with partner countries.

Malaysia's procedural mechanisms are effective and follow best practices in trade negotiations (Odell, 2000; Chaisse & Matsushita, 2018). The Ministry of International Trade and Industry (MITI) acts as a central coordinator, supported by sector-specific focal points, showing an institutional capacity for organised negotiations as suggested in trade governance literature (Plummer et al., 2022). However, the discussion highlights gaps that hinder the full realisation of RO2:

- **Partial Fulfilment of Negotiation Requirements –** The reported 63.2% compliance with D-8 PTA standards in NEG indicates that not all essential negotiation elements are fully addressed, which could leave strategic vulnerabilities.
- Malaysia primarily uses a reactive approach rather than a proactive one. Although it adheres to standard procedures, there is limited evidence of using predictive models, scenario planning, or developing adaptive strategies to forecast future changes in trade (Baldwin, 2016).
- **Sectoral and stakeholder** integration faces limitations—though consultations occur, there is limited evidence that private sector and industry concessions significantly shape the final positions. Studies suggest that better aligning national trade policy with sectoral competitiveness is crucial to fully benefit from PTAS (Solis, 2017).
- **TRF is often overlooked** as a strategic resource because trade facilitation efforts mainly concentrate on WTO compliance rather than leveraging these measures for competitive advantage, such as linking facilitation to export diversification or strengthening value chains (Athukorala, 2020).

Malaysia shows procedural success in the NEG, PRC, and TRF areas; however, its strategic RO2 is still insufficient. This matches current research indicating that following negotiation procedures alone does not guarantee strategic economic benefits without cohesive and forward-looking policies (Baldwin, 2016; Plummer et al., 2022).

Malaysia has completed the RO2 process technically, but lacks a strategic approach. Its negotiation methods are well-organised, institutionalised, and comply with trade policy standards. However, they lack foresight and cohesion, limiting the economic benefits for the country and region from the D-8 PTA. This highlights a common issue in trade policy: successful negotiations need both solid institutional frameworks and a well-defined long-term strategy.

Analysing Malaysia's negotiation processes and strategies at the national level in the D-8 Preferential Trade Agreement (D-8 PTA), Table 6.2 presents diverse achievements in three key areas: NEG (63.2%), PRC (21.1%), and TRF (15.7%).

- **Dimension 1: Negotiation (NEG – 63.2%)**

The NEG dimension, with a highest score of 63.2%, highlights Malaysia's consistent participation in both bilateral and multilateral negotiations. These talks often involve targeted consultations with domestic traders to ensure offers align with national economic priorities. This strength suggests Malaysia has a strong negotiation framework capable of coordinating sectoral positions and responding swiftly and organised to proposals from partner states (Odell, 2000; Putnam, 1988). However, a high procedural score alone does not guarantee strategic depth. As Baldwin (2016) notes, effective trade diplomacy should be driven by a forward-looking economic strategy, ensuring concessions lead to clear competitive advantages. In this context, Malaysia's NEG processes seem more reactive than proactively designed to guide the D-8 PTA toward long-term industrial or export diversification goals.

- **Dimension 2: Practices PRC – 21.1%**

The second factor, PRC (21.1%), falls under implementation (IMP) and reflects Malaysia's dependence on standard negotiation approaches, such as using established PTA/FTA templates and following formal ratification procedures. While these methods ensure institutional stability and consistent policy, they lack strategic adjustments tailored to the specific political and economic realities of the D-8 group. Research indicates that simply copying templates without considering local contexts can weaken a country's bargaining position, particularly in South–South agreements where industrial capacities vary significantly (Chaisse & Matsushita, 2018; Solís, 2017). This low score suggests that, although Malaysia's negotiation process is operational, it does not fully leverage its comparative advantages within the D-8 market.

- **Dimension 3: Trade Facilitation (TRF – 15.7%)**

The third factor, TRF (15.7%), includes trade facilitation measures such as tariff cuts, standardised customs procedures, and easing non-tariff barriers like SPS standards, licensing, and technical restrictions. These are crucial for improving market access (Wilson et al., 2003). However, Malaysia's low score indicates it does not effectively use TRF commitments as strategic bargaining tools during negotiations. This is important because trade facilitation can provide leverage in Preferential Trade Agreement (PTA) talks, enabling reciprocal concessions in other key areas (Ravenhill, 2014). Although the D-8 PTA's "positive list" outlines which goods qualify for tariff reductions, it also limits Malaysia's ability to freely expand and adjust its export portfolio within the bloc.

From an RO2 perspective, the overall assessment indicates partial success in procedural implementation but limited advancement in strategic development. Malaysia demonstrates a robust institutional capacity for negotiations, as evidenced by

NEG's score of 63.2%. However, lower scores for PRC and TRF underscore a gap in the Effective utilisation of negotiation tools and facilitation measures, which could enhance national gains. This observation aligns with Rahman's (2020) critique that many South–South preferential trade agreements (PTAs) feature members that excel in procedural compliance yet encounter difficulties in converting these agreements into tangible economic benefits. As a result, RO2 remains only partially achieved. The analysis further indicates that Malaysia's negotiations are well-structured; however, they lack the necessary flexibility and goal-oriented strategies essential for safeguarding and expanding its competitive advantage within the D-8 market.

6.3. Results and Discussion for Objective Three (Main Theme Compliance)

Referring to Table 6.3 – Compliance Analysis (COM), this study highlights Malaysia's approach to meeting the requirements of the D-8 Preferential Trade Agreement (PTA). Compliance entails Malaysia's adherence to essential provisions, including tariff reduction timelines, the removal of non-tariff barriers, and alignment with technical standards and trade laws. While compliance is generally seen as crucial for trade integration (Abbott et al., 2000; Guzman, 2002), available evidence suggests that Malaysia's efforts are only partial, inconsistent, and often dependent on external assistance, which hinders the achievement of RO3.

The analysis outlines four main areas of compliance: Responsibility (RES), Decision (DEC), Coordination (COR), and Facilitation (FAC), forming a clear framework. RES represents Malaysia's acknowledgement of its commitments under the D-8 PTA, while DEC emphasises the need for coordinated policymaking both nationally and multilaterally. However, their application varies. Malaysia considers compliance a duty, but decision-making often encounters challenges due to domestic economic interests and bureaucratic delays, which can impede the full enforcement of PTA provisions (Khor, 2019).

The COR dimension highlights additional challenges. Achieving successful compliance depends on ongoing collaboration among trade ministries, customs agencies, and private-sector stakeholders. Malaysia faces difficulties in maintaining effective coordination, especially in aligning technical standards, SPS measures, and customs procedures. This issue reflects a wider trend in South–South PTAs, where limited institutional capacity hampers compliance despite firm political will (Shadlen, 2005; Dent, 2010).

The FAC dimension reveals a significant 83.3% dependence on facilitation support. Malaysia relies heavily on external aid—such as cooperation, engagement, and trade facilitation—to fulfil its D-8 PTA commitments. This reliance reflects not just resource shortages but also a reactive compliance approach. Instead of proactively aligning with the agreement, Malaysia depends on external facilitation from the D-8 Secretariat and partner states. This dependency weakens Malaysia's bargaining position and raises concerns about the long-term sustainability of compliance without ongoing support (Shaffer & Pollack, 2010).

Generally, compliance with PTAs extends beyond merely fulfilling technical requirements; it requires embedding commitments into a country's legal and regulatory frameworks (Young, 2014). Malaysia exhibits mixed performance across four areas of compliance, showing formal adherence but demonstrating limited tangible progress. For example, tariff reductions and positive-list commitments are implemented, but non-tariff measures such as licensing, customs procedures, and SPS standards are inconsistently enforced (Rahman, 2020). This partial compliance obstructs the broader goals of the D-8 PTA to foster trade liberalisation and regional economic integration.

Therefore, concerning RO3, it can be concluded that Malaysia has not fully met its compliance goals. Relying on facilitation, weak institutional coordination, and selective enforcement of PTA obligations suggest that Malaysia still needs to establish a comprehensive, autonomous, and sustainable compliance system. While Malaysia demonstrates some intent and partial fulfilment of its responsibilities, true compliance requires deeper institutional reforms, capacity-building, and continuous policy alignment with the D-8 PTA's principles.

In Table 6.3: Compliance Analysis, the calculation used a percentage distribution method. The number of coded responses for each compliance dimension (RES = Responsiveness, DEC = Decision-Making, COR = Coordination, FAC = Facilitation) was divided by the total coded responses for Malaysia (n=8). For instance, the FAC (Facilitation) dimension received 5 responses out of 8, equaling 62.5%, while the other three dimensions (RES, DEC, COR) each had 1 response, accounting for 12.5% respectively. This proportional approach provides a clear comparison of which compliance dimensions were most prominent in Malaysia's negotiation and implementation practices.

This method is essential because it transforms qualitative interviews into quantifiable indicators, aiding organised thematic analysis (Miles, Huberman, & Saldaña, 2014). By deriving percentages, researchers can identify which compliance areas receive greater institutional attention, thereby improving the validity and reliability of qualitative findings (Creswell & Plano Clark, 2018). Moreover, using a frequency-percentage approach in qualitative research is a well-recognised technique for identifying patterns and assessing the importance of themes in policy analysis (Braun & Clarke, 2019).

Table 6.3: Compliance Analysis

	Main Theme (COM)	**%**	**Dimension RES**	**%**	**Dimension DEC**	**%**	**Dimension COR**	**%**	**Dimension FAC**	**%**
Malaysia	**8**	**100**	**1**	**12.5**	**1**	**12.5**	**1**	**12.5**	**5**	**62.5**

Table 6.3 shows that Malaysia's adherence to the D-8 PTA is mainly driven by the Facilitation (FAC) dimension, which makes up 62.5% of the responses. This suggests that Malaysia prioritises creating enabling mechanisms, fostering institutional coordination, and facilitating policies to ensure compliance. In contrast, Responsiveness (RES), Decision-Making (DEC), and Coordination (COR), each at 12.5%, are less emphasised, highlighting their secondary importance. These findings

imply that Malaysia's compliance strategy primarily concentrates on administrative efficiency and procedural facilitation, aligning with its broader national trade governance policies (Rahim, 2021; Zainal, 2020).

Table 6.3 data were collected via semi-structured elite interviews with policymakers, trade officials, and ministry representatives, supplemented by an analysis of Malaysia's trade policy reports, negotiation records, and official D-8 PTA documents. This dual-source approach enhances data triangulation, thereby increasing the credibility of the qualitative findings (Yin, 2018).

6.3.1. Result and Discussion: Main Theme Implementation and Outcomes

Upholding the Preferential Trade Agreement (PTA) is crucial for the credibility and success of the D-8 framework worldwide. As a member and signatory, Malaysia is specifically responsible for ensuring compliance at the national level. In line with RO3, which examines Malaysia's fulfilment of D-8 PTA obligations, this section reviews Malaysia's duties, accomplishments, and challenges in meeting these commitments.

The D-8 PTA aims to enhance trade and economic cooperation among member nations by cutting tariffs and removing trade barriers. For Malaysia, reaching these goals involves both legal reforms and practical steps. The country must update its laws and trade policies to meet the PTA's standards, particularly regarding tariff reductions and non-tariff barriers. Research indicates that for developing nations, the main obstacle in fulfilling PTA demands is often legal and institutional coordination, as they find it difficult to harmonise their domestic laws with regional commitments (Shaffer & Pollack, 2010).

Second, Malaysia needs to implement PTA provisions by supervising tariff cuts and clearing technical and non-tariff barriers. This requires not only legal changes but also strengthening institutional capacity to ensure regulation enforcement across different industries. As Guzman (2002) notes, adherence to international agreements heavily depends on strong domestic enforcement and monitoring mechanisms.

Thirdly, Malaysia must enhance its oversight and monitoring capabilities to ensure business actors adhere to trade regulations. Without regular supervision and audits, compliance may become inconsistent and biased. Additionally, the government should support the industrial sector by offering financial assistance, training, and technology transfer to help firms adjust to liberalisation measures. Research shows that inadequate adaptation in industries often leads to lobbying efforts, which can weaken compliance with trade commitments (Shadlen, 2005).

Fourthly, compliance involves working with key stakeholders such as trade organisations, business associations, and academic institutions to build awareness and foster shared responsibility for PTA commitments. This aligns with Abbott et al.'s (2000) concept of "legalization," which suggests that compliance is more effective when obligations are internalised by both government and non-government entities.

The benefits of compliance are evident. By meeting its obligations, Malaysia can boost economic growth via increased intra-D-8 trade, create more jobs, and foster stronger diplomatic and economic ties within the D-8. Additionally, compliance improves market access for Malaysian exporters, allowing for greater integration into regional and global supply chains.

Malaysia faces challenges that hinder full compliance, including the need to adapt domestic industries to rising competition, handle enforcement pressures from other member states, and resolve technical trade issues like standardisation and certification. Rahman (2020) highlights that developing countries often struggle with PTA compliance because of limited institutional capacity and a reliance on facilitation support instead of implementing proactive legal reforms.

Malaysia shows partial compliance by making formal commitments, implementing institutional reforms, and adjusting tariffs. However, its approach remains incomplete and relies heavily on facilitation. The evidence indicates that

Malaysia has not fully met RO3, as true compliance requires more robust institutional mechanisms, broader stakeholder engagement, and independent enforcement without external help.

6.3.2. Result and Discussion Objective Three (Dimensions)

Malaysia’s involvement in the Developing-8 Preferential Trade Agreement (D-8 PTA) requires a strong compliance framework to protect national interests while meeting international obligations. To evaluate Malaysia’s strategy, four key compliance areas—Responsibility (RES), Decision-making (DEC), Coordination (COR), and Facilitation (FAC)—offer an analytical perspective showing how Malaysia has institutionalised its commitments under the PTA. Together, these areas reveal that Malaysia’s compliance systems are not just procedural but also strategically integrated into wider trade governance.

- **Dimension 1: Responsibility (RES – 12.5%)**

Malaysia’s reporting practices to the Higher-Level Trade Officials (HLTO) Committee, managed through the Supervisory Committee, demonstrate a sense of responsibility, with a 12.5% accountability threshold. The country’s prompt submission of compliance reports to the Secretariat shows a proactive approach to meeting international obligations. This behaviour exemplifies' rule-consistent compliance, ' where member states match their domestic practices to institutional standards (Chayes & Chayes, 1993). By submitting reports early, Malaysia enhances its institutional credibility and lowers the risk of reputational damage in international trade relations (Abbott & Snidal, 2000). This proactive accountability supports RO3 by showcasing Malaysia’s commitment to embedding compliance as a key aspect of responsibility.

- **Dimension 2: Decision-Making (DEC – 12.5%)**

Decision-making in compliance, weighted at 12.5%, highlights Malaysia's ability to implement policies that fulfil D-8 PTA obligations. Through collaboration between agencies—particularly the Ministry of International Trade and Industry (MITI) and the Customs Department—Malaysia carries out integrated evaluations to modify the Rules of Origin (RoO) and tariff commitments. This reflects the "domestic ratification of international trade commitments," where governments turn supranational agreements into enforceable national trade measures (Malamud & Schmitter, 2011). By ensuring that decisions on tariff reductions and RoO adjustments involve stakeholders, Malaysia minimises resistance from domestic industries while sustaining strong demand for its exports. Therefore, DEC illustrates how Malaysia balances national economic priorities with international standards.

- **Dimension 3: Coordination (COR – 12.5%)**

Malaysia adopts a systematic and organised approach to coordinate compliance initiatives across different institutions. MITI, together with HLTO, carries out thorough analyses and inspections of PTA provisions, focusing on trade facilitation and tariff liberalization. The Supervisory Committee acts as a central body to ensure consistency, embodying the' whole-of-government approach" in trade governance (Woolcock, 2012). This effective coordination minimises duplication, enhances policy coherence, and aligns Malaysia's practices with D-8 Secretariat standards. It also supports RO3 by demonstrating how Malaysia institutionalizes compliance through deliberate, coordinated efforts rather than casual or ad hoc decisions.

- **Dimension 4: Facilitation (FAC – 62.5%)**

Facilitation, accounting for 62.5% of Malaysia's compliance approach, stands out as its most prominent dimension. Malaysia has shown leadership by suggesting amendments to regulations in response to shifting Rules of Origin (RoO) and tariff frameworks. This demonstrates adaptive compliance, where countries not only meet their obligations but also help shape them (Tallberg, 2002). Malaysia's extensive involvement in regional and multilateral agreements such as ASEAN, CPTPP, and RCEP further boosts its compliance credibility. This experience provides Malaysia with the institutional capacity to modify national regulations, synchronise tariff schedules, and pursue proactive facilitation strategies. As a result, Malaysia maintains compliance and enhances its trade competitiveness.

The four dimensions—RES, DEC, COR, and FAC—reveal that Malaysia's compliance strategy is multi-faceted and rooted in institutional practices. Responsibility signifies accountability; decision-making shows how obligations are executed locally; coordination ensures policy consistency; and facilitation emphasises flexibility and proactive compliance. These mechanisms collectively depict Malaysia's institutionalised compliance system, supporting the fulfilment of D-8 PTA commitments and enhancing Malaysia's credibility within broader trade frameworks.

Malaysia's D-8 PTA compliance balances international obligations and domestic interests. Through responsibility, decision-making, coordination, and facilitation, it ensures procedural adherence and policy coherence. This fulfills RO3 and positions Malaysia as a credible regional and multilateral trade actor. The approach shows compliance as an active trade governance and diplomacy strategy.

6.4. Conceptual and Theoretical Framework

6.4.1 Principal–Agent Theory (Major Theory)

Applying Principal–Agent (P–A) Theory provides a crucial analytical framework for understanding Malaysia's role in the D-8 Preferential Trade Agreement (PTA). These trade agreements are more than just economic arrangements; they serve as governance structures where political principals, such as member states, delegate authority to technical agents like the D-8 Secretariat, NRAs, and domestic agencies. Delegation is necessary because of the specialised skills required for trade negotiations, customs regulation, and rules of origin enforcement (Jensen & Meckling, 1976; Moe, 1984). The theory highlights two key issues: (i) information asymmetry, where agents possess more technical knowledge than principals, and (ii) monitoring challenges, because principals must oversee agents to ensure they follow agreed trade priorities.

In Malaysia, this theory illustrates how efficiency, sovereignty, and compliance are balanced. Ross (1973) proposed that issues like incomplete information and differing risk preferences diminish institutional efficiency, which is observable in the D-8, where member states have varying capacities and priorities. Additionally, Alchian and Demsetz (1972) and Williamson (1975) argued that structured organisational setups, such as the D-8 Secretariat, are more effective than market mechanisms because they lower monitoring costs. In the PTA, this is exemplified by the Secretariat's authority to resolve technical disputes and simplify procedures without constant renegotiation. This framework clarifies why Malaysia needs to carefully design delegation and monitoring systems that enable NRAs and the Secretariat to perform effectively while safeguarding national interests.

6.4.2. National Regulatory Authorities (NRA) Concept (Sub-Theory 1)

NRAs implement the P–A relationship as Malaysia's domestic representatives in trade governance. Agencies like MITI, the Royal Malaysian Customs Department, and Standards Malaysia oversee tariff concessions, rules of origin, and non-tariff measures under the D-8 PTA. According to P-A theory, NRAs help reduce information asymmetry by leveraging their technical expertise in negotiation, monitoring, and ensuring compliance (Moe, 1984).

Historically, NRAs had near-monopoly authority in trade regulation. However, under **liberalisation and multilateral commitments**, their role has shifted to one of coordination between **domestic priorities and regional obligations** (Armstrong, Cowan, & Vickers, 1995). This creates a dual accountability problem: NRAs must satisfy both **domestic principals** (political leadership) and **regional principals** (D-8 institutions). Alchian and Demsetz's (1972) insight into the importance of credible monitoring authorities is relevant here: NRAs must simultaneously regulate domestic industries, prevent unlawful trade practices, and coordinate with **WTO and WCO** guidelines to maintain credibility.

In Malaysia, NRAs serve not only as regulators but also as negotiators, managing the tension between protectionist pressures from local industries and commitments to trade liberalisation under the PTA. The gradual decline of absolute sovereignty in liberalised trade (Baldwin, 2016) highlights the importance of P–A theory: it clarifies how Malaysia creates delegation frameworks, oversees NRAs, and aligns incentives to prevent regulatory capture or shirking from weakening the PTA.

6.4.3. Theory of Compliance (Sub-Theory 2)

While P–A theory explains delegation and monitoring, the Theory of Compliance (Chayes & Chayes, 1995) focuses on why and how states follow their obligations. It suggests that non-compliance usually results not from deliberate violations but from issues like ambiguous treaty language, limited technical skills, and challenges with timely implementation.

These issues are especially significant for the D-8 PTA, where member states encounter varying interpretations of rules of origin, uneven progress in customs modernisation, and gaps in aligning domestic laws with regional commitments. Chayes and Chayes (1995) suggest that fostering compliance depends more on building institutional capacity and encouraging cooperative problem-solving than on strict enforcement.

In Malaysia, compliance is institutionalised via MITI, Customs, and Standards Malaysia, serving as the enforcement and reporting entities for the agreement. Martin and Simmons (1998) emphasise that compliance behaviour is influenced by wider legal and institutional contexts. Consequently, Malaysia's commitments under the PTA are embedded within international bodies such as the WTO and WCO, which strengthen adherence through both reputational and legal considerations.

Additionally, the treaty structure of the D-8 PTA—with phased implementation, special and differential treatment, and opt-out clauses—reflects Koremenos's (2005) view that flexible institutional design enhances compliance. For Malaysia, this flexibility provides policy space to safeguard domestic industries while meeting liberalisation commitments.

Ultimately, the compliance theory offers a legal-institutional perspective to assess Malaysia's ability to enhance its institutional infrastructure, clarify and enforce treaty obligations, and participate in cooperative monitoring and dispute resolution.

Using compliance theory, it is evident that Malaysia's support for the D-8 PTA goes beyond mere legal duty; it also involves maintaining its credibility, reputation, and efficiency in regional and global trade.

6.4.4. Draft of Malaysia D-8 PTA Conceptual and Theoretical Policy Framework

The "Draft Negotiations Process on Principal–Agent (P-A) Theory of the D-8 PTA Framework", shown in Figure 6.2, marks an important phase in analysing how trade policies are developed and negotiated. This framework is not just an abstract theory but a practical application of the P-A theory, aimed at guiding interactions at both national and supranational levels within the D-8 Preferential Trade Agreement (PTA). By combining key insights from Alchian and Demsetz (1972) on organizational authority, Pollack (1994, 1997) on delegation in international bodies, Majone (1996) on regulatory governance, and Chayes and Chayes (1995) on compliance, the framework addresses the institutional and political complexities of regional trade negotiations. Including Pollack’s (1997) idea of National Regulatory Authorities (NRAs) helps explain how domestic agencies work with international commitments, balancing compliance with sovereignty.

The framework is fundamentally built around four key dimensions—Power (P), Delegation (D), Accountability (Ac), and Control (C). These help analyse how authority is allocated, exercised, and overseen between principals (like national governments and the D-8 Secretariat) and agents (such as ministries, customs, and regulatory bodies). At the national level, institutions like Malaysia’s Ministry of International Trade and Industry (MITI) play a vital role as agents, translating broad political goals into technical negotiation strategies. Their function extends beyond mere legal or procedural compliance; these ministries also promote participatory processes—like town hall meetings with industry stakeholders—that bolster the inclusiveness and legitimacy of the PTA. This aligns with Majone’s (1996) view that transparent and participatory governance practices build regulatory credibility.

The negotiation process then advances to the supranational level, under the leadership of the D-8 Secretariat, where intergovernmental bargaining transpires. Within this context, the involvement of national Higher-Level Trade Officials (HLTOs) alongside supranational representatives exemplifies Pollack’s (1997) concepts pertaining to delegation and accountability within multilateral governance. Critical challenges, such as information asymmetries and diverse technical capacities among member states, are effectively addressed through structured reporting, monitoring, and peer review systems. The integration of WTO-compatible provisions—such as trade facilitation measures, customs procedures, and regulations concerning non-tariff barriers—further aligns the D-8 Preferential Trade Agreement (PTA) with international trade governance frameworks (Hoekman & Kostecki, 2009).

This dual-level negotiation highlights the core tension between national sovereignty and supranational oversight—a key issue in principal–agent relationships (Hawkins, Lake, Nielson, & Tierney, 2006). National trade authorities need to carefully weigh domestic political factors, like protectionist pressures or sensitive sectoral exemptions, against the D-8's overall liberalisation aims. Through repeated cycles of feedback, accountability, and renegotiation, the framework helps ensure policies are both legally binding and politically sustainable within member states.

Figure 6.1 further illustrates the connection between theory and practice by providing a clear and practical framework to support D-8 PTA negotiations. The draft framework shows that combining P-A theory with compliance theory (Chayes & Chayes, 1995) and the NRA concept (Pollack, 1997) creates a strong foundation for analysing multilateral trade governance. This approach improves delegation, promotes accountability, minimises compliance gaps, and builds domestic legitimacy and regional trust. Ultimately, it offers a strategic plan to enhance policy consistency, institutional credibility, and long-term trade integration within the D-8 group.

National Level Negotiation

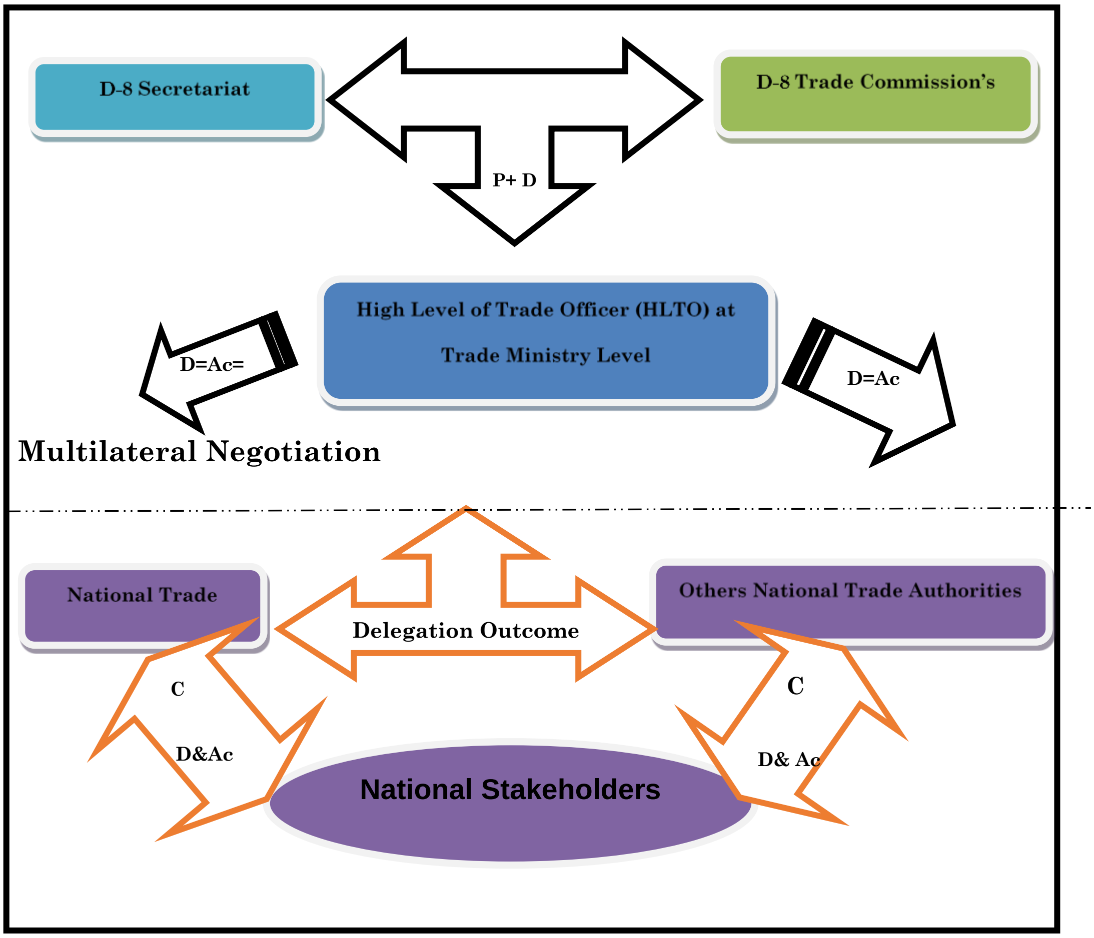


Figure 6.1. Draft Flowchart of Negotiations Process of Principal- Agent Theory In D-8 PTA Framework

Sources: The researcher's illustration and observation based on Lenaerts (1993), Majone (1996, 1999), Pollack (1994, 1997) and Dehousse (2001)

Sign: P=Power D=Delegate Ac=Accountability C= Control

Figure 6.2 illustrates the "Draft of the D-8 PTA Conceptual and Theoretical Policy Framework," which systematically combines the negotiation and implementation processes using Principal–Agent (P-A) theory, National Regulatory Authorities (NRAs), and compliance theory. The framework is organised into five phases (Phases 1–5), showing how delegation, accountability, and compliance mechanisms operate at both the national and intergovernmental levels.

In Phase 1, agencies and stakeholders interact directly through consultative mechanisms, such as town hall sessions facilitated by the national focal point (e.g., MITI in Malaysia), to address sectoral needs, including trade facilitation, export protection, and domestic industry constraints. National Regulatory Authorities (NRAs) serve as mediators between principals (decision-makers) and agents (stakeholders), ensuring that the negotiation processes accurately reflect the realities of the trading environment (Pollack, 1997).

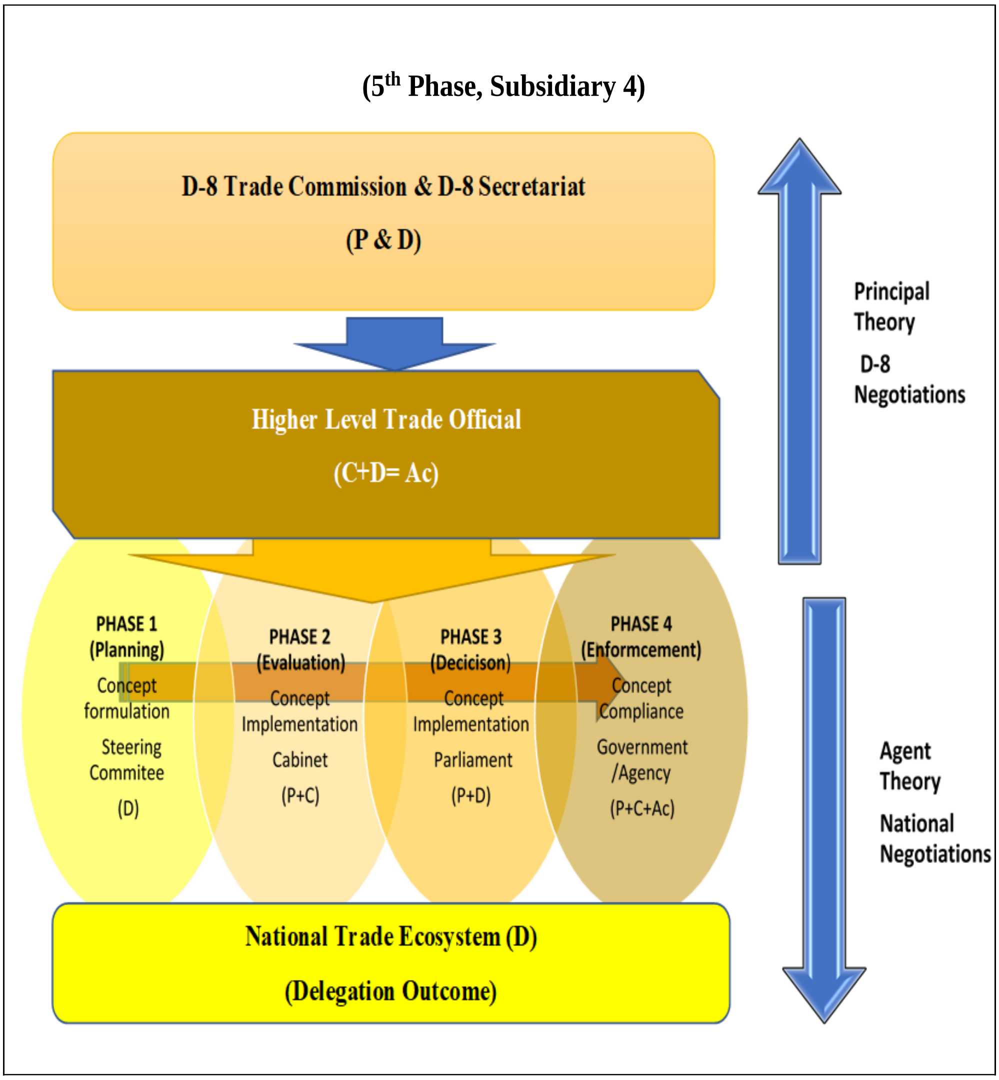
Phase 2 consolidates stakeholder feedback into preliminary trade policy documents, emphasizing tariff schedules, customs facilitation, and non-tariff measures. National Regulatory Authorities (NRAs) ensure that the protection of domestic industries is balanced with commitments under the World Trade Organization (WTO). As Majone (1996) emphasizes, NRAs function as independent and credible institutions that uphold regulatory integrity and enforce compliance within multilateral frameworks.

In Phase 3, draft policies move to ministerial and cabinet approval, with NRAs helping to incorporate compliance standards into trade policy. Compliance theory highlights this stage, as Chayes and Chayes (1995) emphasize that effective compliance depends on more than just legal enforcement; it also requires institutional trust and active monitoring. Key mechanisms like enforcing "Rules of Origin" and customs procedures are prioritized to reduce disputes and protect export competitiveness.

Phase 4 focuses on enforcement and industry-wide compliance. NRAs organize capacity-building and training initiatives for trade enforcers and industry participants, enhancing institutional capabilities and promoting collaborative compliance (Chayes & Chayes, 1995).

Finally, Phase 5 elevates the framework to the D-8 Secretariat and intergovernmental negotiation stage. At this level, High-Level Trade Officials (HLTOs) act as principals overseeing tariff harmonisation, quota setting, and customs facilitation. Delegation (D), accountability (Ac), and control (C)—the core principles of P-A theory (Alchian & Demsetz, 1972; Pollack, 1997)—are crucial for ensuring fairness, transparency, and the prevention of institutional capture.

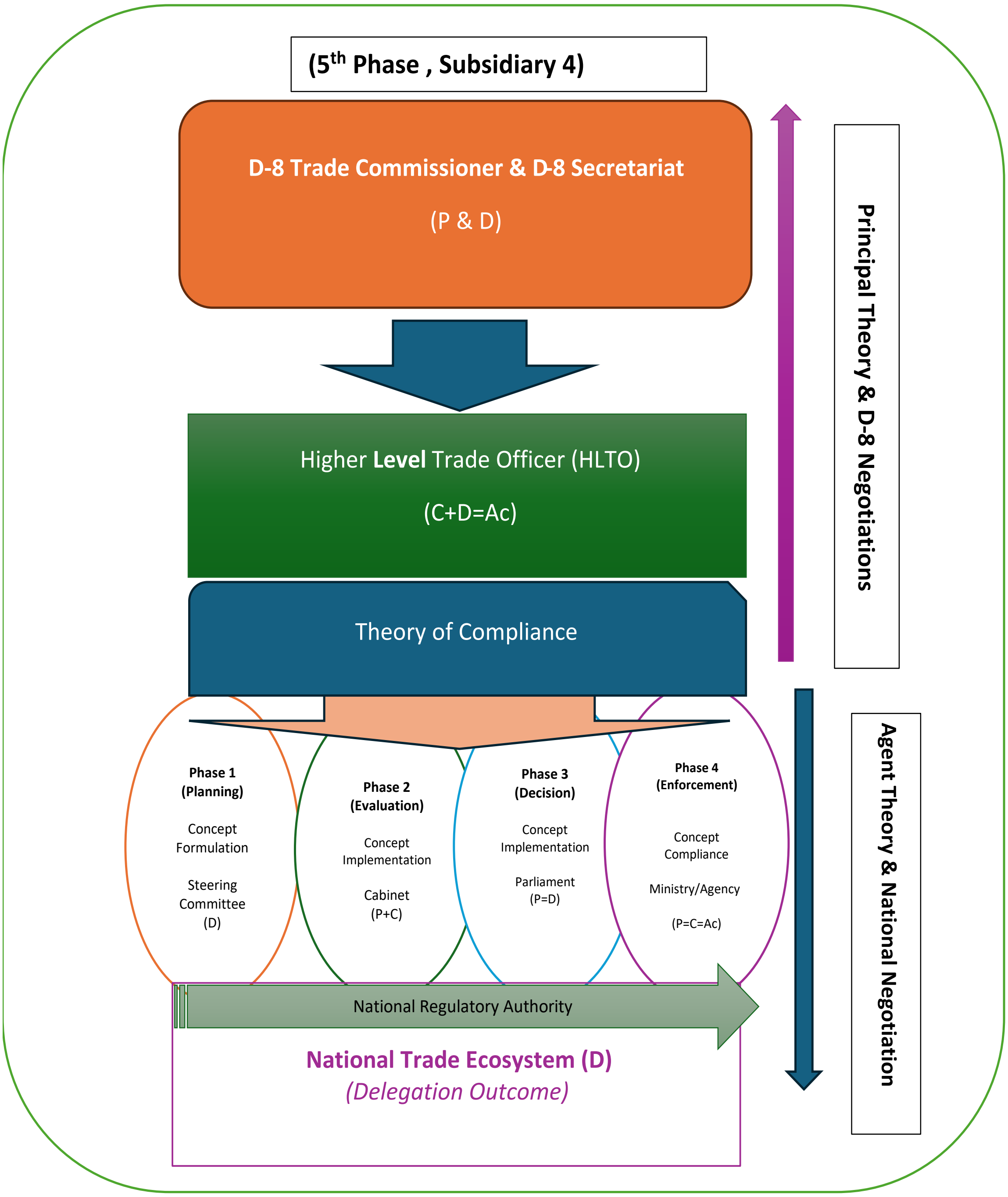
This phased structure indicates that the D-8 PTA surpasses a traditional trade agreement, developing into an institutionalized framework of negotiation, compliance, and enforcement. The integration of P-A theory (Alchian & Demsetz, 1972; Pollack, 1997), NRA theory (Majone, 1996), and compliance theory (Chayes & Chayes, 1995) offers a solid conceptual basis for understanding how Malaysia's trade policy transitions from national-level articulation to multilateral agreements. Furthermore, Malaysia's systematic reliance on delegation and accountability exemplifies how negotiation credibility can be augmented, informational asymmetries mitigated, and trade governance reinforced within the D-8 framework.



Sign: P=Power D=Delegate Ac=Accountability C= Control

Figure 6.2.: Draft of D-8 PTA conceptual and theoretical policy framework

Sources: The researcher's illustration and observation are based on literature from Salamat et al. (2012), Lenaerts (1993), Majone (1996, 1999) and Pollack (1994, 1997).



Sign: P=Power D=Delegate Ac=Accountability C=Control

Figure 6.3: The National D-8 PTA Conceptual and Theoretical Policy Framework

Sources: The researcher's illustrations and observations are based on literature from Lenaerts (1993), Majone (1996, 1999), and Pollack (1994, 1997).

6.6. Theoretical Findings Towards the National D-8 PTA Conceptual and Theoretical Policy Framework

Referring to figure 6.3, which depicts the national-level framework of the D-8, the primary stakeholders include trade officers from the Ministry of International Trade and Industry (MITI). These officials serve as intermediaries between domestic stakeholders, such as traders and entrepreneurs involved in import and export activities. To support this function, MITI representatives regularly organize town hall sessions and strategic consultations to deliver comprehensive explanations concerning both the national Preferential Trade Agreement (PTA) and the D-8 PTA. This initiative aims to promote transparency and to enhance the understanding of policy implications and enforcement mechanisms among domestic traders (Rahman & Md Yusof, 2022; Trommer, 2017).

Initially, information is shared carefully, particularly about trade incentives and the advantages of the national PTA. The process is complex, involving bilateral negotiations that need to be credible and backed by all stakeholders. The National Regulatory Authority (NRA) is vital in ensuring effective compliance measures, which allows the full use of the incentives under the D-8 PTA (Baccini & Urpelainen, 2014).

The NRA also guarantees that traders assist in coordinating the offer list and ensure that like products are approved by the Higher Level Trade Officials (HLTO) for specific goods. This constitutes Phase 1: Formulation (FOR), where the policy is developed with the active participation of a Steering Committee responsible for overseeing the National Trade Ecosystem domestically. This approach reflects the NRA’s focus on integrity and ethical governance in national trade policy (Elkins, Guzman, & Simmons, 2006).

In Phase 2, Implementation (IMP) focuses on executing the national PTA, aiming to protect traders from unfair practices like dumping, IPR violations, or hidden tariffs. This stage highlights the importance of Compliance Theory, which explains how strong compliance frameworks motivate traders to follow regulations during trade operations, such as customs clearance at border points (Chayes & Chayes, 1993).

During Phase 3, Compliance (COM), adherence extends beyond mere technical compliance and necessitates active engagement from decision-makers within Parliament and the Cabinet. This approach guarantees that the national PTA aligns with the overarching National Trade Policy (NTP). Principal-Agent Theory offers valuable explanatory insights: HLTOs function as principals, whereas domestic implementing agencies act as agents. HLTOs are responsible for oversight, delegating information, and maintaining accountability, thereby protecting Malaysia’s economic sovereignty (Hawkins, Lake, Nielson, & Tierney, 2006).

Moreover, Phase 4 concerning Enforcement (ENF) emphasises the enforcement procedure through negotiations involving HLTOs, Trade Commissioners, and other D-8 representatives. These negotiations are generally coordinated by the D-8 Secretariat in Istanbul to ensure the consistent observance of the provisions of the D-8 PTA by all member states. Once again, Principal-Agent Theory underpins this stage by balancing delegated authority with rigorous oversight, while Compliance Theory lends legitimacy to enforcement endeavours (Kiewiet & McCubbins, 1991).

Finally, Phase 5 illustrates how Principal-Agent Theory, the NRA framework, and Compliance Theory are combined into a unified governance model. Malaysia distinguishes itself by effectively applying this theory-based framework in regional and global trade negotiations. Its success stems from systematically merging formulation (FOR), implementation (IMP), compliance (COM), and enforcement (ENF). This strategy makes Malaysia a benchmark for PTA governance among developing nations, especially within the D-8 framework (Jain, Khanna, & Kumar, 2021; Rahman, 2021).

6.6.1 D-8 PTA Framework at the National Level

The enforcement of Malaysia's D-8 Preferential Trade Agreement (PTA) should be viewed within a comprehensive policy framework that covers formulation, implementation, compliance, and enforcement stages. Each phase is crucial for shaping Malaysia's trade governance under the D-8. To enhance understanding, these stages can be analysed using Principal–Agent Theory, the role of National Regulatory Authorities (NRAs), and the Theory of Compliance, offering valuable insights into negotiation complexities, regulatory design, and stakeholder behavior in international trade policy.

The process of negotiating and implementing the D-8 Preferential Trade Agreement (PTA) in Malaysia can be systematically examined using the concepts of formulation, implementation, compliance, and enforcement. These four elements, rooted in well-established policy and governance theories, provide a structured perspective on Malaysia's trade policy activities and also reveal the challenges and strategies used to protect national interests during regional economic cooperation. This subsection, as shown in Figure 6.1, explains how each phase is developed and its role within the overall framework.

i. Phase 1: Formulation (LR Formulation)

Policy formulation is the stage where Malaysia develops its national trade strategy within the D-8 framework. Hogwood and Gunn (1984) highlight that this process involves setting objectives, exploring viable options, and ensuring strategies align with wider economic and political goals. For the D-8 PTA, Malaysia needs to balance lowering tariff and non-tariff barriers with safeguarding sensitive domestic sectors like agriculture, fisheries, and SMEs.

Scholars like Sabatier and Jenkins-Smith (1993) suggest that policy formulation is influenced by policy subsystems and advocacy coalitions. In Malaysia, the Ministry of International Trade and Industry (MITI) works with domestic stakeholders such as exporters, chambers of commerce, and industrial associations to develop national positions for D-8 negotiations. This phase is vital because weak formulation can result in ineffective later policy steps. At the national level, MITI trade officers serve as liaisons between the government and domestic actors, including traders and entrepreneurs involved in import and export activities. MITI hosts townhall meetings and consultations to transparently explain the details of the National PTA and the D-8 PTA, covering incentives and enforcement implications. Nonetheless, this process is complex, as it involves convincing stakeholders through bilateral negotiations.

In this context, the NRA's role is to certify compliance to ensure that incentives effectively reach traders. The offer list and similar products endorsed by the HLTO enable the harmonious trading of selected goods. Consequently, a Steering Committee is formed to oversee the management of the National Trade Ecosystem, ensuring it operates in a structured way under national agency oversight, following NRA principles.

During the formulation stage, the process of setting the agenda and developing offers- such as product lists- relies on issue recognition and coalition-building mechanisms. Kingdon (1984) emphasises the significance of policy windows and the role of policy entrepreneurs in bringing issues into the public eye. Sabatier and Jenkins-Smith (1993), via the Advocacy Coalition Framework (ACF), explain that stakeholder coalitions (including MITI, domestic traders, HLTO) form policy beliefs that influence long-term negotiation strategies. Therefore, establishing a Steering Committee and holding MITI's townhall sessions to involve traders align with Kingdon's and ACF's theories, facilitating consensus-building and policy legitimacy. Early engagement with domestic stakeholders has been shown to decrease conflicts during international negotiations and improve the effectiveness of technical proposals.

The formulation stage is the initial phase where trade policy objectives are defined, strategies are developed, and Malaysia's negotiating stance is shaped. Hogwood and Gunn (1984) describe policy formulation as the "blueprint" of decision-making, highlighting that clear objectives are essential for subsequent stages. In the context of D-8, the Ministry of International Trade and Industry (MITI) serves as the main authority, responsible for representing Malaysia's national interests, while trade negotiators and bureaucratic bodies act as agents to implement policy decisions.

Principal–Agent Theory (Jensen & Meckling, 1976; Hawkins et al., 2006) highlights the issue of information asymmetry that occurs during this process. While MITI sets the strategic goals such as tariff reduction, non-tariff barrier management, and export facilitation, negotiators (agents) may not always perfectly align with these priorities due to conflicting interests, limited rationality, or pressure from external stakeholders. To minimise agency slack, Malaysia frequently holds stakeholder consultations and town hall meetings, ensuring the interests of exporters, domestic traders, and industry associations are considered during the formulation stage (Elgie, 2002). Therefore, the development of the D-8 PTA embodies a careful balance between top-down directives and bottom-up participation, within the framework of the principal–agent relationship.

ii. Phase 2: Implementation (IMP)

The implementation stage involves putting formulated policies into action through bureaucratic agencies and institutional structures. Pressman and Wildavsky (1984) note that implementation is inherently complex because it involves multiple stakeholders and levels of authority. In Malaysia, MITI serves as the main agency, supported by bodies like the Royal Malaysian Customs Department and the Ministry of Finance.

Implementing the D-8 PTA involves establishing technical systems like tariff schedules, rules of origin (RoO), and customs cooperation. Lipsky’s (1980) concept of “street-level bureaucrats” highlights the crucial role of frontline officials, including customs officers, in interpreting and enforcing PTA provisions in practice. In Malaysia, effective implementation guarantees that preferential tariffs are applied uniformly and fairly, preserving the agreement's integrity.

This phase focuses on policy implementation, ensuring traders experience no problems or losses. It reinforces the role of national agencies to shield traders from issues like dumping, violations of intellectual property rights, trade oppression, and other strategic risks. Additionally, Compliance Theory is introduced at this stage to promote consistent enforcement.

The key question is “who needs to comply?"—that is, domestic traders responsible for honest trade, avoiding fraud and smuggling during customs clearance. NRA theory again underscores the importance of fully implementing the National PTA.

Implementing policies requires careful attention to clearance points, the chain of implementation, and the roles of bureaucrats at the ground level. Pressman and Wildavsky (1973) suggest that policy failures often stem from lengthy and complicated implementation chains. Matland (1995) presents the ambiguity–conflict model, which explains how implementation outcomes depend on the levels of clarity and conflict. Lipsky (1980) highlights the influence of street-level bureaucrats, such as customs officers, who make practical decisions during customs clearance. Studies on policy implementation show that managing critical clearance points, fostering two-way communication, and training officers involved can decrease policy failures and prevent incentive misuse.

The implementation phase involves turning negotiated commitments into actual regulatory and administrative systems. According to Pressman and Wildavsky (1984), this stage is often the most difficult because it requires converting abstract policies into concrete results. In Malaysia, this task is shared among various NRAs, including MITI, the Royal Malaysian Customs Department, and other trade facilitation agencies. These bodies ensure compliance with tariff schedules, rules of origin (RoO), and customs procedures under the D-8 PTA.

NRAs serve a dual purpose: facilitating trade and overseeing regulatory standards. As Majone (1997) describes, regulatory authorities function as the "credible commitments" that maintain policy stability amid political shifts. Within the D-8 context, NRAs act as bridges between Malaysia's international obligations and domestic stakeholders who must comply. For instance, the National Trade Facilitation Committee coordinates between agencies, promoting harmonisation of customs procedures with international trade commitments. However, bureaucratic fragmentation and agency overlaps pose challenges, potentially reducing the effectiveness of implementation (Levi-Faur, 2011). Consequently, the success of Malaysia's NRAs in executing the D-8 PTA directly impacts the credibility of its trade policy commitments.

iii. Phase 3: Compliance (COM)

Compliance is crucial for making sure stakeholders meet the obligations outlined in the PTA. Young (1979) and Chayes and Chayes (1993) propose that international agreement compliance relies on both capacity and willingness. For Malaysia, this means ensuring that domestic exporters, importers, and logistics companies adhere to trade documentation, rules of origin, and sanitary and phytosanitary (SPS) standards.

Compliance depends not only on legal obligations but also on incentives. Keohane, Moravcsik, and Slaughter (2000) suggest that states follow international rules when doing so benefits them domestically, such as gaining market access, enhancing competitiveness, and maintaining credibility. Therefore, Malaysia should raise awareness among local businesses, offer training on D-8 PTA requirements, and invest in institutional capacity to prevent trade disputes or sanctions within the D-8 framework.

The success of the National PTA also relies on clear approval from Parliament and the Cabinet. Their support allows the National PTA to be aligned systematically with the National Trade Policy. At this point, Compliance Theory states that the main international actor, the Principal (HLTO), must coordinate instructions to national agencies, ensuring trade incentives and policies are transparent for traders. HLTO performs three essential roles: Control, Delegation, and Accountability, to safeguard national economic sovereignty.

Compliance theory examines why actors follow policies. Tyler (2006) highlights that procedural justice—fairness and transparency—boosts voluntary compliance. Braithwaite (2002) introduces responsive regulation, which involves graduated oversight based on compliance levels. Chayes and Chayes (1995) suggest that adherence to international agreements is driven not only by sanctions but also by legitimacy and cooperation. For the National PTA, compliance means traders must ensure goods are free from fraud or smuggling during customs clearance. This approach is effective only if regulatory agencies (NRA) maintain consistent integrity and oversight. Combining procedural fairness with responsive enforcement leads to higher compliance than solely punitive strategies.

The success of the D-8 PTA heavily depends on how well domestic and international stakeholders follow the agreed rules and regulations. Young (1979) notes that compliance involves both the willingness and ability of actors to follow norms.

Chayes and Chayes (1993) add that most failures to comply are not due to intentional defiance but often result from capacity issues, unclear rules, or insufficient resources.

In Malaysia, compliance occurs in two main areas: (1) domestic traders and exporters follow rules of origin, tariff classifications, and customs declarations; and (2) government institutions meet Malaysia's commitments to its D-8 partners. The Theory of Compliance indicates that actors are motivated by incentives, sanctions, and reputational costs to adhere to rules (Simmons, 1998). For local stakeholders, promoting compliance can involve capacity-building workshops, streamlined customs processes, and digital trade platforms. At the national level, Malaysia's reliability as a trading partner in the D-8 depends on its ongoing compliance, which builds mutual trust and strengthens economic cooperation.

Non-compliance can lead to serious consequences. For example, if domestic traders do not adhere to rules of origin, it may cause disputes, trade penalties, or suspension of preferential tariffs. This highlights the need to incorporate compliance into both legal frameworks and institutional procedures.

iv. Phase 4: Harmonisation & Negotiation

At this point, the HLTO starts negotiations with D-8 member states by coordinating information, policies, and priorities. It encounters significant challenges because each D-8 PTA trade policy must align with the National PTA. Any updates to trade policies and laws need careful review to avoid negatively affecting national interests.

The Principal–Agent Theory (Eisenhardt, 1989) explains the interaction between HLTO (acting as the Principal internationally) and national agencies (as Agents). It emphasises the importance of control mechanisms, information sharing, and accountability to reduce moral hazard and information asymmetry during PTA negotiations. Majone (1997) also highlights the significance of independent regulatory bodies, such as national regulatory authorities (NRAS), in ensuring consistent policy harmonisation at both national and international levels. Countries that implement clear delegation procedures, maintain ongoing oversight, and have autonomous regulatory agencies tend to better safeguard their domestic interests in trade negotiations.

v. Phase 5: Enforcement (ENF)

Enforcement constitutes the authoritative aspect of trade policy. Abbott and Snidal (2000) stress that in the absence of credible enforcement mechanisms, compliance may become voluntary and ineffective. In the case of Malaysia, enforcement operates on two levels: (1) domestic enforcement, with agencies such as MITI and Customs ensuring that businesses comply with the provisions of the PTA, and (2) international enforcement, wherein Malaysia engages in D-8 dispute settlement processes to safeguard its interests.

Enforcement also pertains to safeguarding Malaysia's sovereignty and economic security. Mitchell (1994) observes that robust enforcement mechanisms bolster credibility, discourage non-compliance, and sustain trust among signatories. Malaysia's implementation of the D-8 PTA ensures that preferential treatment is not abused through practices such as trade deflection or mislabelling of goods.

The final stage focuses on strict enforcement. HLTO serves as the country's top representative in the D-8 PTA negotiations alongside the D-8 Trade Commissioner. Decisions are reached by consensus, coordinated by the D-8 Secretariat in Istanbul. This process combines Principal–Agent Theory with Compliance and NRA to verify that each decision aligns with national policy and safeguards economic sovereignty. Drawing on its experience in trade negotiations, Malaysia takes a cautious and strategic stance to protect traders' interests and uphold national trade policies.

Effective policy enforcement requires a balance between strictness and responsiveness. Ayres and Braithwaite (1992) developed the enforcement pyramid model, which starts with education and advice, then progresses to warnings, and finally employs harsher sanctions if needed. In the D-8 framework, the D-8 Secretariat monitors cross-country compliance, whereas in Malaysia, the NRA and associated agencies need enforcement capabilities through audits, customs investigations, and penalties. A graduated enforcement approach has been shown to be more successful, as it encourages voluntary compliance and ensures fairness for small traders.

The enforcement stage signifies the authoritative aspect of trade governance, where mechanisms are utilised to ensure compliance with rules and penalise violations. Abbott and Snidal (2000) highlight that enforcement plays a vital role in establishing the strength and credibility of international agreements. In Malaysia's D-8 PTA commitments, enforcement includes domestic actions such as customs inspections, audits, and sanctions for fraudulent trade activities, as well as international measures like dispute resolution processes and diplomatic negotiations within the D-8 framework.

From the perspective of Principal–Agent Theory, enforcement alleviates agency problems by ensuring that agents—such as domestic traders, customs officials, and negotiators—strictly conform to the policy objectives of the principal, Malaysia. Concurrently, NRAs act as the principal enforcement institutions, endowed with the authority to monitor compliance and impose sanctions. The adoption of digital customs systems combined with risk-based inspection models further augments the effectiveness of enforcement measures.

Enforcement closely relates to the Theory of Compliance because credible enforcement mechanisms boost voluntary compliance. When stakeholders see that violations have clear consequences, overall adherence improves due to increased deterrence. In Malaysia's case, strong enforcement not only protects its economic interests but also positions the country as a trustworthy trade partner within the D-8 group, thereby strengthening its diplomatic and economic influence.

Finally, understanding the enforcement of the D-8 PTA in Malaysia goes beyond just legal or institutional perspectives. It demands a comprehensive analysis involving the stages of formulation, implementation, compliance, and enforcement, each connected to theories that describe trade governance dynamics. The Principal–Agent Theory explains the difficulties in aligning national goals with bureaucratic actions, while the role of NRAs emphasises the institutional structures essential for effective execution. Additionally, the Theory of Compliance highlights the behavioral and structural elements that affect adherence.

These perspectives collectively provide a thorough understanding of Malaysia’s strategy for the D-8 PTA. They show that Malaysia’s trade policy strength comes not just from negotiating advantageous terms but also from effectively applying commitments, ensuring adherence, and enforcing regulations. By integrating these theoretical insights into its trade governance, Malaysia aims to optimise the D-8 PTA's advantages while protecting its sovereignty and economic interests.

CHAPTER 7

CONCLUSION

The analysis of Malaysia's involvement with the Developing-8 Preferential Trade Agreement (D-8 PTA) revealed the complex and multifaceted nature of preferential trade policymaking, which demands a careful balance of economic, institutional, and diplomatic factors. As shown throughout this study, Malaysia's engagement in the D-8 PTA was not solely about fulfilling external trade commitments but also about aligning domestic trade priorities with regional and global economic opportunities. This conclusion integrates the findings from the three research objectives, highlighting Malaysia's successes and gaps, and offers insights for future enhancements.

7.1 Strategic Relevance of the D-8 PTA within Malaysia's Trade Policy (RO1)

The initial objective analysed how Malaysia crafted its national trade policy using the D-8 PTA and how the agreement aligned with the country's strategic goals. Results showed that Malaysia regarded the D-8 PTA as a vital tool for diversifying the economy, expanding markets, and upgrading industrial sectors. The country's strategic priorities included accessing a large Muslim-majority market for halal goods, decreasing reliance on traditional trading partners, attracting foreign direct investment

(FDI), promoting technology transfer, and boosting competitiveness through tariff liberalisation.

Malaysia's participation in the D-8 PTA aligns with broader trade theories that propose preferential trade agreements can boost trade creation, reduce export fluctuations, and support industrial growth when combined with effective domestic policies (Dai, Yotov, & Zylkin, 2014; Head & Mayer, 2021). Specifically, Malaysia's collaboration with policies like the National Trade Blueprint (2021–2025) and Industry4WRD highlights the strong link between trade agreements and national economic development.

The analysis also identified some limitations. Although Malaysia was well-prepared with logistics, legal frameworks, and institutional readiness, the PTA's effectiveness was limited by inconsistent ratification and compliance among member states (Khalid & Yusoff, 2019; UNCTAD, 2023). This indicates that while Malaysia positioned itself to gain from the agreement, the external environment particularly the commitment levels of other D-8 members, introduced uncertainties that reduced the PTA's potential.

7.2 Negotiation Processes and Strategies: Achievements and Gaps (RO2)

The second objective assessed Malaysia's negotiation methods and strategies on a national scale. Results indicated that Malaysia employed a centralised, government-driven approach to negotiations, led by the Ministry of Investment, Trade and Industry (MITI). This was supported by the Ministry of Foreign Affairs, the Department of Customs, and input from industry stakeholders. Such a procedural framework aligns with recognised theories of trade negotiation governance (Odell, 2013; Evenett & Vermulst, 2020).

Malaysia's negotiation strategy was cautious and interest-preserving, emphasising selective concessions in competitive sectors such as palm oil and rubber, while maintaining protection for sensitive industries. Rules of Origin (RoO) were harmonised to ensure consistency with Malaysia's other FTAs, and non-tariff barriers were addressed through technical committees. This approach reflected a middle-power strategy of “defensive liberalisation” (Vickers, 2017), balancing external commitments with domestic safeguards.

The study also revealed notable gaps. It did not thoroughly analyse negotiation strategies, particularly in tactical sequencing, coalition-building, or agenda-setting. The absence of detailed process-tracing hindered the assessment of cause-and-effect relationships between negotiation decisions and their outcomes. Additionally, stakeholder feedback showed that although consultations occurred, private-sector insights were not always incorporated into the final positions, highlighting the need for more effective participatory mechanisms.

Quantitative analysis of the NEG (negotiation structure), PRC (consultative practices), and TRF (trade facilitation readiness) dimensions showed moderate progress, with implementation (IMP) proving to be relatively effective. However, negotiation effectiveness stayed at approximately 63.2%, and consultative inclusivity was at 50%, indicating only partial achievement of RO2. This supports the view that Malaysia’s negotiation procedures are procedurally solid but strategically underused.

7.3 Implementation and Compliance: Partial but Facilitation-Dependent (RO3)

The third objective evaluated Malaysia’s efforts to meet its commitments under the D-8 PTA. The findings showed that although Malaysia made notable progress in cutting tariffs, implementing legal reforms, and coordinating institutions, its compliance was still partial and relied heavily on facilitation. Key accomplishments included integrating D-8 PTA obligations into national laws, ongoing oversight by MITI and Customs, and support initiatives for SMEs to adjust to the preferential tariff system.

Compliance challenges persisted significantly, including limited institutional capacity for proactive enforcement, inconsistent industry adaptation to liberalisation policies, and dependence on external support instead of autonomous reforms.

According to Guzman (2002) and Shaffer & Pollack (2010), successful compliance depends on strong domestic institutions capable of internalising international commitments, backed by systematic oversight. Malaysia’s strategy was more reactive than proactive, with minimal reliance on predictive models and strategic monitoring tools.

The findings further indicated that stakeholder engagement holds paramount importance for ensuring compliance. Although consultations were conducted, they frequently followed a top-down approach, and awareness among domestic industries remained variable. In the absence of broader societal and industrial ownership of PTA commitments, Malaysia faced the risk of selective or inconsistent compliance, potentially compromising credibility within the D-8 framework.

7.4 Overall Assessment and Theoretical Contributions

Overall, the findings reveal a paradox in Malaysia’s involvement with the D-8 PTA: the country showed high institutional preparedness, well-aligned policies, and cautious yet rational negotiation approaches. However, the results were only partial because of both external and internal challenges. On the external side, inconsistent ratification and limited cooperation among D-8 members hampered the PTA’s success. Internally, Malaysia’s procedures were solid but lacked strategic depth, inclusiveness, and proactive compliance mechanisms.

The study theoretically contributed to understanding PTA governance in three key ways. Firstly, it supported the idea that middle-power economies like Malaysia tend to adopt defensive liberalisation strategies, balancing domestic protection with their external commitments (Vickers, 2017). Secondly, it highlighted the significance of institutional capacity and policy coherence for effective participation in PTAS (Plummer et al., 2022). Thirdly, it emphasised the importance of negotiation and compliance analysis through frameworks such as Principal–Agent Theory, which can clarify the dynamics between government negotiators (agents) and domestic stakeholders (principals).

7.5 Policy Implications and Future Directions

The study underscored numerous implications pertinent to Malaysia's trade policy. Firstly, it is essential for Malaysia to fortify its domestic consultation mechanisms to guarantee the systematic integration of private sector and civil society contributions into negotiation mandates. Secondly, compliance mechanisms ought to transition from reactive facilitation to proactive institutionalisation, incorporating predictive modelling, periodic audits, and the reinforced enforcement of PTA obligations. Thirdly, Malaysia must elevate its diplomatic engagement within the D-8 framework to foster comprehensive ratification and adherence among member states, thereby optimising the benefits derived from the agreement.

For future research, more in-depth process-tracing of negotiation strategies and coalition formation within the D-8 framework would enhance understanding of Malaysia's influence. Comparative analyses with other Preferential Trade Agreements, such as ASEAN, CPTPP, or RCEP, could further elucidate whether Malaysia's cautious strategies are context-specific or indicative of a broader negotiation approach. Finally, investigations into the industry-level impacts of the D-8 PTA would yield valuable evidence for evaluating whether preferential access has resulted in tangible benefits for Malaysian enterprises.

In summary, Malaysia's involvement with the D-8 Preferential Trade Agreement showed both ambition and caution. The deal supported Malaysia's goals of economic diversification and industrial upgrade, and the country demonstrated good readiness and procedural ability in negotiations and implementation. Yet, limitations in negotiation depth, stakeholder inclusion, and proactive compliance hindered the full realisation of benefits. As Malaysia continues to position itself as a regional trade hub and middle power, the experience from the D-8 PTA highlights the need to pair trade agreements with deeper domestic reforms, strategic diplomacy, and inclusive governance. Only by adopting such integrated strategies can Malaysia fully unlock the developmental potential of preferential trade agreements and reinforce its influence in the changing global trade landscape.

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APPENDICES

Appendix 1

Preferential Trade Agreement Among D-8 Member States

PREFERENTIAL TRADE AGREEMENT AMONG D-8 MEMBER STATES

D-8

PREFERENTIAL TRADE AGREEMENT AMONG D-8 MEMBER STATES

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PREFERENTIAL TRADE AGREEMENT AMONG D-8 MEMBER STATES

PREAMBLE

The Governments of the People's Republic of Bangladesh; The Arab Republic of Egypt; The Republic of Indonesia; The Islamic Republic of Iran; Malaysia; The Federal Republic of Nigeria; The Islamic Republic of Pakistan; The Republic of Turkey (hereinafter referred to as the Contracting Members).

CONSCIOUS of their longstanding friendship and fraternity;

EXPECTING that this Agreement will create a new climate for economic and trade relations between them;

RECOGNIZING that strengthening of their closer economic partnership will bring economic and special benefits and improve the living standards of their peoples;

BEARING in mind that the expansion of mutual trade and economic relations will promote world peace and stability;

BELIEVING that this arrangement would expand gradually and extend to new areas of mutual interests;

AGREEING that those Contracting Members that are not members of the World Trade Organization (WTO) will continue to pursue the WTO accession process and those Contracting Members that are WTO members shall facilitate and support their accession through appropriate efforts;

CONSIDERING that rights and obligation of the Contracting Members arising from other bilateral, regional or multilateral agreements shall not be affected by the provisions of this agreement:

STRESSING the need for the diversification of traded goods with a view to fostering further development of their respective economies;

RECOGNIZING that progressive reductions and elimination of barriers to trade will also contribute towards the expansion of trade;

Have agreed as follows:

Article 1
DEFINITIONS

For the purposes of this Agreement;

a. "Member States" refers to the Member States of the D-8.

b. "Contracting Members" means Member States, which have ratified this Agreement.

c. "Tariffs" means customs duties or import duties stipulated in the national tariff schedules of the Contracting Members.

d. "Para-Tariffs" means border charges and fees/taxes other than tariffs on foreign trade transactions of a tariff like effect which are levied solely on imports but not those indirect taxes and charges which are levied in the same manner on like domestic goods. Import charges corresponding to specific services rendered, are not considered as para-tariff measures.

e. "Non-tariff barriers" means any measure, regulation, or practice, other than tariff and para-tariff, the effect of which is to restrict imports or significantly distort trade between the Contracting Members.

f. "Goods" constitute those scheduled under the Harmonized Commodity Description and Coding System.

g. "Preferential treatment" means any tariff, para-tariff and non-tariff barriers concession or privilege by Contracting Members.

h. "Serious injury" means significant damage to domestic industry of like or similar goods resulting from a substantial increase of preferential imports in situations which cause substantial losses in terms of earnings, production or employment unsustainable in the short term. The examinations of the import on the domestic industry concerned shall also include an evaluation of either relevant economic factors and indices having a bearing on the state of the domestic industry of that product.

i. "Threat of Serious Injury" means a situation in which a substantial increase of preferential imports is of a nature so as to cause Serious Injury to domestic goods and that such injury, although not yet existing, in clearly imminent. A determination of threat of Serious Injury shall be based on facts and not on mere allegation, conjecture, or remote or hypothetical possibility.

j. "Critical Circumstances" means the emergence of an exceptional situation, where massive preferential imports are causing or threatening to cause "Serious Injury" difficult to repair and which calls for immediate action.

k. "Domestic industry" means the producers as a whole of the like or directly competitive product operating in the territory of Contracting Members or those whose collective output of the like or directly competitive product constitutes a major proportion of the total domestic production of those products.

l. "Dumping" means the introduction of a product into the commerce of the other Contracting Member at less than its normal value which is the comparable price in the ordinary course of trade for the like product destined for consumption in the exporting country, or in the absence of such domestic price, the comparable price for the like product for export to appropariate third country in the ordinary course of trade, or the cost of production of the product in the country of origin plus a reasonable addition for selling cost and profit.

m. "Least Developed Contracting Member" means a Contracting Member which is designated as a least developed country by the United Nations.

n. "Supervisory Committee" means a committee established under Article 27.

o. "Trade Ministers Council (TMC)" means a council established under Article 28.

Article 2
OBJECTIVES

The objectives of this Agreement are to strengthen trade relations among Contracting Members in particular through the:

a. general principles referred to in Article 3;

b. reduction of tariffs and elemination of non-tarrif barriers and para-tarrifs;

c. promotion and expansion of trade, contributing towards the harmonious development of economic relations among the Contracting Members;

d. creation of enabling conditions for fair competition among the Contracting Members;

e. facilitation of mutual trade and contribution towards expansion of world trade;

f. creation of a more predictable and secure environment for sustainable growth of trade among the Contracting Members; and

g. facilitation in the diversification of commercial exchanges among the Contracting Members.

Article 3
GENERAL PRINCIPLES

1. This Agreement shall be governed in accordance with the following principles:

   a. Overall reciprocity and mutuality of advantages to benefit equitably all Contracting Members, taking into account their respective levels of economic development, external trade, tariff policies and import procedures; and

   b. Recognition of needs of the Least Developed Contracting Members; and

   c. Negotiations and implementation of the concessions in phases.

2. The Contracting Members shall establish and evolve a mechanism to promote and maintain mutual trade and economic cooperation.

Article 4
SCOPE

The provisions of this Agreement shall apply to trade in goods, contained in the national tariff schedules of concessions and originating in the territories of the Contracting Members.

Article 5
TARIFF REDUCTION MODALITY

1. Upon entry into force of the Agreement, unless otherwise provided therein, the Contracting Members :

(a) shall not increase the applied Tariff rates on the imports of the products covered under this Agreement without approval of the Supervisory Committee;

(b) shall notify one another of their respective applied tariff rates;

(c) shall reduce the applied tariff rates on goods specified in the national tariff schedules in accordance with the following modalities:

i. Tariff reduction shall cover 8% of each Contracting Member's total HS lines with tariff rates above 10%.

ii. Tariffs reduction modality shall be as follows:

- above 25 % shall be reduced to 25 %;
- above 15 % and up to 25 % shall be reduced to 15 %; and
- above 10% and up to 15% shall be reduced to 10%;

in eight annual installments by the LDCs and in four annual installments by other Contracting Members.

2. Contracting Members shall notify the D-8 Secretariat of their specific annual installments of reduction along with the list of goods within three months; from the date of entry into force of this Agreement.

3. Contracting Members shall review their tariffs three years after the entry into force of this Agreement with the objective of expanding product coverage and / or deepening concessions and shortening the time frame.

Article 6
SCHEDULES OF CONCESSIONS

The tariff concessions negotiated and exchanged among the Contracting Members shall be Annexed as an integral part of this Agreement.

Article 7
MOST FAVORED NATION TREATMENT

1. The exchange of negotiated concession under this Agreement shall be implemented on a most favored nation (MFN) basis, and its benefits shall accrue to all the Contracting Members.

2. Each Contracting Member shall extend to all the other Contracting Members treatment no less favorable than that extended, or will be extended, to any other state or customs territory in relation to tariff, para-tariffs, non-tariff barriers and any other trade related rules and regulations. The provisions of this paragraph shall not apply to concessions granted or to be granted within other bilateral and regional trade agreements.

Article 8
NATIONAL TREATMENT

The goods of any Contracting Member, imported to any other Contracting Member shall be accorded treatment no less favorable than that accorded to like goods of national origin, in respect of laws, regulations and requirements affecting their sale, offer for sale, purchase, transportation, distribution or use.

Article 9
PARA-TARIFFS

1. Contracting Members shall eliminate, upon entry into force of this Agreement, and in the case of LDCs within three years, their para-tariffs on the goods which are subject to reduction. This period for LDCs may be extended, if a request is made to and approved by TMC.

2. Upon entry into force of this Agreement no new para-tariffs shall be introduced, nor shall those already applied be increased, on the goods, which are subject to tariff reduction under this Agreement.

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Article 10
NON-TARIFF BARRIERS

1. Contracting Members shall eliminate, upon entry into force of this Agreement, and in the case of LDCs within three years, their non-tariff barriers on the goods, which are subject to tariff reduction. This period for LDCs may be extended if a request is made to and approved by the TMC.

2. Upon entry into force of this Agreement no new non-tariffs shall be introduced, nor shall those already applied be increased, on the goods, which are subject to tariff reduction under this Agreement.

Article 11
MAINTENANCE OF THE VALUE OF CONCESSIONS

Except otherwise provided in this Agreement, no Contracting Member shall impair or nullify the concessions granted under this Agreement through the application of any tariff, para-tariff or non-tariff barriers or any other restrictive measures.

Article 12
RULES OF ORIGIN

Goods contained in the national schedules of concessions shall be eligible for preferential treatment if they satisfy the rules of origin which will be annexed to and form an integral part of this Agreement.

Article 13
ANTIDUMPING AND COUNTERVAILING MEASURES

In order to counter dumping or export subsidies, the Contracting Members shall have the right to initiate anti dumping and countervailing measures.

Article 14
SAFEGUARD MEASURES

1. If any product, which is a subject of a concession with respect to a preference under this Agreement, is imported into the territory of contracting members in such condition as to cause or threaten to cause serious injury to the domestic industry of those contracting members, the contracting members shall have the right to apply safeguard measures.

2. Before applying safeguard measures, the Contracting Member intending to apply such measure shall supply the Supervisory Committee with all relevant information required for a thorough examination of the situation with a view to seeking a solution acceptable to the Contracting Members. In order to find such solution, the Contracting Members shall immediately hold Consultations within the Supervisory Committee. If, as a result of the consultations, the Contracting Members do not reach an agreement within 30 days, the Contracting Member may apply safeguard measures provisionally.

Article 15
STANDARDS, TECHNICAL REGULATIONS AND SPS MEASURES

1. The Contracting Members shall ensure that technical regulations, conformity assessment procedures and standards are not prepared, adopted or applied with a view to creating barriers to mutual trade or to protect domestic production.

2. Accordingly, the Contracting Members shall ensure that:

   (a) any sanitary or phytosanitary measures are applied only to the extent necessary to protect human, animal or plant life or health, is based on scientific principles and is not maintained without sufficient evidence, taking into account the availability of relevant scientific information and regional conditions.

   (b) technical regulations are not prepared, adopted or applied with a view to or with the effect of creating unnecessary obstacles to mutual trade. For this purpose, technical regulations shall not be more trade-restrictive than necessary to fulfill a legitimate objective, taking into account the risks non-fulfillment would create. Such legitimate objectives are, inter alia, those described in Article (exceptions); prevention of deceptive practices; protection of environment. In assessing such risks, relevant elements of consideration are, inter alia, available scientific and technical information, related processing technology or intended end uses of goods.

3. Contracting Members may upon entry into force of this Agreement, enter into negotiations to develop Mutual Recognition Arrangements in the areas of standards, technical regulations, SPS standards, and accreditation of testing laboratories for certification of goods of Contracting Members.

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Article 16
COOPERATION WITH INTERNATIONAL AND REGIONAL ORGANISATIONS AND GROUPINGS

In order to promote trade, the Contracting Members agree to make arrangements, where appropriate, for cooperation with its specialized agencies, and other international and regional trade, and economic organizations and Groupings.

Article 17
RELATIONSHIP WITH OTHER AGREEMENTS

Notwithstanding the measures as set out in Article 5, the provisions of the Agreement shall not apply in relation to trade preferential arrangements under which preferences already granted by any Contracting Member to other Contracting Members outside the framework of the Agreement, and to third countries through bilateral and regional trade arrangements. The Contracting Members shall not be obliged to grant preferences in the Agreement, which impairs the concession extended under those arrangements.

Article 18
PAYMENTS AND TRANSFERS

1. Contracting Members shall not apply restrictions on international transfers and payments in freely useable currencies for current transactions.

2. Nothing in this Agreement shall affect the rights and obligations of the members of the International Monetary Fund under the Articles of Agreement of the Fund, including the use of exchange actions which are in conformity with the Articles of the Agreement, provided that a Contracting Member shall not impose restrictions on any current transactions inconsistently with its schedules of concessions regarding such transactions, except under Article 20 of this Agreement or at the request of the Fund.

Article 19
RE-EXPORT AND SHORTAGE

1. In the event a Contracting Member adopts or maintains a prohibition or restriction on the import from and export to a non-Contracting Member of goods, nothing in this Agreement shall be construed to prevent that Contracting Member from:

   a. limiting or prohibiting imports from the territory of the other Contracting Members of such goods of that non-Contracting Member; or

   b. requiring as a condition of export of such goods of the Contracting Member to the territory of the other Contracting Members, that the goods not be re-exported to the non-Contacting Member, directly or indirectly, without being consumed in territory of the other Contracting Members.

2. In addition, none of the provisions of this Agreement shall preclude the maintenance or adoption by any Contracting Member of any trade restrictive measures necessary to remove or forestall a serious shortage, or threat thereof, of goods essential to the exporting Contracting Member.

Article 20
RESTRICTIONS TO SAFEGUARD THE BALANCE OF PAYMENTS

1. In the event of serious balance of payments and external financial difficulties or threats thereof, Contracting Member may adopt or maintain restrictions on trade in goods on which it has undertaken concessions, including on payments or transfers for transactions related to such concessions. It is recognized that particular pressures on the balance of payments of a Contracting Member in the process of economic development or economic transition may necessitate the use of restrictions to ensure, inter-alia, the maintenance of a level of financial reserves adequate for the implementation of its programs of economic development or economic transition.

2. The restrictions referred to in Para 1 of this Article:

   (a) shall not discriminate among Contracting Members;

   (b) shall be consistent with the relevant Articles of Agreement of the International Monetary Fund;

(c) shall avoid un-necessary damage to the commercial, economic and financial interests of any other Contracting Member;

(d) shall not exceed those necessary to deal with the circumstances described in paragraph 1;

(e) shall be temporary and be phased out progressively as the situation specified in paragraph 1 improves.

Article 21
GENERAL EXCEPTIONS

Subject to the condition that such measures are not applied in a manner so as to constitute arbitrary or unjustifiable discrimination or a disguised restriction on a trade between the Contracting Members, nothing in this Agreement shall preclude prohibitions or restrictions on imports, exports and/or goods in transit justified on grounds of public morality, religious values, national security, the protection of human, animal and plant life and health, the protection of national treasures possessing artistic, historic or archeological value, the protection of exhaustible natural resources and genetic reserves, regulations concerning gold or silver and regulations concerning exports of goods the price of which are held below the world price as part of a government stabilisation plan.

Article 22
SECURITY EXCEPTIONS

Nothing in this Agreement shall prevent a Contracting Member from taking any measures, which it considers necessary for security requirements:

a) to prevent the disclosure of confidential information contrary to its essential security interest;

b) for the protection of its essential security interests or for the implementation of international obligations or national policies such as:

   i. relating to the traffic in arms, ammunition and implements of war, provided that such measures do not impair the conditions of competition in respect of goods not intended for specifically military purposes, and to such traffic in other goods, materials and services as is carried on directly or indirectly for the purpose of supplying a military establishment; or

ii. relating to the non-proliferation of biological and chemical weapons, nuclear weapons or other nuclear explosive devices; or

iii. taken in time of war or other serious international tension.

Article 23
TRANSPARENCY

Laws, regulations and other relevant measures of general application including standards, specifications and certifications, which pertain to or effect the operation of this Agreement, shall be notified to the Supervisory Committee, and be made available among the contracting members upon request.

Article 24
TECHNICAL ASSISTANCE

Request from LDCs for Technical Assistance and cooperation shall be favorably considered by the other Contracting Members.

Article 25
CONSULTATIONS

1. Each Contracting Member shall accord sympathetic consideration to and shall afford adequate opportunity for consultations regarding such representations as may be made by any Contracting Member with respect to any matter affecting the implementation of this Agreement.

2. The Supervisory Committee established under Article 27 of this Agreement shall meet at the request of any Contracting Member to consider any matter for which it has not been possible to find a satisfactory solution through consultations under paragraph 1 above.

Article 26
DISPUTE SETTLEMENT

1. Any dispute arising from the interpretation and/or application of this Agreement shall first be settled amicably through mutual consultations, among the concerned disputing parties.

2. If the consultations fail to settle a dispute within 30 days after the date of receipt of the request for consultations which may be extended by a further period of 30 days through mutual consent, the complaining Contracting Member may request the Supervisory Committee to settle the dispute within 30 days on an ad-referendum basis or through extraordinary meeting of the Supervisory Committee.

3. In case the dispute is not settled, the Supervisory Committee shall refer it to the Arbitration Panel.

4. The Contracting Members shall within one year after the entry into force of this Agreement, determine the procedures for the Arbitration Panel which shall be annexed to and form an integral part of this Agreement.

Article 27
SUPERVISORY COMMITTEE

1. A Supervisory Committee shall be established, comprising the representatives of the Contracting Members, at senior official level. The Supervisory Committee shall meet initially within six (6) months upon entry into force of this Agreement and thereafter at least once a year to review the progress made in the implementation of this Agreement. Any Contracting Member may also request for holding of extraordinary meeting by notifying the D-8 Secretariat and other Contracting Members.

2. The Supervisory Committee shall undertake any function assigned to it under the provisions of this Agreement. Upon request by any Contracting Member and subject to the approval of all other Contracting Members, the Supervisory Committee shall also examine any other matter affecting the implementation of this Agreement.

3. Decisions of the Supervisory Committee shall be made by consensus where possible. In case consensus is not reached, the Supervisory Committee shall decide by a two third majority of total votes.

4. The Supervisory Committee shall set its own rules of procedures within six (6) months after its establishment. The Supervisory Committee may also set any other subsidiary bodies and expert groups, as it may consider necessary.

5. The Supervisory Committee shall present an annual report to the TMC Meeting.

Article 28
TRADE MINISTERS COUNCIL

1. The Contracting Members shall establish the TMC at the Ministerial level.
2. For the purpose of this Agreement, the TMC shall be the highest policy making body.
3. The TMC shall meet as and when considered necessary by the Contracting Members.

Article 29
SECRETARIAT

The D-8 Secretariat shall serve as the secretariat for the TMC and the Supervisory Committee.

Article 30
AMENDMENTS AND REVIEW

1. The Contracting Members may amend the provisions of this Agreement, having regard to the experience gained in its implementation and the need for meeting new requirements.
2. This Agreement may be amended by the mutual consent of all the Contracting Members through a Protocol agreed by the TMC. Such a Protocol shall come into force 30 days following the date on which all Contracting Members have notified the depository of their instruments of ratification.
3. The Contracting Members shall review within four (4) years upon entry into force of this Agreement to consider further trade liberalization and expansion of this Agreement, taking into account the future needs to make it more comprehensive.
4. The decisions made under this Article shall be effected by a consensus vote of all the Contracting Members.

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Article 31
MODIFICATION OF CONCESSIONS

1. Any Contracting Member may, after a period of three years from the day the concession was extended, notify the Supervisory Committee of its intention to modify or withdraw any concession included in its appropriate schedule.

2. The Contracting Member intending to withdraw or modify a concession shall enter into consultation and/or negotiations, with a view to reaching agreement on any necessary and appropriate compensation, with Contracting Members with which such concession was initially negotiated and with any other Contracting Members that have a principal or substantial supplying interest as may be determined by the Supervisory Committee.

3. Should no agreement be reached between the Contracting Members concerned within six months of the receipt of notification and should the notifying Contracting Member proceed with its modification or withdrawal of such concessions, the affected Contracting Members as determined by the Supervisory Committee may withdraw or modify equivalent concessions in their appropriate schedules. Any such modification or withdrawal shall be notified to the Supervisory Committee.

Article 32
WITHDRAWAL AND VALIDITY

A Contracting Member may withdraw from the Agreement at any time after its entry into force. Such withdrawal shall become effective six months following the date on which that Contracting Member has informed the Supervisory Committee to that end through a written notice.

Article 33
ANNEXES AND PROTOCOLS

The Annexes and Protocols to the Agreement are an integral part of this Agreement.

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Article 34
ENTRY INTO FORCE

This Agreement shall enter into force thirty days following the date on which D-8 Executive Director, the depository, has received the instruments of ratification by at least four Member States.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto by their respective Governments, have signed this Agreement

DONE at Bali, Indonesia on the 13th day of May 2006 in the English language in one original copy.

For the Government of the People's Republic of Bangladesh

(H.E. M. Morshed Khan, MP)
Minister of Foreign Affairs

For the Government of the Arab Republic of Egypt

فايزة ابو النجا

(H.E. Fayza Aboulnaga)
Minister of International Cooperation

For the Government of the Republic of Indonesia

(H.E. Mari Elka Pangestu)
Minister of Trade

For the Government of the Islamic Republic of Iran

(H.E. Manouchehr Mottaki)
Minister of Foreign Affairs

For the Government of Malaysia

(H.E. Dato' Seri Syed Hamid Albar)
Minister of Foreign Affairs

For the Government of the Federal Republic of Nigeria

(H.E. Alhaji Abubakar Tanko)
Minister of State for Foreign Affairs

For the Government of the Islamic Republic of Pakistan

(H.E. Humayun Akhtar Khan)
Minister for Commerce

For the Government of the Republic of Turkey

(H.E. Kürşad Tüzmen)
Minister of State

Appendix 2

Rules of Origin for the Preferential Trade Agreement (PTA) among the D-8 Member States

RULES OF ORIGIN FOR THE PREFERENTIAL TRADE AGREEMENT (PTA) AMONG THE D-8 MEMBER STATES

These Rules may be called the Rules of Origin under the Preferential Trade Agreement among D-8 Member States (hereinafter referred to as "D-8 PTA"), pursuant to Article 12 of D-8 PTA. These Rules shall be annexed to the D-8 PTA and form an integral part thereof.

Rule 1
Definitions

For the purposes of these Rules:

(a) "CIF value" means the price actually paid or payable to the exporter for the goods when the goods are unloaded from the carrier, at the port of importation. The value includes the cost of the goods, insurance and freight necessary to deliver the goods to the named port of destination;

(b) "Consignment" means goods which are either sent simultaneously from one exporter to one consignee or covered by a single transport document covering their shipment from the exporter to the consignee or, in the absence of such a documents, by a single invoice;

(c) "Customs Value" means the transaction value of imported goods, which is the price actually paid or payable for the goods when sold for export to the country of importation, including other leviable charges and adjustment. In cases where the Customs value cannot be determined on the basis of transaction value, it will be determined using one of the following methods:

i. The transaction value of identical goods;
ii. The transaction value of similar goods;
iii. The deductive value method;
iv. The computed value method; or
v. The fall-back method.

(d) "Ex-Works Price" means the price paid or payable for the good to the manufacturer in the Contracting Member's territory in whose undertaking the last working or processing is carried out, provided that the price includes the value of all the materials used, excluding any internal taxes which are, or may be repaid when the good obtained is exported;

(e) "Indirect Material" means a good used in the production, testing or inspection of a good but not physically incorporated into the goods, or a good used in the maintenance of buildings or the operation of equipment associated with the production of a good, including:

i. fuel and energy;
ii. tools, dies, and moulds;
iii. parts and materials used in the maintenance of equipment and buildings;
iv. lubricants, greases, compounding materials, and other materials used in production or used to operate equipment and buildings;
v. gloves, glasses; footwear, clothing, safety equipment, and supplies;
vi. equipment, devices, and supplies used for testing or inspecting the goods;
vii. catalysts and solvents; and
viii. any other goods that are not incorporated into the goods but whose use in the production of the goods can reasonably be demonstrated to be part of that production;

(f) "Materials" means ingredients, parts, components, subassembly and/or goods that were physically incorporated into other goods or were subject to a process in the production of other goods;

(g) "Non-originating Material" used in production means any material whose country of origin is other than that of Contracting Members and any material whose origin cannot be determined;

(h) "Originating Goods" means goods that qualify as originating in accordance with the provisions of Rules of Origin of D-8 PTA;

(i) "Production" means methods of obtaining goods including manufacturing, producing, assembling, processing, raising, growing, breeding, mining, extracting, harvesting, fishing, trapping, gathering, collecting, hunting and capturing; and

(j) "Territories" means territories of Contracting Members including territorial waters.

Rule 2
<u>Origin Criteria</u>

Products covered by the D-8 PTA imported into a Contracting Member's territory from another Contracting Member's territory which are consigned directly within the meaning of Rule 7 , shall be eligible for preferential treatment if they conform to the origin requirements under any one of the following conditions:

(a) Products which are wholly obtained or produced as set out and defined in Rule 3; or

(b) Products not wholly obtained or produced provided that the said products are eligible under Rule 4.

Rule 3

Wholly Obtained or Produced Products.

1. Within the meaning of Rule 2 (a), the following shall be considered as wholly produced or obtained in a Contracting Member's territory:

(a) Plant and plant products harvested, picked or gathered there;

(b) Live animals born and raised there;

(c) Products obtained from live animals referred to in paragraph (b) above;

(d) Products obtained from hunting, trapping, fishing, aquaculture, gathering or capturing conducted there;

(e) Minerals and other naturally occurring substances, not included in paragraphs (a) to (d) above, extracted or taken from its soil, waters, seabed or beneath their seabed;

(f) Goods taken from the waters, seabed or beneath the seabed outside the territorial waters of that Contracting Member; provided that that Contracting Member has the rights to exploit such waters, seabed and beneath the seabed in accordance with international law;

(g) Goods of sea fishing and other marine products taken from the high seas by vessels registered with a Contracting Member or entitled to fly the flag of that Contracting Member;

(h) Goods processed and/or made on board factory ships registered with a Contracting Member or entitled to fly the flag of that Contracting Member, exclusively from products referred to in paragraph (g) above;

(i) Used articles which no longer can perform their original purpose and are not capable of being restored or repaired and are fit only for disposal or recovery of parts of raw materials, or for recycling purposes;

(j) Waste and scrap resulting from manufacturing operations conducted there; and

(k) Goods obtained or produced in a Contracting Member's territory solely from products referred to in paragraphs (a) to (j) above.

2. The terms "their vessels" and "their factory ships" in paragraph 1(g) and (h) shall apply only to vessels and factory ships:

(a) Which are registered or recorded in a Contracting Member's territory; or

(b) Which sail under the flag of a Contracting Member ; or

(c) Which are owned to an extent of at least 50 per cent by nationals of a Contracting Member or by a company with its head office in one of Contracting Members territories, of which the manager or managers, Chairman of the Board of Directors or the Supervisory Board, and the majority of the members of such boards are nationals of a Contracting Member and of which, in addition to that, in the case of partnerships or limited companies, at least half of the capital belongs to that Contracting Member or to public bodies or nationals of the said Contracting Member.

Rule 4
Not Wholly Produced or Obtained Products

1. For the purposes of Rule 2(b), a product shall be deemed to be originating if not less than ‘40’ % of ex works price of its content originates from a Contracting Member.

2. For the purposes of calculating local value added content the following method shall apply:

$$\frac{\text{Ex Works Price} - \text{Value of non Originating Materials}}{\text{Ex Works Price}} \times 100 \geq 40\ \%$$

3. The value of the non-originating materials shall be:
   (i) the CIF value at the time of importation of the materials; or
   (ii) the earliest ascertained price paid for the materials of undetermined origin in the territory of the Contracting Member where the working or processing takes place.

Rule 5
Cumulative Rule of Origin

Unless otherwise provided for, products which comply with origin requirements provided for in Rule 2 and which are used in the territory of a Contracting Member as materials for a finished product eligible for preferential treatment under the D-8 PTA shall be considered as products originating in the territory of a Contracting Member where working or processing of the finished product has taken place provided that the aggregate D-8 Contracting Members originating content on the final product is not less than 40%.

Rule 6
Minimal Operations and Processes

The following shall in any event be considered as insufficient working or processing to confer the status of origin, whether or not they comply with the requirements of Rules 3, 4 or 5:

(a) operations to ensure the preservation of products in good condition during transport and storage (such as drying, freezing, keeping in brine, ventilation, spreading out, chilling, placing in salt, sulphur dioxide or other aqueous solutions, removal of damaged parts, and like operations);

(b) simple operations consisting of removal of dust, sifting or screening, sorting, classifying, matching (inkling the making-up of sets of articles), washing, painting, cutting;

(c) changes of packing and breaking up and assembly of consignments;

(d) simple cutting and slicing;

(e) affixing of marks, labels or other like distinguishing signs on products or their packaging;

(f) repacking or placing in bottles, flasks, bags, boxes, fixing on cards or boards and all other packing operations;

(g) simple mixing of products whether or not of different kinds;

(h) simple assembly of parts of products to constitute a complete product;

(i) disassembly;

(j) slaughter of animals;

(k) mere dilution with water or another substance that does not materially alter the characteristics of the goods;

(l) ironing or pressing of textiles;

(m) husking, partial or total bleaching, polishing, and glazing of cereals and rice;

(n) operations to colour sugar or form sugar lumps; and

(o) peeling, stoning and shelling, of fruits, nuts and vegetables.

Rule 7

Direct Consignment

The preferential treatment provided for under the D-8 PTA applies only to products, satisfying the requirements of these Rules which are transported directly among the Contracting Members. However, the products whose transport involves transit through one or more intermediate non-Contracting Member's territory with or without transhipment or temporary storage shall also be eligible for preferential treatment provided that:

(a) the transit entry is justified for geographical reasons or by consideration related exclusively to transport requirements;

(b) the products have not entered into trade or consumption there;

(c) the products have not undergone any operation there other than unloading and reloading or any operation required keeping them in good condition; and

(d) evidence that the conditions set out in (a), (b) and (c) above have been complied with, such as Bill of Lading or a single transport document covering the passage from the exporting country through the country of transit.

Rule 8
Treatment of Packing

1) Where for purposes of assessing customs duties, a Contracting Member treats products separately from their packing; it may also, in respect of its imports consigned from another Contracting Member, determine separately the origin of such packing.

2) Where paragraph (1) above is not applied, packing shall not be taken into account in determining the origin of the product.

3) Packing material and containers exclusively used for the transportation of a product shall not be taken into account in determining the origin of the product.

Rule 9
Accessories, Spare Parts and Tools

The origin of accessories, spare parts, tools and instructional or other information materials presented with the goods therewith shall not be taken into account in determining the origin of the goods, provided that such accessories, spare parts, tools and information materials are classified and customs duties collected with the goods by the importing Contracting Member.[1]

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[1] Accessories, spare parts and tools dispatched with a piece of equipment, machine, apparatus or vehicle, which are part of the normal equipment and included in the price thereof or which are not separately invoiced, shall be regarded as one with the piece of equipment, machine, apparatus or vehicle in question.

Rule 10
Treatment of Indirect Materials

Unless otherwise provided, for the purpose of determining the origin of goods, the origin of indirect materials, or the materials used in its manufacture which do not remain in the goods or form part of the goods, shall not be taken into account**.**

Rule 11
Classification of Goods

For the purposes of these Rules, goods, materials and products shall be classified in accordance with the General Rules of Interpretation of Harmonized System.

Rule 12
Re-importation of Exported Goods

If originating goods exported from a Contracting Member are re-imported, they must be considered as non-originating, unless it can be demonstrated to the satisfaction of the customs authorities that:

(a) the returning goods are the same as those exported; and

(b) they have not undergone any operation beyond that necessary to preserve them in good condition while in that country or while being exported.

Rule 13

Exhibitions

1. Originating products, sent for exhibition outside a Contracting Member's territory and sold after the exhibition for importation into a Contracting Member's territory shall enjoy the preferential treatment under the D-8 PTA provided it is shown to the satisfaction of the Customs authorities that:

(a) an exporter has consigned these products from a Contracting Member's territory to the country in which the exhibition is held and has exhibited them there;

(b) the products have been sold or otherwise disposed of by that exporter to a person in a Contracting Member's territory;

(c) the products have been consigned during the exhibition or immediately thereafter in the country in which they were sent for exhibition; and

(d) the products have not, since they were consigned for exhibition, been used for any purpose other than for demonstration at the exhibition.

2. A D-8 Certificate of Origin must be issued or made out in accordance with the provisions of D-8 PTA and submitted to the Customs authorities of the importing

country in the normal manner. The name and address of the exhibition must be indicated thereon. Where necessary, additional documentary evidence of the conditions under which they have been exhibited may be required.

3. Paragraph 1 shall apply to any trade, industrial, agricultural or crafts exhibition, fair or similar public show or display which is not organised for private purposes in shops or business premises with a view to the sale of foreign products, and during which the products remain under customs control.

Rule 14
<u>Prohibition</u>

Any Contracting Member may, subject to notification to the D-8 Secretariat, prohibit importation of products containing any inputs originating from any non-Contracting Member's territory with which it does not want to have economic and commercial relations.

Rule 15
<u>D-8 Certificate of Origin and Operational Certification Procedures</u>

1. A claim that products shall be accepted as eligible for preferential treatment shall be supported by a D-8 Certificate of Origin issued by the Customs or the relevant competent authorities designated by the respective Governments of the exporting Contracting Members and notified to the other Contracting Members in accordance with the Operational Certification Procedures, as set out in the Attachment.

2. The Attachment and its Appendix shall form an integral part of the D-8 Rules of Origin.

Rule16
<u>Dispute Settlement</u>

1. Any dispute that may arise among the Contracting Members regarding the implementation or interpretation of the provisions of the D-8 Rules of Origin, shall be dealt in accordance with Article 26 of the D-8 PTA.

2. In all cases, the settlement of disputes between the importer and the customs authorities of the importing country shall be under the legislation of the said country.

Rule 17
<u>Penalties</u>

In accordance with national legislation, penalties shall be imposed on any person who draws up, or causes to be drawn up, a document which contains incorrect information for the purpose of obtaining a preferential treatment for products.

Rule 18
<u>Free Zones</u>

1. Contracting Members shall take all necessary steps to ensure that products traded under cover of a D-8 Certificate of Origin, which in the course of transport, use a free zone situated in their territory, are not substituted by other goods and do not undergo handling other than normal operations designed to prevent their deterioration.

2. By means of an exemption to the provisions contained in paragraph 1, when products originating in a Contracting Member's territory are imported into a free zone under cover of a D-8 Certificate of Origin and undergo treatment or processing, the authorities concerned shall issue a new D-8 Certificate of Origin at the exporter's request, if the treatment or processing undergone is in conformity with the provisions of this Attachment and the D-8 Rules of Origin.

Rule 19
Goods in Transit and Storage

Goods which conform to the provisions of D-8 Rules of Origin and which on the date of entry into force of the D-8 PTA are either being transported or are being held in a Contracting Member's territory in temporary storage, in bonded warehouses or in free zones, may be accepted as originating products subject to the submission, within four months from the date of entry into force of the D-8 PTA, to the customs authorities of the importing country of D-8 Certificate of Origin, drawn up retrospectively, and of any documents that provide supporting evidence of the conditions of transport.

Rule 20
Review and Modification

1. The D-8 Rules of Origin may be reviewed and modified as and when necessary upon request of a Contracting Member as per procedure under Article 30 of the D-8 PTA.

2. Notwithstanding paragraph 1 of this Rule, the Attachment and its Appendix shall be modified and reviewed in accordance with the provision of Article 14 of the Attachment.

OPERATIONAL CERTIFICATION PROCEDURES

PART I

ISSUANCE OF D-8 CERTIFICATE OF ORIGIN

6.11.2.1. Article 1

General Requirements

Products originating in a Contracting Member's territory shall, on importation into the other Contracting Member's territory benefit from the D-8 Preferential Trade Agreement (PTA) upon submission of a D-8 Certificate of Origin, a specimen of which is attached herewith.

6.11.2.2. Article 2

Procedure for the Issuance of a D-8 Certificate of Origin

1. A D-8 Certificate of Origin shall be issued by the Customs or the relevant competent authorities designated by the government of the exporting country, herein after referred to as issuing authority, on application having been made in writing by the exporter or, under the exporter's responsibility, by his authorized representative.

2. For this purpose, the exporter or his authorized representative shall fill out both the D-8 Certificate of Origin and the application form, specimens of which are attached herewith. The said form shall be completed in English language and in accordance with the provisions of the domestic law of the exporting country. If they are handwritten, they shall be completed in ink

in printed characters. The description of the products must be given in the **Box 7** of the attached forms, which is reserved for this purpose without leaving any blank lines. Where the said box is not completely filled, a horizontal line must be drawn below the last line of the description, the empty space being crossed through.

3. The exporter applying for the issuance of a D-8 Certificate of Origin shall be prepared to submit at any time, at the request of the Customs or the competent authorities of the exporting country where the D-8 Certificate of Origin is issued, all appropriate documents proving the originating status of the products concerned as well as the fulfilment of the other requirements of this Attachment and D-8 Rules of Origin.

4. A D-8 Certificate of Origin shall be issued by the Customs or the competent authorities of a Contracting Member if the products concerned can be considered as products originating in that Contracting Member’s territory and fulfil the other requirements of this Attachment and D-8 Rules of Origin. The origin state of the goods shall be indicated in **Box 3** of the certificate.

5. The authorities issuing the D-8 Certificate of Origin shall take the necessary steps to verify the originating status of the products and the fulfilment of the other requirements of this Attachment and D-8 Rules of Origin. For this purpose, they shall have the right to call for any evidence and to carry out any inspection of the exporter's accounts or any other check considered appropriate. The issuing authorities shall also ensure that the forms referred to in paragraph 2 are duly completed. In particular, they shall check whether the space reserved for the description of the products in **Box 7** has been completed in such a manner as to exclude all possibility of fraudulent additions.

6. A D-8 Certificate of Origin shall be issued and made available to the exporter as soon as actual exportation has been effected or ensured.

6.11.2.3.

6.11.2.4. Article 3

D-8 Certificate of Origin Issued Retrospectively

1. A D-8 Certificate of Origin may exceptionally be issued after exportation but not later than six months from the date of shipment of the products to which it relates if:

(a) it was not issued at the time of exportation because of errors or involuntary omissions or special circumstances; or

(b) it is demonstrated to the satisfaction of the Customs or the competent authorities that a D-8 Certificate of Origin was issued but was not accepted at importation for technical reasons.

2. For the implementation of paragraph 1, the exporter must indicate in his application the place and date of exportation of the products to which the D-8 Certificate of Origin relates, and state the reasons for his request.

3. A D-8 Certificate of Origin may be issued retrospectively only after verifying that the information supplied in the exporter's application agrees with that in the corresponding file.

4. A D-8 Certificate of Origin issued retrospectively must be endorsed with the phrase *"ISSUED RETROSPECTIVELY."*

5. The endorsement referred to in paragraph 4 shall be inserted in the **Box 6** (Remarks) of the D-8 Certificate of Origin.

6.11.2.5.

6.11.2.6. Article 4

6.11.2.7. Issuance of a Duplicate D-8 Certificate of Origin

1. In the event of theft, loss or destruction of a D-8 Certificate of Origin, the exporter may apply to the Customs or the competent authorities which issued it for a duplicate made out on the basis of the export documents in their possession.

2. The duplicate issued in this way must be endorsed with the word *"DUPLICATE."*

3. The endorsement referred to in paragraph 2 shall be inserted in the **Box 6** (Remarks) of the duplicate D-8 Certificate of Origin.

4. The duplicate, which must bear the date of issue of the original D-8 Certificate of Origin, shall take effect as from that date.

6.11.2.8. Article 5

Issuance of D-8 Certificate of Origin on the Basis of a D-8 Certificate of Origin Issued or Made out Previously

1. When originating products are placed under the control of a customs office in a Contracting Member's territory, it shall be possible to replace the original D-8 Certificate of Origin by one or more D-8 Certificates of Origin for the purpose of sending all or some of these products elsewhere within that Contracting Member's territory for the customs clearance of the products. In this case, the replacement D-8 Certificate of Origin(s) shall be issued by the customs or the competent authorities under whose control the products are placed.

2. In case that all or part of the products originating in one of the Contracting Members' territory which are imported or placed into the Customs Warehouses under the control of a customs office in a Contracting Member's territory are sent to another Contracting Member's territory, a new D-8 Certificate of Origin must be issued by the customs or the competent authorities under whose control the products are placed. In this case, the origin state shall be indicated in **Box 3** of the D-8 Certificate of Origin.

6.11.2.8.1.

6.11.2.8.2. Article 6

6.11.2.9. Validity of D-8 Certificate of Origin

1. A D-8 Certificate of Origin shall be valid for six months from the date of issue in the exporting country, and must be submitted within the said period to the customs authorities of the importing country.

2. A D-8 Certificate of Origin which is submitted to the customs authorities of the importing country after the final date for presentation specified in paragraph 1 may be accepted for the purpose of applying preferential treatment, where the failure to submit these documents by the final date set is due to exceptional circumstances which are beyond the control of the exporter.

3. In other cases of belated presentation, the customs authorities of the importing country may accept the D-8 Certificate of Origin where the products have been submitted before the said final date.

6.11.2.10. Article 7

6.11.2.11. Submission of D-8 Certificate of Origin

A D-8 Certificate of Origin shall be submitted to the customs authorities of the importing country in accordance with the procedures applicable in that country. The said authorities may require the relevant document to be accompanied by a statement from the importer to the effect that the products meet the conditions required for the implementation of the D-8 PTA.

6.11.2.12.

6.11.2.13. Article 8

6.11.2.14. Importation by Instalments

Where, at the request of the importer and on the conditions laid down by the customs authorities of the importing country, dismantled or non-assembled products within the meaning of General Rule 2(a) of the Harmonized System falling within Sections XVI and XVII or heading Nos. 7308 and 9406 of the Harmonized System are imported by instalments, a single D-8 Certificate of Origin for such products shall be submitted to the customs authorities upon importation of the first instalment.

6.11.2.15.

6.11.2.16. Article 9

6.11.2.17. Supporting Documents

The documents referred to in Article 2(3) of this Attachment used for the purpose of proving that products covered by a D-8 Certificate of Origin can be considered as products originating in one of the Contracting Members' territory and fulfil the other requirements of this Attachment and D-8 Rules of Origin may consist *inter alia* of the following:

(a) direct evidence of the processes carried out by the exporter or supplier to obtain the goods concerned, contained for example in his accounts or internal bookkeeping;

(b) documents proving the originating status of materials used, issued or made out in one of the Contracting Members' territory where these documents are used in accordance with domestic law;

(c) documents proving the working or processing of materials in one of the Contracting Member's territory, issued or made out in that Contracting Member's territory, where these documents are used in accordance with domestic law;

(d) D-8 Certificate of Origin proving the originating status of materials used, issued or made out in a Contracting Member's territory in accordance with this Attachment and D-8 Rules of Origin.

6.11.2.17.1. Article 10

6.11.2.18. Preservation of D-8 Certificate of Origin

6.11.2.19. and Supporting Documents

1. The exporter applying for the issue of a D-8 Certificate of Origin shall keep for at least three years the documents referred to in Article 2(3) of this Attachment.

2. The Customs or the competent authorities of the exporting country issuing a D-8 Certificate of Origin shall keep for at least three years the application form referred to in Article 2(2).

3. The customs authorities of the importing country shall keep for at least three years the D-8 Certificate of Origin submitted to them.

6.11.2.20. Article 11

6.11.2.21. Discrepancies and Formal Errors

1. The discovery of slight discrepancies between the statements made in the D-8 Certificate of Origin and those made in the documents submitted to the customs office for the purpose of carrying out the formalities for importing the products shall not *ipso facto* render the D-8 Certificate of Origin null and void if it is duly established by the customs authority of the importing country that this document does correspond to the products submitted.

2. Obvious formal errors such as typing errors on a D-8 Certificate of Origin should not cause this document to be rejected if these errors are not such as to create doubts concerning the correctness of the statements made in this document.

3. In case that products, which are not eligible for the preferential regime under the D-8 PTA, are listed in the D-8 Certificate of Origin, it shall not affect or delay the products which fulfil the conditions of this Attachment and D-8 Rules of Origin for granting preferential treatment and are listed in the same D-8 Certificate of Origin.

PART II

ARRANGEMENTS FOR ADMINISTRATIVE CO-OPERATION

~~6.11.2.22.~~ Article 12

6.11.2.23. Mutual Assistance

1. Contracting Members shall provide each other with specimen signature(s) and impressions of stamps used by their Customs or the competent authorities for the issuance of D-8 Certificate of Origin and with the addresses and specimen of stamps of the Customs or competent authorities responsible for verifying those certificates.

2. In order to ensure the proper application of this Attachment and D-8 Rules of Origin, the Contracting Members shall assist each other, through the competent Customs administrations and competent and duly authorized bodies, in checking the authenticity of the D-8 Certificate of Origin issued and the correctness of the information given in these documents.

6.11.2.24.

6.11.2.25. Article 13

6.11.2.26. Verification of D-8 Certificate of Origin

1. Subsequent verifications of the issued D-8 Certificate of Origin shall be carried out at random or whenever the customs authorities of the importing country have reasonable doubts as to the authenticity of such documents, the originating status of the products concerned or the fulfilment of the other requirements of this Attachment and D-8 Rules of Origin.

2. For the purposes of implementing the provisions of paragraph 1, the Customs or the competent authorities of the importing country shall return the D-8 Certificate of Origin and the invoice or a copy of these documents, to the Customs or the competent authorities of the exporting country giving, where appropriate, the reasons for the enquiry. Any documents and information obtained suggesting that the information given on the D-8 Certificate of Origin is incorrect shall be forwarded in support of the request for verification.

3. The verification shall be carried out by the Customs or the competent authorities of the exporting country. For this purpose, the Customs or the competent authorities shall have the right to call for any evidence and to carry out any inspection of the exporter's accounts or any other check considered appropriate.

4. If the Customs authorities of the importing country decided to suspend the granting of preferential treatment to the products concerned while awaiting the results of the verification, release of the products shall be offered to the importer subject to any precautionary measures judged necessary.

5. The Customs or the competent authorities requesting the verification shall be informed of the results of this verification as soon as possible. These results must indicate clearly whether the documents are authentic and whether the products concerned can be considered as products originating in one of the Contracting Members' territory and fulfil the other requirements of this Attachment and D-8 Rules of Origin.

6. Where the cumulation provisions in accordance with Rule 5 of the D-8 Rules of Origin were applied and in connection with Article 2(4) of this Attachment, the reply shall include a copy (copies) of the certificate(s) relied upon.

7. If, in cases of reasonable doubt, there is no reply within ten months of the date of the verification request or if the reply does not contain sufficient information to determine the authenticity of the document in question or the real origin of the products, the requesting Customs or the competent authorities shall, except in exceptional circumstances, refuse entitlement to the preferences.

6.11.2.27. Article 14

Amendments

1. The provisions of this Attachment may be amended, as and when necessary, upon a request of any Contracting Members.

2. The Supervisory Committee may amend the provisions of this Attachment by consensus. In case consensus is not possible, the Supervisory Committee may amend the provisions of this Attachment by a two third majority.

Article 15

6.11.2.28. Appendix

Appendix to this Attachment shall form an integral part thereof.

Appendix 3

Agreement on Simplification of VISA Procedures for the Businessmen of the D-8 Member States

AGREEMENT ON

"SIMPLIFICATION OF VISA

PROCEDURES FOR THE BUSINESSMEN

OF THE D-8 MEMBER STATES"

The Government signatories hereto (hereinafter referred to as the Contracting Parties), being D-8 member countries.

Being convinced that trade and economic relations accelerate the mutual development of nations; have agreed as follows:

Article 1

All the diplomatic and consular missions of D-8 member countries shall issue entry visas to businessmen of the other D-8 member countries upon presentations of an introductory letter from the relevant competent national authorities in commercial affairs or respective ministries of foreign affairs of the member countries.

Article 2

All the diplomatic and consular missions of the D-8 member countries shall issue entry visas, within 5 working days of receipt of application, or otherwise reply to the applicant. Multiple entry visa shall be issued within 10 working days valid up to a maximum period of 1 (one) year with a maximum stay of 30 (thirty) days for the same group through similar procedure.

Article 3

The competent authorities shall extend on the basis of applicable regulations, visas issued to the businessmen who are engaged in export, import or investment activities till the expiry of the contract signed between the relevant parties provided that the visa holder shall not involve himself/herself in any activity in the host country inconsistent with his/her status.

Article 4

All the diplomatic and consular missions of D-8 member countries shall provide assistance for the facilitation of issuing resident permits to businessmen of the other D-8 member countries upon presentations of an introductory letter from the relevant competent national authorities in commercial affairs or respective ministries of foreign affairs of the member countries.

Article 5

None of the provisions of this Agreement shall prejudice the implementation of all applicable bilateral or multilateral agreements between any two or more D-8 member countries or national regulations and laws on issuance of entry visa, temporary resident permits or expulsion of foreign nationals in each of the respective countries.

Article 6

Any dispute arising out of the interpretation or implementation of this Agreement shall be settled amicably through consultation and negotiation among the contracting parties.

Article 7

a) Any Contracting Party may propose amendment to this Agreement. The proposed amendment shall be submitted to the depositary who shall circulate it immediately to all Contracting Parties. The amendment shall be subject to the approval of the D-8 Council of Ministers.

b) The amendment shall enter into force for each Contracting Party that deposits its instrument of ratification or approval to the amendment on the thirtieth day after the date on which more than three D-8 member states have deposited their instruments of ratification or approval with the depositary. Thereafter, the amendment shall enter into force for any other state party on the date of the deposit of its instrument of ratification or approval in respect of the amendment.

Article 8

a) Any Contracting Party may, for reasons of national security, public, order or public health, delay the entry into force or suspend temporarily the application of this Agreement as a whole or in part in respect of all or some of the Contracting Parties. Imposition and lifting of such a measure shall be communicated immediately to the D-8 Executive Director through diplomatic channels, which shall, in turn notify all Contracting Parties.

b) A Contracting Party which chooses to exercise any of the measures listed in paragraph 8/a, may not claim the continued application of this

Agreement to its own nationals by the Contracting Party against the nationals of which the measures are taken.

Article 9

a) This Agreement shall be open to the signature of the D-8 member countries, which may become parties to the Agreement, in accordance with their respective procedure, by:
(i) Signature without reservations in respect of ratification;
(ii) Signature with reservations in respect of ratification, followed by ratification.

b) The member countries which become party to this Agreement as outlined in the sub-paragraph 8/a (i) shall deposit an instrument of Ratification or Accession with the Office of the D-8 Executive Director. Similarly, those member countries which become party to this Agreement as outlined in the sub-paragraph 8/a (ii) shall deposit an instrument of ratification with the office of D-8 Executive Director.

Article 10

a) This Agreement shall enter into force on the *thirtieth* day after the *date* on which more than three D-8 member countries shall, in accordance with article 8 :
(i) have signed the Agreement without reservations in respect to ratification and deposited the instrument of accession with the Office of D-8 Executive Director. Or ,
(ii) have signed and ratified and deposited the instrument of ratification with the Office of D-8 Executive Director.

b) In case any member country which accedes to this Agreement after its entry into force, the Agreement shall enter into force with respect to the subsequently acceding party on the thirtieth day following the deposit of its instrument of accession or ratification.

Article 11

The D-8 Executive Director shall promptly notify its member countries of:

a)The date of the entry into force of this Agreement and the names of the D-8 member countries which have signed and ratified it ;

b) Any notification received in accordance with the Article 8 or 12 and its effective date;

c) The entry into force of any amendment to this Agreement.

Article 12

This Agreement is concluded for an indefinite period. Any Contracting Party, may withdraw from this Agreement by giving six months notice to that effect to the D-8 Executive Director.

In witness whereof, the undersigned being duly authorized thereto, have signed this Agreement.

Done at Cairo, this 24th day of February 2001, in English, in two original copies to remain deposited with the Office of the Executive Director, which shall transmit a certified copy to each Contracting Party.

ON BEHALF OF
THE PEOPLE'S REPUBLIC OF BANGLADESH.
H.E. ABDUS SAMAD AZAD
MINISTER OF FOREIGN AFFAIRS

ON BEHALF OF
THE ARAB REPUBLIC OF EGYPT.
H.E. AMRE MOUSSA
MINISTER OF FOREIGN AFFAIRS ....

ON BEHALF OF
THE REPUBLIC OF INDONESIA
H.E. ALWI SHIHABI
MINISTER OF FOREIGN AFFAIRS ....

ON BEHALF OF THE
ISLAMIC REPUBLIC OF IRAN
H.E. KAMAL KHARAZI
MINISTER OF FOREIGN AFFAIRS ....

ON BEHALF OF THE
FEDERAL REPUBLIC OF NIGERIA
H.E. SULE LAMIDO
MINISTER OF FOREIGN AFFAIRS ....

ON BEHALF OF
THE ISLAMIC REPUBLIC OF PAKISTAN.
H.E. ABDUL SATTAR
MINISTER OF FOREIGN AFFAIRS ....

ON BEHALF OF THE REPUBLIC OF TURKEY.
H.E.ISMAIL CEM
MINISTER OF FOREIGN AFFAIRS ....

Done at Kuala Lumpur, this 8th July 2008 in English in two original copies to remain deposited with the Office of the Executive Director, which shall transmit a certified copy to each Contracting Party.

ON BEHALF OF
THE GOVERNMENT OF MALAYSIA
H.E. DR. RAIS YATIM
MINISTER OF FOREIGN AFFAIRS
....

Appendix 4

Multilateral Agreement Among D-8 Member Countries on Administrative Assistance in Customs Matters

MULTILATERAL AGREEMENT
AMONG D-8 MEMBER COUNTRIES
ON ADMINISTRATIVE ASSISTANCE
IN CUSTOMS MATTERS

HAVING REGARD TO the United Nations Universal Declaration of Human Rights of 1948;

ALSO HAVING REGARD TO the joint efforts of Customs administrations for capacity building in enhancing their skills for carrying out their responsibilities, increasing their revenue and protecting their economy and society.

Have agreed as follows:

CHAPTER-I
Definitions

Article 1

For the purposes of this Agreement,

a. "Customs administration" shall mean the Customs authority and any other authority of a Contracting Party authorized under national law and designated by that Contacting Party to apply any provision of this Agreement.

b. "Customs duties" shall mean all duties, taxes, fees or any other charges which are levied in the territories of the Contracting Parties in application of Customs law, but not including fees and charges for services rendered;

c. "Customs claim" shall mean any amount of Customs duties that cannot be collected in one of the Contracting Parties;

d. "Customs law" shall mean any legal and administrative provisions applicable or enforceable by either Customs administration in connection with the importation, exportation, transshipment, transit, storage, and movement of goods, including legal and administrative provisions relating to measures of prohibition, restriction, and control;

e. "Customs offence" shall mean any breach or attempted breach of Customs law;

f. "information" shall mean any data, whether or not processed or analyzed, and documents, reports, and other communications in any format, including electronic, or certified or authenticated copies thereof;

g. "official" shall mean any Customs officer or other government agent designated by a Customs administration;

h. "person" shall mean both natural and legal persons, unless the context otherwise requires;

i. "personal data" shall mean any data concerning an identified or identifiable natural person;

j. "requesting administration" shall mean the Customs administration which requests assistance;

k. "requested administration" shall mean the Customs administration from which assistance is requested;

l. "requesting Contracting Party" shall mean the Contracting Party whose Customs administration requests assistance;

m. "requested Contracting Party" shall mean the Contracting Party whose Customs administration is requested to provide assistance.

CHAPTER-II
Scope of the Agreement

Article 2

1. Exchange of Information

   Contracting Parties shall, through their Customs administrations, provide each other with relevant information under the terms set out in this Agreement, for the proper application of Customs laws, for the prevention, investigation and combating of Customs offences and to ensure the security of trade supply chain.

2. Capacity Building

   Member countries shall initiate Customs training program to enhance the knowledge and skills of the Customs personnel, provide expertise and share training facilities and programs with each other.

3. Administrative Assistance

   a. The Contracting Parties shall through their Customs administrations provide among themselves administrative assistance under the terms set out in this Agreement, for the proper application of Customs laws and for the prevention, investigation and combating of Customs offences;

b. All assistance under this Agreement by either Contracting Party shall be provided in accordance with its national legal and administrative provisions and within the limits of its Customs administration's competence and available resources;

c. This Agreement only covers multilateral administrative assistance among the Contracting Parties and is not intended to impact mutual/multilateral legal assistance agreements between/among them. If mutual assistance is to be afforded by other authorities of the requested Contracting Party, the requested administration shall indicate those authorities and, where known, the relevant agreement or arrangement applicable;

d. The provisions of this Agreement shall not give rise to a right on the part of any person to impede the execution of a request.

4. Transit Facilitation

For the promotion of trade among themselves, the Contracting Parties shall facilitate the transit movements by simplifying and harmonizing the Customs procedures and compliance mechanism.

5. Customs Data Bank (CDB)

Member countries shall consider establishing a centralized Customs Data Bank for effective information sharing.

CHAPTER III
Scope of Assistance

Article 3
Information for the Application and Enforcement of Customs Law

The Customs administrations shall, to the extent possible, provide each other, either on request or on their own initiative, with information which helps to ensure proper application of Customs Law and the prevention, investigation and combating of Customs offences. Such information may include:

a. new Customs law enforcement techniques having proved their effectiveness;

b. new trends, means or methods of committing Customs offences;

c. goods known to be the subject of Customs offences, as well as transport and storage methods used in respect of those goods;

d. any other data that can assist Customs administration in risk assessment for control and facilitation purposes.

CHAPTER IV
Special Instances of Assistance

Article 4
Information Relating To Customs Offences

1. The Customs administration of a Contracting Party shall provide the Customs administration of any other Contracting Party concerned, either on its own initiative or on requests, with information on activities, planned, ongoing or completed which provide reasonable grounds to believe that a Customs offence has been committed or will be committed in the territory of the Contracting Party concerned.

2. In serious cases that could involve substantial damage to the economy, public health, public security or any other vital interest of either Contracting Party, the Customs administration of the other Contracting Party shall, wherever possible, supply such information on its own initiative without delay.

Article 5
Particular Types of Information

On request, the requested administration shall provide the requesting administration, who has reason to doubt the accuracy of information provided to it in a Customs matter, with information relative to:

a. whether goods imported into the territory of the requesting Contracting Party have been lawfully exported from the territory of the requested Contracting Party;

b. whether goods exported from the territory of the requesting Contracting Party have been lawfully imported into the territory of the requested Contracting Party and in accordance with the Customs procedure, if any, under which the goods have been placed.

Article 6
Notification

1. On request, the requested administration shall, if permissible under its national law, take all necessary measures to notify a person residing or established in its territory of all decisions taken by the requesting administration in application of Customs law concerning that person, that fall within the scope of this Agreement;

2. Such notification shall be made in accordance with the procedures applicable in the territory of the requested Contracting Party for similar national decisions.

Article 7
Assistance in the Recovery of Customs Claims

1. On request, the Customs administrations shall afford each other assistance with a view to the recovery of Customs claims, provided that both Contracting Parties have enacted the necessary legal and administrative provisions at the time of the request;

2. Assistance in recovering Customs claims shall be arranged in accordance with Article 20 of this Agreement.

Article 8
Surveillance and Information

1. On request, the requested administration shall, to the extent possible, maintain surveillance over and provide the requesting administration with information on:

   a. goods either in transport or in storage known to have been used or suspected of being used to commit a Customs offence in the territory of the requesting Contracting Party;

   b. means of transport known to have been used or suspected of being used to commit a Customs offence in the territory of the requesting Contracting Party;

   c. premises known to have been used or suspected of being used in connection with the commission of a Customs offence in the territory of the requesting Contracting Party;

d. persons known to have committed or suspected of being about to commit a Customs offence in the territory of the requesting Contracting Party, particularly those moving into and out of the territory of the requested Contracting Party.

2. The Customs administration of any Contracting Party may maintain such surveillance on its own initiative if it has reason to believe that activities planned, ongoing or completed appear to constitute a Customs offence in the territory of another Contracting Party.

CHAPTER V
Joint Control and Investigation Teams

Article 9

1. Contracting Parties may establish joint control or investigation teams to detect and prevent particular types of Customs offences requiring simultaneous and coordinated activities.

2. Such teams shall operate in accordance with the law and procedure of the Contracting Party in whose territory the activities are being carried out.

3. The working of these teams shall be arranged in accordance with Article 20 of this Agreement.

CHAPTER VI
Communication of Requests

Article 10

1. Requests for assistance under this Agreement shall be addressed directly to the Customs administration of the other Contracting Party. Requests shall be made in writing or electronically, and shall be accompanied by any information deemed useful to comply with the request. The requested administration may require written confirmation of electronic requests. Where the circumstances so require, requests may be made orally. Such requests shall be confirmed in writing as soon as possible.

2. Requests made pursuant to paragraph 1 of this Article, shall include the following details:

(a) the name of the requesting administration;

(b) the Customs matter at issue, type of assistance requested, and reason for the request;

(c) a brief description of the case under review and its administrative and legal elements;

(d) the names and addresses of the persons to whom the request relates, if known.

3. Where the requesting administration requests that a certain procedure or methodology be followed, the requested administration shall comply with such a request, subject to its national, legal and administrative provisions.

4. On request, the requested administration shall provide certified copies of the requisite documents. Any document exchanged shall be accompanied by, to the possible extent, all relevant information for the interpretation and use thereof.

5. The information referred to in this Agreement shall be communicated to officials who are specially designated for this purpose by either Customs administration. A list of those officials shall be supplied to the Customs administration of the other Contracting Party in accordance with Article 20 of this Agreement.

CHAPTER VII
Execution of Requests

Article 11
Means of Obtaining Information

Each Contracting Party shall develop its own mechanism in obtaining information.

Article 12
Presence of Officials in the Territory of the Other Contracting Party

On written request, officials specially designated by the requesting administration may, with the authorization of the requested administration and subject to conditions the latter may impose, for the purpose of investigating a Customs offence:

(a) examine, in the offices of the requested administration, documents and any other information in respect of that Customs offence, and be supplied with copies thereof;

(b) be present during an inquiry conducted by the requested administration in the territory of the requested Contracting Party which is relevant to the requesting administration; these officials shall only have an advisory role.

Article 13
Presence of Official of the Requesting Administration at the Invitation of the Requested Administration

Where the requested administration considers it appropriate for an official of the requesting administration to be present when, pursuant to a request, measures of assistance are carried out, it may invite the participation of the requesting administration subject to any terms and conditions it may specify.

Article 14
Arrangement for Visiting Officials

1. When officials of either Contracting Party are present in the territory of another Contracting Party under the terms of this Agreement, they must at all times be able to furnish, in a language acceptable to the requested administration, proof of their official identity and status in their Customs administration and of their official status as granted in the territory of the requested administration;

2. Officials designated by the requesting administration to be present in the territory of the requested Contracting Party, as provided for in Article 12 and 13, shall have a purely advisory role;

3. They shall, while in the territory of another Contracting Party under the terms of this Agreement, enjoy the protection accorded to Customs officers of the other Contracting Party to the extent provided by the laws in force there, and be responsible for any offence they commit.

Article 15
Experts and Witnesses

On request, the requested administration may authorize its officials to appear before a court or tribunal in the territory of the other Contracting Party as experts or witnesses in the matter related to the application of Customs law.

CHAPTER VIII
Confidentiality of Information

Article 16

1. Any information received under this Agreement shall be used only by the Customs administrations and solely for the purposes of this Agreement except in cases where the Customs administration supplying the information has authorized its use by other authorities or for other purposes.

2. Any information received under this Agreement shall be treated as confidential and shall, at least, be subject to the same protection and confidentiality as the same kind of information is subject to under the national law of the Contracting Party where it is received.

CHAPTER IX
Protection of Personal Data

Article 17

1. Personal data exchanged under this Agreement shall not begin until the Contracting Parties have mutually agreed, in accordance with Article 20 of this Agreement, that such data will be afforded a level of protection that satisfies the requirements of national law of the providing Contracting Party.

2. In the context of this Article, the Contracting Parties shall provide each other with their relevant legislation concerning the protection of personal data.

CHAPTER X
Exemptions

Article 18

Where any assistance requested under this Agreement may infringe the sovereignty, laws and treaty obligations, security, public policy or any other substantive national interest of a requested Contracting Party, or prejudice any legitimate commercial or professional interests, such assistance may be declined by that Contracting Party or provided subject to any terms or conditions it may require.

CHAPTER XI
Costs

Article 19

1. Subject to paragraphs 2 and 3 of this Article, the requested Customs administration shall waive all claims for reimbursement of costs incurred in the execution of this Agreement.

2. Expenses and allowances paid to experts and witnesses, as well as costs of translators and interpreters, other than Government employees, shall be borne by the requesting administration.

3. If the execution of request requires expenses of a substantial or extraordinary nature, the Contracting Parties shall consult to determine the terms and conditions under which the request will be executed as well as the manner in which the costs shall be borne.

CHAPTER XII
Implementation and Application of the Agreement

Article 20

The Customs administrations shall jointly decide on detailed arrangements to facilitate the implementation and application of this Agreement.

CHAPTER XIII
Territorial Application

Article 21

This Agreement shall be applicable in the territories of all the Contracting Parties as defined in their national legal and administrative provisions.

CHAPTER XIV
Settlement of Disputes

Article 22

1. The Customs administrations shall endeavor to resolve disputes or other difficulties concerning the interpretation or application of this Agreement by mutual accord.

2. Unresolved disputes or difficulties shall be settled by diplomatic means.

CHAPTER XV
Final Provisions

Article 23
Entry into Force

1. This Agreement shall enter into force for each Contracting Party on the first day of the second month after each of the Contracting Parties has notified D-8 Executive Office in writing through diplomatic means that the constitutional or internal requirements for the entry into force of this Agreement have been met.

2. The instrument of acceptance or notification of this Agreement shall be deposited in the Secretariat of D-8 Executive Office in Istanbul.

3. This Agreement shall enter into force 90 days after the deposition of instrument of ratification of five (5) Member States of D-8 Countries.

Article 24
Duration and Termination

1. This Agreement is intended to be of unlimited duration but any Contracting Party may terminate it at any time by notification through diplomatic means.

2. The termination shall take effect three months from the date of the notification of termination to the depositary. Ongoing proceedings at the time of termination shall, nonetheless, be completed in accordance with the provisions of this Agreement.

Article 25
Review

The Contracting Parties shall meet in order to review this Agreement on request or at the end of five years from the date of its entry into force, unless they notify the Secretariat of the D-8 Executive Office in Istanbul in writing that no such review is necessary.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto, have signed this Agreement.

DONE at Bali, Indonesia on the 13th day of May 2006 in the English language in one original copy.

For the Government of the People's Republic of Bangladesh

(H.E. M. Morshed Khan, MP)
Minister of Foreign Affairs

For the Government of the Arab Republic of Egypt

(H.E. Fayza Aboulnaga)
Minister of International Cooperation

For the Government of the Republic of Indonesia

(H.E. Sri Mulyani Indrawati)
Minister of Finance

For the Government of the Islamic Republic of Iran

(H.E. Manouchehr Mottaki)
Minister of Foreign Affairs

For the Government of Malaysia

(H.E. Dato' Seri Syed Hamid Albar)
Minister of Foreign Affairs

For the Government of the Federal Republic of Nigeria

(H.E. Fidelis N. Tapgun)
Minister of Industries

For the Government of the Islamic Republic of Pakistan

(H.E. Humayun Akhtar Khan)
Minister for Commerce

For the Government of the Republic of Turkey

(H.E. Kürşad Tüzmen)
Minister of State

Appendix 5

Cover Letter of D-8 PTA Secretariat

Rujukan Kami : UMT/FPM/D/100-6/2 Jld 2 (20)
Tarikh : 13th October 2022

TO:

D-8 Secretariat, Istanbul
D-8 Commissioner of D-8 member states
High Level Trade Official of D-8 member states

Dear;

H.E. D-8 Secretary General of D-8 Organisation
H.E. Commisioner of D-8 member states
High Level Trade Official of D-8 member states

RE: AN APPOINTMENT AND DISCUSSION SESSION WITH D-8 SECRETARIAT, D-8 COMMISIONER AND D-8 HIGH LEVEL TRADE OFFICIAL

Assalammualaikum,

2. My name is Madzli Bin Harun, I am a Senior Lecturer, Universiti Malaysia Terengganu, MALAYSIA. The main reason I am contacting you is to hold meetings and discussions related to trade relations involving D-8 Secretariat and your country within D-8 member states via D-8 PTA. In relation to myself, I am an expert in the field of trade policy and preferential trade agreements involving Malaysia with member countries of the D-8 Organization and I was also directly involved in the formulation of the D-8 Global Vision in 2011 which has been invited by D-8 Secretary General formerly Prof Dr Widi Praktikto during Special Meeting in Istanbul. For your information , at this time I am conducting a comprehensive study and research related to the importance of trade policy and definitely the D-8 PTA that might be able to strengthen multilateral relations such as the D-8 Organization.

3. In fact, the D-8 PTA is very important to member states and it is a source of power to strengthen inter trade maters. However, currently D-8 PTA it is still unfeasible due to certain obstacles faced by member states. Therefore, this study will seek to find the best method for the implementation of D-8 PTA which it might fully ratify later. I believe with a very thorough experience in multilateral trade negotiations and various levels of trade negotiations will be able to stimulate the D-8 PTA as the best platform to bring the D-8 trading system forward.

4. Therefore, I hope to have a meeting and discussion within representative from D-8 Secretariat,D-8 Commisioner of member states, and HLTO from D-8 member states in June 2022 after review a set of question has attached. Enclosed, herewith an attachment a set of questionnaires for your further preparation and acknowledgment. Hence, I provide a link to hold a discussion session via virtual that will be held later for the reference of all parties, https://umt.webex.com/meet/madzli. In fact, I also request that you can suggest a suitable and available date and time for the discussion to be held to ensure well progress of this session.

5. While , I will wait for kind feedback from the D-8 Secretariat, D-8 Commisioner member states and HLTO of D-8 member states. The cooperation and concern from respective offical from D-8 member states and D-8 Secretariat is very much appreciated.

In addition, if you have any questions and concerns regarding this matter, please contact me via telephone 0060167375415 or email at madzli@umt.edu.my . In this regard, once again thank you for your kind cooperation in achieving the goal of accelerating the progressive movement of the D-8 PTA towards the empowerment of multilateral trade for D-8 member countries.

Thank you and warm regards

Wasallam.

"PRIHATIN RAKYAT : DARURAT MEMERANGI COVID-19"
"BERKHIDMAT UNTUK NEGARA"

MADZLI BIN HARUN
Senior Lecturer in International Trade Policy and Law
Faculty of Maritime Studies
Universiti Malaysia Terengganu
☎ 09-6683730 & 0167375415
madzli@umt.edu.my

Appendix 6

Cover Letter of D-8 Missions

UNIVERSITI MALAYSIA TERENGGANU

21030 Kuala Nerus, Terengganu, Malaysia
: +609-6683902 | : www.umt.edu.my
: +609-6683790 | : pro@umt.edu.my
FAKULTI PENGAJIAN MARITIM

Rujukan Kami: UMT/FPM/D/100-6/2 Jld 2 (20)
Tarikh :13th October 2022

TO:

H.E. Ambassador of Embassy Republic of Indonesia,
H.E. Ambassador of Embassy Republic Islam of Iran,
H.E. High Commissioner, High Commissioner the Kingdom of Egypt,
H.E. High Commissioner, Republic of Nigeria,
H.E. High Commissioner, Republic Islam of Pakistan and
H.E. High Commissioner, Republic Islam of Bangladesh

Dear;

H.E Ambassador and High Commisioner;

RE: AN APPOINTMENT AND DISCUSSION SESSION WITH HIGH LEVEL TRADE OFFICIAL OF EMBASSIES AND HIGH COMMISION

Assalammualaikum,

2. My name is Madzli Bin Harun, I am a Senior Lecturer, Universiti Malaysia Terengganu, MALAYSIA. The main reason I am contacting H.E. Ambasador and High Commioner is to hold meetings and discussions related to trade relations involving trade agreements bettween H.E. nation and Malaysia neither it s Bilateral or Multilateral, via singning and ratification of related trade agreements. In relation to myself, I am an expert in the field of trade policy, trade agreement and trade relations which involving Malaysia within respective nation neither bilateral or multilateral. Besdies that I were fully particpated and involved in the formulation of the D-8 Organisation Global Vision in 2011. Regards to this matter, currently I am emphasise conducting a comprehensive study related to the importance of trade policy and definitely the trade agreements that might be able to strengthen multilateral relations in the trade regimes.

3. In fact, the trade agreements is very important to all WTO member countries and it is a source of power to strengthen trade involving all nations that involving you nation. However, currently some of trade agreements still not feasible and in progress under negotiation and concession due to certain obstacles facing by the nation. Therefore, this study will seek to find the best method for the implementation and enforcement of respective trade agreements. Hereby, I believe with a very thorough experience in multilateral trade negotiations and various levels of trade negotiations will be able to stimulate the respective trade agreements as the best platform to bring the nation trading system forward.

4. Therefore, I hope to have a meeting with representative from High Level Trade Official of the Embassy and High Commision in October 2022 after review a set of question has attached. Enclosed, herewith an attachment set of questionnaires to High Level Trade Official of Embassy and High Commision further discussion preparation and acknowledgment.

5. Hence, I provide a link to hold a discussion session via virtual that will be held later for the reference of all parties, https://umt.webex.com/meet/madzli. In fact, I also request that potential trade official in the mission to be interviews and discussion session with suggest a suitable and available date and time for the discussion to be held to ensure well progress of this session.

6. While , I will wait for kind feedback from the Embassy and High Commision and HLTO of nation. The cooperation and concern from respective HLTO nations is very much appreciated. In addition, if the Embassy and High Commision have any questions and concerns regarding this matter, please do not hesisate to contact me via telephone 0060167375415 or email at madzli@umt.edu.my .

7. In this regard, once again thank you to H.E. Ambassador and High Commissioner with kind cooperation in achieving the goal of accelerating the progressive movement of the trade agreements towards the empowerment of bilateral and multilateral trade of the nation.

Thank you and warm regards

Wasallam.

"PRIHATIN RAKYAT : DARURAT MEMERANGI COVID-19"
"BERKHIDMAT UNTUK NEGARA"

MADZLI BIN HARUN
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Appendix 7

Questionnaire Embassy and High Commission

"TRADE POLICY INTEGRATION: A STUDY ON PREFERENTIAL TRADE AGREEMENT FORMULATION AND IMPLEMENTATION"

Thank you for the willingness and acceptance from the Embassy and High Commission to participate a virtual interview session online channel "WebEx" or in person interview session. While, through the embassy and high commission consent to be interviewed is greatly appreciated. Accordingly, enclose a set of questions containing six questions in the form of Open-Ended questions. The question is based on the views and experience and knowledge related to the above topic but it is directed in the scope of the role and involvement of embassy and high commission in national trade policy and trade agreement neither bilateral or multilateral trade agreement. While, this study is primarily for research and academic matter which it is as a key basis for strengthening and readiness for the expansion and development of bilateral/ multilateral trade agreement that directly involve the nation as a whole. In fact, it is the essence to movement the role of nation in trade agreements to be more proactive as a strategic trade organization that covers 4 major continents as trade integration regime.

Therefore, through this study, it will evaluate in 4 main themes based on research objectives o trade integration which focusing the formulation and enforcement of the Trade Agreements towards trade agreement (bilateral or multilateral) which through the evolution of its theme, namely: -i) formulation, ii) implementation, iii) compliance and iv) enforcement or ratification. In fact, to ensure that the national trade agreement and respecting contracting parties still relevant and trade sustainability, it is necessary to gain 2 main themes namely: v) The current status of PTA (bilateral;/multilateral) and its negotiation and preparedness at the national level and vi) Recommendations for future expansion of national trade agreements as well as what are the expectations from the contracting parties.

Hence, the conclusion will be seen in strengthening the readiness of the trade agreements neither bilateral/multilateral to be fully ratified immediately through the findings and insights as well as knowledge from experts in national level and the relevant ministries. Finally, the great cooperation from the nation in the embassy and high commission is greatly appreciated for strengthen this particular research. Insyallah, the sharing of the report findings of this study will be included to be shared within the nation mission (embassy and high commission as well as respective ministry) after completion the session.

The following is the details of the research objective for the study intended for respective embassy and high commission as reference:

Expert Position:

Years of services:

Department and Organisation:

Country:

Date:

Research Objective

i. To explore the formulation of the trade agreements and national trade policy (NTP) towards the trade regime (bilateral/multilateral);

ii. To investigate the implementation negotiation process of trade agreements at national level towards the trade regime (bilateral/multilateral);

iii. To determine the compliance of trade agreements towards the trade regime (bilateral/multilateral);

iv. To recommend that the trade agreements will be comprehensively enforced with involving your nation which great and highly contribution as a key pillar experienced in trade policy and trade regime from a both unilateral and multilateral.

Questionnaires

1. What is the method for the formulation of trade agreements at the national level and trade regime (bilateral/multilateral) level to be coordinated in order to achieve the main objectives of trade agreement (bilateral/multilateral). In fact, how about the involvement of trade commissioner among the parties to ensure that the trade agreement (bilateral/multilateral) is truly enforced through the functionality and strength of national trade policy and national trade facilitation.

2. How is the negotiation practice process related to the implementation of the respective trade agreement (bilateral/multilateral) and the need for national trade policy and trade facilitation to support the success of the implementation of the trade agreement (bilateral/multilateral).

3. To what extent is national trade initiative in conducting and coordinate trade agreement (bilateral/multilateral) at national level to ensure compliance with each term/element contained in the trade agreement by stakeholders at the domestic level to the regional trade agreement (bilateral/multilateral) level itself.

4. What is the potential of the comprehensive recommendations for trade agreement (bilateral/multilateral) enforcement at the inter-regional level through the strength of national trade policy for the preparation of a robust and effective set of respective trade agreement (bilateral/multilateral) framework to be ratified by respective national trade counterparts.

5. Are there any proposals and recommendations from respective counterparts of trade agreements and to ensure the full enforcement of the trade agreement (bilateral/multilateral) at the national level and at the trade agreement (bilateral/multilateral) level to ensure that respective countries will benefit from trade integration.

6. To date, is there any action for re-negotiation of trade agreement (bilateral/multilateral) for important clause and section in the agreement. Which it is likely to be able to re-amendment the respective trade agreement

(bilateral/multilateral) to ensure it is ratified and implemented as soon as possible. What is the appropriate method to expedite it and the current status? How about current status development of trade agreement within your nation (bilateral/multilateral).

On behalf of the university, I would like to thankful to the Embassy and High Commission for your kind willingness to provide views based on responsibilities, experience and functionality. It is hoped that this study will assist to speed up and expedite the ratification of respective trade agreement (bilateral/multilateral) which it is benefits to traders and, manufacturers and industry players. Thank you for embassy and high commission kind cooperation from the experts for response a set of question in this research.

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Appendix 8

Questionnaire D-8 Secretariat

"TRADE POLICY INTEGRATION: A STUDY ON D-8 PREFERENTIAL TRADE AGREEMENT FORMULATION AND IMPLEMENTATION"

Thank you for the willingness of the Embassy and High Commissioner from the Organisation of Developing Eight Economic Cooperation (D-8) based in Kuala Lumpur and the Multilateral Division, Ministry of International Trade and Industry involved to conduct a virtual interview session through the online channel "WebEx". Your consent to be interviewed is greatly appreciated. Accordingly, enclose a set of questions containing six questions in the form of Open-Ended questions. The question is based on the views and experience and knowledge related to the above topic but it is directed at the scope of the role and involvement of member countries in national trade policy and D-8 PTA that has been signed by D-8-member countries involving your country. This study is primarily for research, academic purposes and as a key basis for strengthening readiness for the expansion and development of multilateral trade policies that directly involve the Secretariat of the D-8 organization as a whole. In fact, it is the essence to move the role of D-8-member countries more proactive as a strategic trade organization that covers 4 major continents to be integrated.

Therefore, through this study, it will evaluate in 4 main themes based on research objectives to integrate trade for D-8 establishments through the formation and enforcement of the D-8 Preferential Trade Agreement which through the evolution of its theme, namely: -i) formulation, ii) implementation, iii) compliance and iv) enforcement or ratification. In fact, to ensure that D-8 PTA continues to be sustainable, it is necessary to get 2 main themes namely: v)) The current status of D-8 PTA and its preparation at the national level and vi) Recommendations for future expansion of D-8 PTA and what are the expectations from the country you. Hence, the conclusion will be seen in strengthening the readiness of the D-8 PTA to be ratified immediately through the findings and insights as well as knowledge from experts at the embassies and high commission of D-8-member nations and the relevant ministries. Finally, the cooperation from the embassy, high commission and ministry is greatly appreciated for strengthen this research. Insyallah, the sharing of the report findings of this study will be included to be shared with embassies and high commissioners as well as ministries after completion the task.

The following is the research objective for the study intended for your reference:

Expert Position:

Organisation:

Research Objective

i. To explore the formulation of the PTA and national trade policy (NTP) towards the D-8;

ii. To investigate the implementation negotiation process of PTA at national level towards the D-8;

iii. To determine the compliance of PTA towards the D-8 and;

iv. To recommend that the D-8 PTA will be comprehensively enforced with Malaysia's great and highly contribution as a key pillar experienced in trade policy both unilateral and multilateral.

Questionnaires

1. What is the method for the formulation of PTA at the national level to be coordinated with D-8 PTA in order to achieve the main objectives of D-8 PTA. In fact, what about the involvement of relevant agencies and ministries at the national level to ensure that the D-8 PTA is truly enforced through the functionality and strength of a national trade policy by your country.

2. How is the negotiation practice process related to the implementation of the PTA and the need for national trade policy in your country to support the success of the implementation of the D-8 PTA.

3. To what extent is your country truly capable and qualified to coordinate national PTAs to ensure compliance with each term/element contained in the D-8 PTA agreement by stakeholders at the domestic level to the regional level itself (D-8).

4. What is the potential of the comprehensive recommendations for PTA enforcement at the national level through the strength of your country's national trade policy for the preparation of a robust and effective set of D-8 PTA Framework to be ratified by your country and all member states.

5. Are there any proposals and recommendations from your country to ensure the full enforcement of the D-8 PTA at the national level and at the D-8 level to ensure that all countries will benefit from integrated trade.

6. To date, is there any action for re-negotiation of D-8 PTA for certain elements in the agreement. Which it is likely to be able to re-amendment the D-8 PTA to ensure it is ratified and implemented as soon as possible. What is the appropriate method to expedite it and the current status?

On behalf of the university, I would like to thank the embassies, high commissioners as well as the ministries for the willingness to provide views based on responsibilities, experience and functionality. It is hoped that this study will assist to speed up and expedite the ratification of D-8 PTA which it is benefits to traders and, manufacturers and industry players. Thank you for the cooperation from the experts.

BIODATA OF AUTHOR

Madzli bin Harun, a senior lecturer at the Faculty of Maritime Studies, University of Malaysia Terengganu, exemplifies academic excellence. His academic journey commenced with a Diploma in Business Studies from the Institute of Commercial Management, London, followed by a Higher National Diploma in Business Finance from De Montfort University, Leicester. His achievements facilitated his pursuit of a fast-track bachelor’s degree in Business (Hons) Administration and Commerce at De Montfort University, supported by a MARA Scholarship. He further advanced his expertise through an M.Sc. in International Trade Policy and Law from The Robert Gordon University in Aberdeen, Scotland, funded by a full university scholarship. Subsequently, Madzli pursued a PhD in International Trade Policy at Antwerpen University, Belgium. Currently, he is in the final stages of his PhD at Universiti Malaysia Terengganu, demonstrating his dedication to his discipline. Madzli's areas of expertise encompass international trade policy and law, international diplomacy and negotiation, maritime policy and law, customs regulations, cross-border trade, international economic regimes, and regional logistics. His comprehensive knowledge is reflected in numerous publications in refereed journals and conference proceedings, addressing Trade and Customs Agreements, Trade Regimes, the Integration Transit System Protocol, International Diplomacy, maritime policy, and international maritime relations. Madzli's extensive experience in policymaking has garnered recognition and frequent invitations to contribute as a thinker and drafter of national and international policies. Notably, he contributed to the formulation of the National Tuna Strategic Plan 2021-2030, drafted Malaysia's participation in the West and Central Pacific Fisheries Commission (WCPFC), directed the development of the National Maritime Policy, and the Comprehensive Pacific Trans-Partnering Agreement for Malaysia. His expertise has also resulted in numerous keynote speaker invitations, delivering significant addresses such as "Bilateral Relations between Malaysia and the Czech Republic: Past, Present, and Future" for the Ministry of Foreign Affairs of the Czech Republic, "Global Vision: Cooperation, Competition, and Integration" at the Special Commission Meeting for D-8 Economic Cooperation in Istanbul, Turkey, and "Malaysia Coast Guard & Maritime Diplomacy Towards National Safety and Security 2024" at the National Maritime Security Seminar organized by the Malaysian Maritime Enforcement Agency. Furthermore, he has spoken at events organized by the Ministry of Foreign Affairs of the Czech Republic, the International Chamber of Commerce, and various OIC embassies in Prague, Czech Republic. Madzli has also authored significant papers and policy documents on national and regional policy issues. Among his notable works are brief notes for the Third Indian Ocean Dialogue (IORA) on Regional Cooperation on Illegal, Unreported, and Unregulated (IUU) Fishing, comments on the Report of the D-8 Eminent Person Group (EPG), and contributions to the OIC Vision 2025. He also drafted the Fishery Product Halal Training Program for IORA member states and provided comments on the Draft D-8 Decennial Road Map 2020-2030. One of his most notable international recognitions occurred when the D-8 Secretariat in Istanbul, Turkey, commissioned him to develop the D-8 Global Vision Draft. This draft, approved by D-8 government trade commissioners, was adopted by all eight D-8 member nations, marking a significant milestone in Madzli’s career and enhancing the international reputation of the University of Malaysia Terengganu in the domain of global and transcontinental policy development.