

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

Panama – Schedule CXLI

Request for a Waiver

The following communication, dated 3 March 2003, has been received from the Permanent Mission 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/458 of 13 May 2002 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 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/453.

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 4 February 2003, Panama submitted to the Committee corrections to the information provided in the supporting documentation for the HS96 changes, in response to verifications requested by the Delegation of Australia.

3. Number of extensions and dates when granted

Panama has been granted six 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

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

None. Corrections requested by Australia and Canada to the information provided in the supporting documentation for the HS96 changes by Panama have been made. The European Communities and the United States should confirm their agreement with the documents supporting these changes. The details are as follows:

Canada – Documents G/SECRET/HS96/48/Add.1 and Rev.1 of 18 March 2002 and 4 June 2002 respectively set out the modifications resulting from the consultations of 28 June 2001 requested by the Delegation of Canada. On 9 September 2002, Canada gave formal notice that it had withdrawn its reservation.

Australia – On 4 February 2003, Panama submitted to Australia corrections to the documents supporting the HS96 changes, as requested. The verification process is still under way.

European Communities and United States – These delegations are verifying the documents provided by Panama, circulated as G/SECRET/HS96/48 of 4 April 2001, and G/SECRET/HS96/48/Add.1 and Rev.1 of 18 March 2002 and 4 June 2002 respectively. Panama is awaiting confirmation by these two Delegations.

5. Outlook for concluding the process

The Delegation of Panama is currently in the process of completing the data corrections requested by the Delegation of Australia and is awaiting the withdrawal of reservations by the Delegations of the European Communities and the United States.

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.
