# WORLD TRADE

# ORGANIZATION

## REPORT (2008) OF THE COMMITTEE OF PARTICIPANTS ON THE EXPANSION OF TRADE IN INFORMATION TECHNOLOGY PRODUCTS

1.      The Committee of Participants on the Expansion of Trade in Information Technology Products, hereinafter referred to as "the Committee", was established pursuant to the provisions of the Ministerial Declaration on Trade in Information Technology Products (WT/MIN(96)/16), hereinafter referred to as "the Ministerial Declaration", and the provisions for the Implementation of the Ministerial Declaration on Trade in Information Technology Products (G/L/160), in order to carry out the provisions of paragraphs 3, 5, 6 and 7 of the Annex to the Declaration.

2.      The Committee has held one formal meeting in 2008: i.e. on 30 October.  The minutes of the meeting are contained in document G/IT/M/50 (to be issued).  Mr. Khalid I. Emara (Egypt) was elected Chairman of the Committee for 2008.

3.      The total number of participants to the Ministerial Declaration is seventy-one (71). Since the last report, the schedule of the Ukraine was circulated and approved by the Committee. At the meeting of 30 October 2008, the Committee agreed that the ITA schedule of Peru be deemed to be approved unless any participant would notify in writing to the Secretariat within three weeks from the circulation of Peruvian ITA schedule.  It is anticipated that Peru will soon become the 72$^{nd}$ participant to the Ministerial Declaration once its schedule is approved. The Committee's rules of procedure provide for observer status in the Committee for WTO Members which are not participants to the Ministerial Declaration and Governments that are observers to the Council for Trade in Goods. Requests for observer status by international intergovernmental organizations are considered on a case-by-case basis. The International Trade Centre (ITC) and the Organization for Economic Cooperation and Development (OECD) have been granted observer status; and the World Customs Organization (WCO) has been granted observer status to meetings where the issues of HS classification and HS amendments are included in the agenda.

4.      The Committee continued its deliberations on the Non-Tariff Measures (NTMs) Work Programme. With regard to its work on the EMC/EMI Pilot Project, further to the approval of the "Guidelines for EMC/EMI Conformity Assessment Procedures" (G/IT/25) on an *ad referendum* basis, the Committee received survey responses from those participants who had not provided their information with a view to up-dating the Secretariat's note of the "Draft List of the Types of Conformity Assessment Procedures for EMC/EMI Used by ITA Participants" (G/IT/W/17/Rev.4). The Committee took note that among the 44 participants 24 of them have provided the information. In considering ways to advance and expand its work on NTMs other than EMC/EMI, the Committee also heard reports and updates by participants on their contributions to the work on NTMs, including those in other bodies of the WTO, e.g., in the NGMA.

5.      The Committee further continued its work on classification divergences.  In this respect, the Committee continued to use the last report from the customs experts[1] (G/IT/14/Rev.1/Add.1) and the compilation document, as revised by the Secretariat (G/IT/W/6/Rev.3), as the basis for its discussions. At the meeting of 30 October 2008, the Committee focused its discussions on the List V items (G/IT/W15, G/IT/W/20 and JOB(07)/91/Rev.1 + Corr.1); Communications received from the World Customs Organization (WCO) concerning List III (G/IT/26/Add.2); and other Lists of G/IT/W/6/Rev.3. Participants agreed to advance the Committee's work on classification divergences and requested the Chairman of the Committee to work with the Secretariat to prepare an informal paper listing various ideas and options suggested by the participants on the way forward.

6.      At the meeting of 30 October 2008, the Committee discussed the proposal by the European Communities concerning the Review of the Information Technology Agreement (ITA) (G/IT/W/28). Participants had an intense exchange of views on the proposal and a number of queries were raised to the proponent seeking further information and clarification. The Chairman of the Committee encouraged the proponent to continue to engage bilaterally with those delegations with a view to enabling the Committee to consider the initiation of informal consultations in this regard as soon as possible.

7.      The Committee has consistently reviewed the status of implementation, a summary of which is provided in document G/IT/1 and its revisions.  The document noted that most participants had submitted the formal documentation for rectification and modification of their WTO schedules in order to incorporate the commitments arising from the Ministerial Declaration and most had been certified by the Director-General. Three participants were still awaiting the completion of domestic procedural requirements or had not yet submitted the necessary documentation.

8.      The Chairman regularly informed the Committee under "other business" that participants continued to consult among themselves on review of product coverage.  He encouraged delegations to continue their efforts.

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[1] Based on the report from the Customs Experts as summarized in document G/IT/14/Rev.1/Add.1, classification divergences of ITA Attachment B items were categorized in document G/IT/W/6/Rev.3 as follows: List I (A) - divergences were narrowed to one classification option; List I (B) - divergences were narrowed two or more possible classifications, agreement on classifications reached; List II - divergence were narrowed to two or more possible classifications, no agreement on classifications reached; List III - items to be sent to the WCO HSC; List IV - items where no further progress could be achieved  due to a number of circumstances; and List V - items referred to this formal Committee to be addressed.