

WORLD TRADE ORGANIZATION

G/L/672
12 March 2004

(04-1092)

Original: Spanish

INTRODUCTION OF HARMONIZED SYSTEM 1996 CHANGES INTO WTO SCHEDULES OF TARIFF CONCESSIONS

Panama – Schedule CXLI

Request for a Waiver

The following communication, dated 23 February 2004, is being circulated at the request of the delegation of Panama.

The Government of Panama hereby requests a waiver from its obligations under Article II of the GATT 1994 and General Council Decision WT/L/524 of 24 July 2003 in order to implement the Harmonized System 1996 (HS96) nomenclature and adopt the changes that this entails for Panama's Schedules of Concessions.

Attached to this request are the following documents for consideration by the Committee on Market Access:

- Draft waiver decision in which it is agreed to suspend the application by Panama of the provisions of Article II of the GATT 1994 for the purpose of introducing the HS96 changes to Panama's Schedule of Concessions¹;
- factual information concerning the request for a waiver for the purpose of introducing the HS96 changes to Panama's Schedule of Concessions.

¹ G/C/W/483.

Factual Information Concerning the Request for a Waiver for the Purpose of Introducing
the HS96 Changes to Panama's Schedule of Concessions

1. Date of original waiver

24 April 1998

2. Date of submission of documents relevant to the HS96 implementation

21 February 2002

Furthermore, on 6 February 2004, Panama sent the delegation of the United States copies of 2002 foreign trade statistics for Panama as requested by this delegation.

3. Number of extensions and dates when granted

Panama has been granted eight extensions. The dates are as follows:

WT/L/281 – 14 October 1998
WT/L/303 – 15 June 1999
WT/L/338 – 4 November 1999
WT/L/351 – 3 May 2000
WT/L/379 – 8 December 2000
WT/L/400 – 8 May 2001
WT/L/458 – 13 May 2002
WT/L/524 – 24 July 2003

4. Number of countries with which Article XXVIII negotiations have been initiated

None.

- (a) Canada – Further to clarification and corrections of our documents submitted to the Secretariat, on 9 September 2002 Canada gave formal notice that it had withdrawn its reservation.
- (b) Australia – Further to clarification and corrections of our documents submitted to the Secretariat, on 23 August 2003 Australia gave formal notice that it had withdrawn its reservation.
- (c) European Communities and United States – These two delegations are still verifying the documents provided by Panama, circulated in documents G/SECRET/HS96/48 of 4 April 2001, G/SECRET/HS96/48/Add.1 and Rev.1 of 18 March 2002 and 4 June 2002 respectively, and G/SECRET/HS96/48/Rev.1/Corr.2 of 14 August 2003.

5. Outlook for concluding the process

Panama is currently waiting for these two delegations to confirm acceptance of the documents submitted to the Secretariat in order to formally conclude implementation of HS96 nomenclature changes.

In the light of the above considerations and bearing in mind that Panama will have to conclude these consultations or possibly conduct negotiations under Article XXVIII, particularly in view of the general reservations made by other Members, we expect that a period of 12 months counted from the date of the waiver decision, will be needed to complete the implementation of these amendments.
