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REPORT (2013) OF THE COUNCIL FOR TRADE IN GOODS

In accordance with the "Procedures for an Annual Overview of WTO Activities and for Reporting under the WTO" (WT/L/105), the Council for Trade in Goods is to report each year to the General Council on the activities in the Council as well as in the subsidiary bodies. The reports are to be "factual in nature, containing an indication of actions and decisions taken, with cross references to reports of subordinate bodies and could follow the model of the GATT 1947 Council reports to the CONTRACTING PARTIES".

Since its 2012 Annual Report (G/L/1018) was issued, the Council for Trade in Goods met four times in formal session on the following dates: 25 March 2013 (G/C/M/113); 11 July 2013 (G/C/M/114); 23 September 2013 (G/C/M/115); and 18 October 2013 (G/M/116¹).

The subject matters which were raised and/or acted upon in the Council are as follows:

1. Election of Chairperson;
2. Appointment of Officers;
3. Matters of the Committee on Market Access;
4. Waivers under Article IX of the WTO Agreement;
5. European Union Enlargement;
6. Notification of Regional Trade Agreements;
7. Notifications:
 - Status of notifications under the provisions of the Agreements in Annex 1A of the WTO Agreement;
8. Brazil - Indirect Taxation: Conditions to Obtain Tax Benefits in Various Sectors – Statements by the European Union and Japan;
9. Indonesia's Import Restricting Policies and Practices – Request from the European Union and the United States;
10. Ukraine - Import Tariffs on Automobiles;
11. Ukraine's Article XXVIII Notification;
12. Ukraine's Coking-Coal Import Quota - Request from the European Union and the United States;
13. Russian Federation - Implementation of WTO Accession Commitments;
14. Japan - Wood Use Points Programme;
15. Nigeria - Local Content Measures in Oil and Gas - Request from the European Union and the United States;
16. European Union - The EU Renewable Energy Directive - Request from Indonesia;
17. Gabon - Schedule XLVII: Renegotiations under GATT Article XXVIII:4 (G/SECRET/36);
18. Ukraine - Recycling Fees on Cars - Request from the European Union;
19. Russian Federation - Measures Affecting EU Imports into Russia - Request from the European Union;
20. Nigeria - Restriction/Ban Imposed by Nigeria to Imports of Sea Products - Request by Iceland, Norway and Uruguay;
21. Work Programme on Electronic Commerce;
22. Consideration of Annual Reports of Subsidiary Bodies; and
23. Adoption of the Annual Report of the Council for Trade in Goods to the General Council.

¹ To be issued.

1 ELECTION OF CHAIRPERSON FOR THE COUNCIL FOR TRADE IN GOODS

1.1. At its meeting of 25 March, the Council elected Ambassador Moncef BAATI (Tunisia) as its Chairperson for 2013.

1.2. Following the departure of Ambassador Baati from Geneva, the meeting on 11 July was conducted by Ambassador Joakim REITER (Sweden) as interim Chairperson.

1.3. At the meeting on 23 September and following the consultation process undertaken by the Chairperson of the General Council, the CTG elected Ambassador Dacio CASTILLO (Honduras), as its Chairperson for the remaining period of 2013.

2 APPOINTMENT OF OFFICERS FOR THE SUBSIDIARY BODIES OF THE COUNCIL

2.1. At its meeting of 25 March, the Council agreed on the nominations of the following persons as Chairpersons of its subsidiary bodies for 2013:

Subsidiary Body	Chairperson
Market Access	Mr. Krzysztof TREPCZYNSKI (Poland)
Agriculture	Mr. Guilherme MARQUARDT BAYER (Brazil)
Sanitary and Phytosanitary Measures	Ms. Maria Araceli ALBARECE (Philippines)
Technical Barriers to Trade	Mr. Jingo KIKUKAWA (Japan)
TRIMs	Mr. Tsotetsi MAKONG (Lesotho)
Anti-Dumping Practices	Ms. Parima DAMRITHAMANIJ (Thailand)
Subsidies and Countervailing Measures	Mr. Marcus BARTLEY JOHNS (Australia)
Safeguards	Mr. Alex Yun-hsing NI (Chinese Taipei)
Import Licensing	Mr. Xiankun LU (China)
Rules of Origin	Mr. Marhijn VISSER (Netherlands)
Customs Valuation	Mr. Pierre-Emmanuel BRUSSELMANS (Belgium)
State Trading Enterprises	Mr. Humberto JIMENEZ TORRES (Ecuador)
Committee of Participants on the Expansion of Trade in Information Technology Products (ITA Committee)	Mr. Aaron FOWLER (Canada)

2.2. At the same meeting, the Council agreed to proceed on the understanding that as concerns the Vice-Chairpersons, it would be for the subsidiary bodies to decide if they needed a Vice-Chairperson in cases where the option existed under the respective Agreement and/or rules of procedure, and for the respective Chairperson to hold the necessary consultations.

3 MATTERS OF THE COMMITTEE ON MARKET ACCESS

3.1. At its meeting of 11 July, the Council considered and approved the draft decision on the "Derestriction of some GATT 1947 Historical Bilateral Negotiating Documentation" concerning the Dillon Round and some negotiating material of the earlier GATT Rounds contained in document G/MA/W/111/Rev.1, which was previously discussed and approved by the Committee on Market Access (CMA) on 7 May 2013. This Decision, once approved, was forwarded to the General Council for adoption.

3.2. At its meeting of 18 October, the Council considered three collective waiver requests on the introduction of Harmonized System 2002, 2007 and 2012 changes into WTO Schedules of Concessions (See Point 4 below).

Periodic Reports of the Committee on Market Access to the CTG

3.3. At its meeting of 18 October, the Council also took note of the information provided by the Chairperson on the decision adopted by the Committee on Market Access on 7 October 2013 that it would discontinue the periodic reports to the CTG.

4 WAIVERS UNDER ARTICLE IX OF THE WTO AGREEMENT**Introduction of Harmonized System 2002 changes into WTO Schedules of Tariff Concessions:*****Collective request for a waiver extension (G/C/W/682)***

4.1. At its meeting of 18 October, the Council considered a collective request for an extension of the waiver in connection with the introduction of HS2002 changes to the Schedules of Concessions. The Council approved the waiver request and recommended that the draft decision (G/C/W/682) be forwarded to the General Council for adoption.

Introduction of Harmonized System 2007 changes into WTO Schedules of Tariff Concessions:***Collective request for a waiver extension (G/C/W/683)***

4.2. At its meeting of 18 October, the Council considered a collective request for an extension of the waiver in connection with the introduction of HS 2007 changes to the Schedules of Concessions. The Council approved the waiver request and recommended that the draft decision (G/C/W/683) be forwarded to the General Council for adoption.

Introduction of Harmonized System 2012 changes into WTO Schedules of Tariff Concessions:***Collective request for a waiver (G/C/W/684/Rev.1)***

4.3. At its meeting of 18 October, the Council considered a collective request for a waiver in connection with the introduction of HS 2012 changes to the Schedules of Concessions. The Council approved the waiver request and recommended that the draft decision (G/C/W/684/Rev.1) be forwarded to the General Council for adoption.

Philippines – Request for a Waiver relating to Special Treatment for Rice of the Philippines (G/C/W/665/Rev.1; and G/C/W/665/Rev.2):

4.4. At its meetings of 25 March and 11 July, the Philippines informed the Council on the further consultations and discussions it had held with interested delegations on this issue. The Council took note of the statements made on 25 March by Australia; Canada; China; El Salvador; India; Indonesia; and Thailand regarding their concerns, discussions and negotiations with the Philippines on this issue. At its meeting of 11 June, it also took note of the statements made by Australia; Canada; China; Thailand; and the United States. The Council also agreed to revert to this issue.

4.5. At its meeting of 18 October, the Philippines introduced document G/C/W/665/Rev.3 containing a revised waiver request and a revised draft waiver decision, where the annexes to the latter reflected the agreements that had been reached with some of the interested delegations. The Council took note of the statements made by Australia; Canada; China; India; Indonesia; Thailand; and the United States; and agreed to revert to this issue at its next meeting.

European Union – Request for an Extension of the Waiver for the Application of Autonomous Preferential Treatment to Moldova (G/C/W/688):

4.6. At its meeting of 18 October, the Council considered document G/C/W/688 containing the waiver request and the draft waiver decision submitted by the European Union for an extension of the Waiver for the Application of Autonomous Preferential Treatment to Moldova. The Council approved the waiver request and recommended that the draft decision (G/C/W/688) be forwarded to the General Council for adoption.

5 EUROPEAN UNION ENLARGEMENT: PROCEDURES UNDER ARTICLE XXVIII:3 OF GATT 1994 (G/L/695/ADD.17; G/L/821/ADD.12; G/L/821/ADD.13; AND G/SECRET/35)

5.1. At its meeting of 25 March, the Council agreed to the extension of the deadlines set out in the communications from the European Union (G/L/695/Add.17 and G/L/821/Add.12).

5.2. At its meeting of 18 October, the Council took note of the statements made by the European Union on its enlargements of 1 January 2007, and of 1 September 2013; and of the statements made by Guatemala; the Russian Federation; and the United States. The CTG also took note of the response by the European Union to the Russian Federation, and agreed to meet before the end of November 2013 to consider the requests announced by the European Union for extension of the time period for the withdrawal of concessions for the European Union enlargements of 2007 and 2013.

6 NOTIFICATION OF REGIONAL TRADE AGREEMENTS

6.1. At its meetings on 25 March, 11 July and 18 October, the Council was informed of the following notifications on regional trade agreements:

- Customs Union between the Russian Federation, Belarus and Kazakhstan (WT/REG325/N/1);
- Free Trade Agreement between the Russian Federation and Serbia (WT/REG326/N/1);
- Free Trade Agreement between the Russian Federation and Uzbekistan (WT/REG327/N/1);
- Free Trade Agreement between the Russian Federation and Turkmenistan (WT/REG328/N/1);
- Free Trade Agreement between Chile and Malaysia (WT/REG330/N/1);
- Free Trade Agreement between Nicaragua and Panama (WT/REG331/N/1);
- Association Agreement between the European Union and Central America (WT/REG332/N/1);
- Trade Agreement between the European Union, Colombia and Peru (WT/REG333/N/1);
- Free Trade agreement between Canada and Panama (WT/REG334/N/1);
- Free Trade agreement between Canada and Jordan (WT/REG335/N/1);
- Bilateral Protocol between Panama and Guatemala to the Free Trade Treaty between Central America and Panama (WT/REG336/N/1/Rev.1);
- Enlargement of the European Union to 28 member States - Accession of Croatia (WT/REG337/N/1);
- Free Trade Agreement between Ukraine and Montenegro (WT/REG338/N/1);
- Free Trade Agreement between the Republic of Korea and Turkey (WT/REG339/N/1);
- Free Trade Agreement between Malaysia and Australia (WT/REG340/N/1);
- Free Trade Agreement between Turkey and Mauritius (WT/REG341/N/1);
- Free Trade Agreement between Costa Rica and Peru (WT/REG342/N/1);
- Treaty on a Free Trade Area between members of the Commonwealth of Independent States (WT/REG343/N/1);
- Bilateral Protocol between Chile and Nicaragua to the Free Trade Treaty between Central America and Chile (WT/REG344/N/1);
- Free Trade agreement between Mexico and Uruguay (WT/REG345/N/1); and
- Free Trade agreement between Costa Rica and Singapore (WT/REG347/N/1).

7 NOTIFICATIONS

- Status of notifications under the provisions of the Agreements in Annex 1A of the WTO Agreement

7.1. At its meeting of 25 March, the Council took note of the latest revision of the status of notifications contained in document G/L/223/Rev.20.

7.2. On the revised format to reduce the length of the current document (RD/CTG/1) as a means to find the right balance between transparency and the cost saving recommendations endorsed by the General Council in November 2011, the Council agreed to revert to this issue at its next

meeting when Australia and Japan would have further explored and discussed, with interested delegations, other possible options.

7.3. At its meeting of 11 July, under the agenda item "Other Business", the Chairperson informed delegations that Australia and Japan had indicated that they continued to explore and discuss ideas, with a view to suggesting some pertinent changes to the notification form at the October 2013 meeting. The Council agreed to revert to this issue at its next meeting under Agenda Item "Other Business".

7.4. At its meeting of 18 October, under the agenda item "Other Business", the Council took note of the information provided by Australia and Japan indicating that they had had joint discussions with the Divisions on Market Access and Agriculture to discuss how the agriculture notifications, which account for almost half of the existing document (G/L/223 and revisions) could be incorporated therein. The Council agreed to revert to this issue when appropriate.

8 BRAZIL – INDIRECT TAXATION: CONDITIONS TO OBTAIN TAX BENEFITS IN VARIOUS SECTORS – STATEMENTS BY THE EUROPEAN UNION AND JAPAN

8.1. At its meeting of 25 March and 11 July, the Council took note of the statements made by Australia; Canada; the European Union; Hong Kong, China; Japan; and the United States; and of the responses from Brazil on its tax system measures.

8.2. At its meeting of 18 October, the Council took note of the statements made by Australia; the European Union; Japan and the United States; and of the responses by Brazil.

9 INDONESIA'S IMPORT RESTRICTING POLICIES AND PRACTICES – REQUEST FROM THE EUROPEAN UNION AND THE UNITED STATES

9.1. At its meeting of 25 March, the Council took note of the statements made by Argentina; Australia; Canada; the European Union; Japan; Thailand; and the United States reiterating their continued concerns about Indonesia's import licensing requirements. The Council also took note of the responses by Indonesia.

9.2. At its meeting of 11 July, the Council took note of the statements made by Australia; Canada; the European Union; Hong Kong, China; Japan; New Zealand; Thailand; the United States; and Uruguay on their continued concerns about Indonesia's new trade and investment measures, including import licensing procedures. It also took note of Indonesia's responses.

9.3. At its meeting of 18 October, the Council took note of the statements made by Australia; Canada; Japan; New Zealand; Thailand; the European Union; the United States; and Uruguay, and of the responses by Indonesia.

10 UKRAINE – IMPORT TARIFFS ON AUTOMOBILES

10.1. At its meeting of 25 March, at the request of the delegation of the European Union, the Council considered this issue and took note of the statements made by the Canada; the European Union; Japan; Korea and the United States about the imposition of safeguards measures on imports of certain automobiles, and of the concerns regarding the fulfilment of the procedural requirements under the WTO Agreement on Safeguards. The Council also took note of the responses provided by Ukraine.

10.2. At its meeting of 11 July, at the request of the delegation of Japan, the Council considered this issue and took note of the statements made by Australia; the European Union; Japan; Korea; the Russian Federation; and Turkey about additional duties imposed by Ukraine on motor cars presented as a safeguard measure. The Council also took note of the responses and explanations by Ukraine.

10.3. At its meeting of 18 October, at the request of the delegations of the European Union and Japan, the Council considered this issue and took note of the statements made by Australia; Japan; Korea; Russian Federation; and the European Union, and of the responses by Ukraine.

11 UKRAINE'S ARTICLE XXVIII NOTIFICATION

11.1. At its meetings on 25 March, the Council considered this issue at the request of the delegations of ASEAN; Australia; Brazil; Canada; Chile; Colombia; Croatia; Egypt; the European Union; Guatemala; Hong Kong, China; Iceland; Japan; Korea; Mexico; New Zealand; Norway; Turkey; and the United States. The Council took note of the statements made by the above-mentioned delegations, and of the statements made by China; Ecuador; El Salvador; and Uruguay. The Council also took note of the responses by Ukraine.

11.2. At its meeting of 11 July, the Council considered this issue at the request of the delegations of ASEAN; Australia; Canada; Chile; Egypt; the European Union; Guatemala; Hong Kong, China; Iceland; Israel; Japan; Korea; Mexico; New Zealand; Norway; Turkey; and the United States. The Council took note of the statements made by ASEAN; Australia; Canada; Chile; China; Colombia; El Salvador; the European Union; Guatemala; Hong Kong, China; Iceland; Israel; Japan; Korea; Mexico; New Zealand; Norway; Turkey; and the United States. The Council also took note of the responses by Ukraine.

11.3. At its meeting of 18 October, the Council considered this issue at the request of the delegations of ASEAN; Australia; Canada; Chile; the European Union; Guatemala; Hong Kong, China; Japan; Korea; Mexico; Norway; and the United States. The Council took note of the statements made by ASEAN; Australia; Canada; Chile; China; El Salvador; the European Union; Iceland; Israel; Japan; Korea; Mexico; New Zealand; Norway; Switzerland; Turkey; and the United States. The Council also took note of the responses by Ukraine.

12 UKRAINE'S COKING-COAL IMPORT QUOTA – REQUEST FROM THE EUROPEAN UNION AND THE UNITED STATES

12.1. At its meeting of 11 July, the Council took note of the statements made by Australia; the European Union; the Russian Federation; and the United States. It also took note of the responses by Ukraine.

12.2. At its meeting of 18 October, the Council took note of the statements made by the Australia; the European Union; the Russian Federation; and the United States. It also took note of the response by Ukraine.

13 RUSSIAN FEDERATION – IMPLEMENTATION OF WTO ACCESSION COMMITMENTS

13.1. At its meeting of 25 March, at the request of the United States, the Council considered this issue and took note of the statements made by the European Union; Japan; and the United States, and of the responses by the Russian Federation.

13.2. At its meeting of 11 July, at the request of the European Union; Japan; and the United States, the Council considered this issue and took note of the statements made by the above-mentioned delegations and by Chinese Taipei; and of the responses by the Russian Federation.

13.3. At its meeting of 18 October, at the request of the European Union; Japan; and the United States, the Council considered this issue and took note of the statements made by the European Union; Japan; the United States, and of the responses by the Russian Federation.

14 JAPAN - WOOD USE POINTS PROGRAMME

14.1. At its meeting of 11 June, the Council considered this issue at the request of the delegations of Canada and the European Union. The Council took note of the statements made by Canada; the European Union; Malaysia; New Zealand; and the United States, and of the responses by Japan. Canada circulated written questions to Japan in document G/C/W/681.

14.2. At its meeting of 18 October, the Council considered this issue at the request of the delegations of Canada; the European Union; and the United States. The Council took note of the statements made by Canada; the European Union; Indonesia; Malaysia; New Zealand; and the

United States, and of the responses by Japan. The Council also took note of the written responses of Japan contained in document G/C/W/686.

15 NIGERIA – LOCAL CONTENT MEASURES IN OIL AND GAS – REQUEST FROM THE EUROPEAN UNION AND THE UNITED STATES.

15.1. At its meeting of 11 July, the Council took note of the statements made by Australia; the European Union; and the United States, and of the responses by Nigeria.

15.2. At its meeting of 18 October, the Council took note of the statements made by Australia; the European Union; and the United States; and of the responses by Nigeria.

16 EUROPEAN UNION – THE EU RENEWABLE ENERGY DIRECTIVE – REQUEST FROM INDONESIA

16.1. At its meeting of 18 October, the Council took note of the statements made by Argentina; Indonesia; and Malaysia; and of the responses by the European Union.

17 GABON – SCHEDULE XLVII: RENEGOTIATIONS UNDER GATT ARTICLE XXVIII:4 (G/SECRET/36)

17.1. At its meeting of 18 October, the Council considered the request by Gabon to renegotiate, under paragraph 4 of Article XXVIII of the GATT 1994, its Schedule of Concessions (XLVII) during a period of 120 days (see G/SECRET/36). The Council took note of the statement made by Gabon and by Australia; Canada; Central African Republic; China; the European Union; Japan; Korea; Mexico; Pakistan; Switzerland; and the United States. The Council authorized Gabon to begin its renegotiations with interested Members during a period of 180 days, counted as from 18 October 2013.

18 UKRAINE – RECYCLING FEES ON CARS – REQUEST FROM THE EUROPEAN UNION AND JAPAN

18.1. At its meeting of 18 October, the Council took note of the statements made by the European Union; Japan and the United States; and of the responses by Ukraine.

19 RUSSIAN FEDERATION – MEASURES AFFECTING EU IMPORTS INTO RUSSIA – REQUEST FROM THE EUROPEAN UNION

19.1. At its meeting of 18 October, the Council took note of the statements made by the European Union and the United States; and of the responses by the Russian Federation.

20 NIGERIA – RESTRICTION/BAN IMPOSED BY NIGERIA TO IMPORTS OF SEA PRODUCTS – REQUEST BY ICELAND, NORWAY AND URUGUAY

20.1. At its meeting of 18 October, the Council took note of the statements made by Chile; Iceland; Norway; and Uruguay about the possible reduction of imports of sea products into Nigeria. It also took note of the statement made by Nigeria.

21 WORK PROGRAMME ON ELECTRONIC COMMERCE

21.1. At its meeting of 25 March, Members reiterated their support to the reinvigoration of the Work Programme, and welcomed the two workshops on "E-commerce, Development and Small and Medium Size Enterprises (SMEs)" and "Services Related Issues for the Development of E-commerce", organized under the aegis of the Committee on Trade and Development and the Council for Trade in Services (CTS), respectively.

21.2. At its meeting of 11 July, the Council took note of the statements made by Cuba, the European Union and the United States concerning the outcome and positive results of these workshops. Statements also referred to the progress in the reinvigoration of the Work Programme and the need to renew the moratorium at the next MC9. The Chairperson also indicated that he

would make, under his own responsibility, a report to the General Council at its meeting of 24-25 July 2013².

21.3. At its meeting of 18 October, the Chairperson informed the Council that it had fulfilled its mandate, and that the factual report submitted by his predecessor, had been incorporated into the report to be submitted to the General Council, and the Ministerial Conference in Bali. It also took note of the statements made by Ecuador and the European Union.

22 CONSIDERATION OF ANNUAL REPORTS OF SUBSIDIARY BODIES OF THE COUNCIL FOR TRADE IN GOODS

22.1. At its meeting of 18 October, the Council took note of the annual reports of its subsidiary bodies.³

23 ADOPTION OF THE ANNUAL REPORT OF THE COUNCIL FOR TRADE IN GOODS TO THE GENERAL COUNCIL

23.1. At its meeting of 18 October, the Council adopted its Annual Report (2013) to the General Council.

² See document G/C/53.

³ See documents G/L/1039 and G/L/1039/Rev.1; G/L/1042; G/L/1043; G/L/1044; G/L/1045; G/L/1046; G/L/1047; G/L/1048; G/L/1049; and G/L/1050. The reports from the Committees on Technical Barriers to Trade; Safeguards; Subsidies and Countervailing Measures; and Anti- Dumping Practices will be submitted directly to the General Council.