

WORLD TRADE ORGANIZATION

G/L/849
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INTRODUCTION OF HARMONIZED SYSTEM OF 1996 CHANGES INTO WTO SCHEDULES OF TARIFF CONCESSIONS

Panama – Schedule CXLI

Request for a Waiver

The following communication, dated 17 March 2008, is being circulated at the request of the delegation of Panama.

The Government of Panama hereby requests a waiver of its obligations under Article II of the General Agreement on Tariffs and Trade 1994 (GATT 1994) and General Council Decision WT/L/693 of 27 July 2007 in order to implement the Harmonized System 1996 (HS96) nomenclature and adopt the changes that this entails for Panama's Schedule CXLI.

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

1. Waiver Decision of 27 July 2007 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 into Panama's Schedule of Concessions.
2. Factual information concerning the request for a waiver for the purpose of introducing the HS96 changes into Panama's Schedule of Concessions.

**REQUEST FOR A WAIVER FOR THE PURPOSE OF INTRODUCING
HS96 CHANGES INTO PANAMA'S SCHEDULE OF CONCESSIONS**

Factual Information

1. Date of original waiver

24 April 1998.

2. Date of submission of documents relevant to HS96 implementation

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

3. Number of extensions and dates granted

Panama has been granted twelve extensions, the dates of which 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
WT/L/570 – 17 May 2004
WT/L/620 – 27 July 2005
WT/L/652 – 28 July 2006
WT/L/693 – 27 July 2007

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

None.

- (a) Canada – Further to clarification of and corrections to the documents submitted by Panama to the Secretariat, on 9 September 2002 Canada gave formal notice that it had withdrawn its reservation.
- (b) Australia – Further to clarification of and corrections to the documents submitted by Panama to the Secretariat, on 23 August 2003 Australia gave formal notice that it had withdrawn its reservation.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

On 20 November 2006, Panama submitted notes to the US and EU delegations requesting their comments on, or confirmation of their acceptance of, its documents in order to conclude this

process by the deadline established by the Secretariat. However, and as reported to the Secretariat, these delegations have requested that the documentation provided by Panama be reviewed by the Secretariat prior to the submission of their comments.

Work has been carried out in close cooperation with the Secretariat on the various clarifications requested by Panama with regard to a number of points in the document submitted. These have already been sent to the Secretariat and it is therefore hoped that the review of the documents will be completed as soon as possible in order to formally finalize the implementation of HS96 nomenclature changes.

In the light of the above considerations and taking into consideration the fact 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 as from the date of application of the waiver will be needed to complete the implementation of these amendments.
