

27 October 2022

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Page: 1/6

**REPORT (2022) OF THE COMMITTEE ON
TRADE-RELATED INVESTMENT MEASURES**

(ADOPTED 12 OCTOBER 2022)

1 GENERAL

1.1. This report is submitted pursuant to Article 7.3 of the Agreement on Trade-Related Investment Measures ("TRIMs Agreement"), which requires the Committee on Trade-Related Investment Measures (the "Committee") to report annually to the Council for Trade in Goods. The Report covers the period 13 October 2021 – 12 October 2022.

1.2. The Committee met formally on 23 March and 12 October 2022. The meetings were chaired respectively by Ms Vilma PELTONEN (Finland) and Ms Debora PONCE (Guatemala). The minutes of these meetings may be found in documents G/TRIMS/M/51 and G/TRIMS/M/52.¹ The meetings were open to all Members, governments with observer status in the WTO and international intergovernmental organizations to which the Committee has accorded regular observer status (IMF, OECD, UN, UNCTAD and World Bank). Decisions on requests for observer status made by several other international organizations are pending.

2 NOTIFICATIONS

2.1. Pursuant to Article 5.1 of the TRIMs Agreement, Members were required to notify any trade-related investment measure ("TRIM") inconsistent with the Agreement within 90 days after the entry into force of the WTO Agreement. Article 5.2 allows for transition periods for the elimination of measures notified under Article 5.1 and which were in existence at least 180 days preceding the entry into force of the WTO Agreement. Pursuant to a decision of the General Council in April 1995, governments eligible to become original WTO Members that accepted the WTO Agreement after 1 January 1995 had 90 days after the date of their acceptance of the WTO Agreement to make the notifications foreseen in Article 5.1, with the period for the elimination of TRIMs notified under Article 5.1 governed by reference to the date of entry into force of the WTO Agreement.² Annex 1 lists all notifications of measures under Article 5.1. In the case of some Members, notifications have been submitted later than the 90-day period foreseen. Some Members have notified that they do not apply any TRIM inconsistent with the Agreement. Annex 2 lists all Members that have made such notifications.

2.2. Article 6.2 provides for notification of publications in which information on TRIMs can be found. Annex 3 lists the Members that have submitted such notifications. Since the last report, notifications were received from Tonga, Thailand and Djibouti. As agreed by the Committee at its meeting on 20 May 2009, the Secretariat has circulated two reminders³ containing guidance regarding the requirements of Article 6.2 and its related decision. The reminders also request all Members that have never notified such publications to do so without delay and that all Members that previously notified update their notifications, if appropriate, without delay. The latest updated list of notifications has been circulated in document G/TRIMS/N/2/Rev.32.

¹ To be circulated.

² WT/L/64.

³ The reminders for 2022 were circulated in documents G/TRIMS/W/171 and G/TRIMS/W/172.

3 COMMUNICATIONS BY MEMBERS AND RELATED DISCUSSIONS

3.1. During this reporting period, the Committee held discussions on four (4) issues already discussed in previous reporting periods and on two (2) new items.

3.2. Issues raised in previous meetings of the Committee included: (i) India – Import restriction on air conditioners, item requested by Japan⁴; (ii) Indonesia – Comprehensive Review of Localization Measures, item requested by the United States, the European Union and Japan⁵; (iii) Indonesia – Import restriction on carpets and other textiles, item requested by Japan and the European Union⁶; (iv) Indonesia – Import restriction on air conditioners, item requested by Japan and the European Union.⁷

3.3. New issues raised during the latest reporting period included: (i) China – Draft of Chinese recommended national standard (GB/T) for office devices (information security technology-security specification for office devices), item requested by Japan; (ii) China – The Government Procurement Law of the People's Republic of China (The Amendment Draft), item requested by Japan.

3.4. At the October 2022 meeting, the Chair referred to her ongoing informal consultations on the election of the new Vice-Chair and made a statement on the ongoing consultations in the General Council and the Council for Trade in Goods regarding WTO reform and improving the functioning of the WTO Committees.

4 ELECTION OF OFFICERS

4.1. On 23 May 2022, the Council for Trade in Goods ("CTG") appointed Ms Debora PONCE (Guatemala) as Chairperson of the Committee. As per the Committee's decision on 23 March 2022⁸, a communication was sent to the Membership in this respect on 24 May 2022 and as no written objection was received, Ms Ponce was elected as the Chairperson of the Committee on 30 May 2022.

⁴ G/TRIMS/Q/IND/1.

⁵ G/TRIMS/Q/IDN/5; G/TRIMS/Q/IDN/6; G/TRIMS/Q/IDN/7 and G/TRIMS/Q/IDN/8.

⁶ G/TRIMS/Q/IDN/9.

⁷ G/TRIMS/Q/IDN/10.

⁸ Committee minutes contained in document G/TRIMS/M/51.

ANNEX 1**MEMBERS THAT HAVE SUBMITTED NOTIFICATIONS UNDER ARTICLE 5.1
OF THE AGREEMENT ON TRADE-RELATED INVESTMENT MEASURES**

<u>Member</u>	<u>Document Symbol</u>	<u>Date of Communication</u>
Argentina	G/TRIMS/N/1/ARG/1	30 March 1995
Argentina	G/TRIMS/N/1/ARG/1/Add.1	21 March 1997
Barbados	G/TRIMS/N/1/BRB/1	31 March 1995
Bolivia, Plurinational State of ¹	G/TRIMS/N/1/BOL/1	24 June 1998
Chile ²	G/TRIMS/N/1/CHL/1	14 December 1995
Colombia	G/TRIMS/N/1/COL/1	31 March 1995
Colombia	G/TRIMS/N/1/COL/1/Add.1	4 June 1995
Colombia ³	G/TRIMS/N/1/COL/2	31 July 1995
Colombia	G/TRIMS/N/1/COL/2/Corr.1	30 September 1996
Costa Rica ⁴	G/TRIMS/N/1/CRI/1	30 March 1995
Cuba ⁵	G/TRIMS/N/1/CUB/1	18 July 1995
Cyprus ⁶	G/TRIMS/N/1/CYP/2	30 October 1995
Dominican Republic	G/TRIMS/N/1/DOM/1	26 April 1995
Ecuador	G/TRIMS/N/1/ECU/1	20 March 1996
Egypt	G/TRIMS/N/1/EGY/1	29 September 1995
India	G/TRIMS/N/1/IND/1	31 March 1995
India	G/TRIMS/N/1/IND/1/Add.1	22 December 1995
India	G/TRIMS/N/1/IND/1/Add.1/Corr.1	18 March 1996
India	G/TRIMS/N/1/IND/1/Add.2	11 April 1996
Indonesia	G/TRIMS/N/1/IDN/1	23 May 1995
Indonesia	G/TRIMS/N/1/IDN/1/Add.1	28 October 1996
Kazakhstan	G/TRIMS/N/1/KAZ/1	21 April 2016
Malaysia	G/TRIMS/N/1/MYS/1	31 March 1995
Malaysia	G/TRIMS/N/1/MYS/1/Rev.1	14 March 1996
Mexico	G/TRIMS/N/1/MEX/1	31 March 1995
Mexico ⁷	G/TRIMS/N/1/MEX/1/Rev.1 ⁸	31 March 1995
Nigeria ⁹	G/TRIMS/N/1/NGA/1	17 July 1996
Pakistan	G/TRIMS/N/1/PAK/1	30 March 1995
Peru	G/TRIMS/N/1/PER/1	3 March 1995
Philippines	G/TRIMS/N/1/PHL/1	31 March 1995
Poland ¹⁰	G/TRIMS/N/1/POL/1	28 September 1995
Russian Federation	G/TRIMS/N/1/RUS/1	23 January 2013
Russian Federation	G/TRIMS/N/1/RUS/1/Add.1	11 February 2013

¹ Bolivia subsequently submitted a notification indicating that it does not apply any trade-related investment measures that are not in conformity with the Agreement (G/TRIMS/N/1/BOL/1/Add.1).

² Chile subsequently submitted a notification indicating that it has eliminated measures notified under Article 5.1 (G/TRIMS/N/1/CHL/1/Add.1).

³ Colombia subsequently submitted a notification indicating that it had issued Decree No. 1473 of 10 May 2004, whereby Decree No. 2439 of 1994 establishing import control mechanisms for certain agricultural products had been repealed (G/TRIMS/N/1/COL/3).

⁴ Costa Rica subsequently submitted a notification indicating that it intended to eliminate measures notified under Article 5.1 in advance of the expiry of the transition period (G/TRIMS/N/1/CRI/1/Add.1).

⁵ Cuba subsequently informed the Committee that the measures notified by Cuba under Article 5.1 are no longer in force (G/TRIMS/M/3, paragraph 5).

⁶ This notification superseded Cyprus' previous one (G/TRIMS/N/1/CYP/1) of 29 June 1995; Cyprus subsequently submitted a notification indicating that it has eliminated measures notified under Article 5.1 (G/TRIMS/N/1/CYP/2/Add.1).

⁷ Mexico subsequently submitted a notification indicating that all provisions under the Automotive Decree had ceased to be operative as of 1 January 2004 (G/C/42).

⁸ In English only.

⁹ Nigeria subsequently submitted a notification indicating that the Nigerian Enterprises Promotion Act of 1989 has been repealed and replaced with the Nigerian Investment Promotion Commission Decree 1995 (G/TRIMS/N/1/NGA/1/Add.1).

¹⁰ Poland subsequently submitted a notification indicating that it has eliminated measures notified under Article 5.1 (G/TRIMS/N/1/POL/1/Add.1).

<u>Member</u>	<u>Document Symbol</u>	<u>Date of Communication</u>
Romania	G/TRIMS/N/1/ROM/1	31 March 1995
South Africa	G/TRIMS/N/1/ZAF/1	19 April 1995
Thailand	G/TRIMS/N/1/THA/1	30 March 1995
Uganda	G/TRIMS/N/1/UGA/1	17 June 1997
Uruguay	G/TRIMS/N/1/URY/1	31 March 1995
Uruguay	G/TRIMS/N/1/URY/1/Add.1	30 August 1995
Venezuela, Bolivarian Republic of	G/TRIMS/N/1/VEN/1	31 March 1995

ANNEX 2**NOTIFICATIONS INDICATING THAT NO TRIMS INCONSISTENT WITH THE AGREEMENT
ON TRADE-RELATED INVESTMENT MEASURES ARE MAINTAINED**

<u>Member</u>	<u>Document Symbol</u>	<u>Date of Communication</u>
Bolivia, Plurinational State of	G/TRIMS/N/1/BOL/1/Add.1	4 March 1999
Costa Rica	G/TRIMS/N/1/CRI/1/Add.1 ¹	16 September 1999
Cyprus	G/TRIMS/N/1/CYP/2/Add.1	26 May 2000
El Salvador	G/TRIMS/N/1/SLV/1	5 November 2003
Haiti	G/TRIMS/N/1/HTI/1	27 February 1998
Honduras	G/TRIMS/N/1/HND/1	7 July 1995
Israel	G/TRIMS/N/1/ISR/1	24 October 1996
Jamaica	G/TRIMS/N/1/JAM/1	9 June 1998
Jordan	G/TRIMS/N/1/JOR/1	22 May 2000
Kuwait, the State of	G/TRIMS/N/1/KWT/1	10 November 2015
Maldives	G/TRIMS/N/1/MLV/1	30 September 1999
Mali	G/TRIMS/N/1/MLI/1	27 May 1997
Mauritius	G/TRIMS/N/1/MUS/1	27 March 1995
New Zealand	G/TRIMS/N/1/NZL/1	20 May 1999
Nicaragua	G/TRIMS/N/1/NIC/1	18 July 1996
Oman	G/TRIMS/N/1/OMN/1	20 December 2000
Saint Lucia	G/TRIMS/N/1/LCA/1	14 February 1996
Saudi Arabia, Kingdom of	G/TRIMS/N/1/SAU/1	3 October 2006
Singapore	G/TRIMS/N/1/SGP/1	9 October 1996
Slovenia	G/TRIMS/N/1/SVN/1	27 March 1995
Sri Lanka	G/TRIMS/N/1/LKA/1	14 March 2000
Switzerland	G/TRIMS/N/1/CHE/1	8 August 1995
Chinese Taipei	G/TRIMS/N/1/TPKM/1	27 May 2002
Trinidad & Tobago	G/TRIMS/N/1/TTO/1	1 April 1996
Zambia	G/TRIMS/N/1/ZMB/1	13 April 1995

¹ A Corrigendum to the English version was issued in G/TRIMS/N/1/CRI/1/Add.1/Corr.1, dated 26 October 1999.

ANNEX 3**MEMBERS THAT HAVE SUBMITTED NOTIFICATIONS UNDER ARTICLE 6.2
OF THE AGREEMENT ON TRADE-RELATED INVESTMENT MEASURES**

Afghanistan	Liberia
Albania	Liechtenstein
Angola	Macao, China
Argentina	Madagascar
Armenia	Malawi
Australia	Malaysia
Bahrain, Kingdom of	Maldives
Bolivia, Plurinational State of	Mali
Botswana	Mauritius
Brazil	Mexico
Brunei Darussalam	Moldova, Republic of
Burkina Faso	Mongolia
Burundi	Montenegro
Cambodia	Myanmar
Cameroon	Namibia
Canada	New Zealand
Chad	Nicaragua
Chile	Nigeria
China	Norway
Colombia	Oman
Congo	Panama
Costa Rica	Paraguay
Côte d'Ivoire	Peru
Cuba	Philippines
Djibouti	Qatar
Dominica	Russian Federation
Dominican Republic	Samoa
Ecuador	Saudi Arabia, Kingdom of
El Salvador	Senegal
European Union (including the member States)	Seychelles
Fiji	Singapore
Gabon	South Africa
The Gambia	Sri Lanka
Georgia	Suriname
Ghana	Switzerland
Guatemala	Chinese Taipei
Guinea	Thailand
Haiti	Togo
Honduras	Tonga
Hong Kong, China	Trinidad and Tobago
Iceland	Tunisia
India	Türkiye
Indonesia	Uganda
Israel	Ukraine
Jamaica	United Arab Emirates
Japan	United Kingdom
Jordan	United States of America
Kazakhstan	Uruguay
Korea, Republic of	Vanuatu
Kuwait, the State of	Venezuela, Bolivarian Republic of
Kyrgyz Republic	Zambia
Lao People's Democratic Republic	Zimbabwe
Lesotho	