

**Committee on Market Access**

**REPORT (1995) OF THE COMMITTEE ON MARKET ACCESS**

1. The Committee on Market Access has been established under Article IV, paragraph 7 of the WTO by the General Council at its meeting of 30 January 1995. The terms of reference of the Committee are contained in document WT/L/47. Mr. Jean Saint-Jacques (Canada) has been elected Chairman, and Mrs. Marie Gosset (Côte d'Ivoire), Vice Chairperson of the Committee.
2. In the course of 1995 the Committee had four formal meetings, on 25 April, 26 June, 31 October and 22 November and a number of informal meetings. Detailed reports on the formal meetings can be found in documents G/MA/M/1 to 3 and 4 (to be issued).
3. A report of the Committee covering its activities and decisions taken during the first six months of 1995 has been circulated in document G/MA/1 dated 29 June 1995.
4. On the question of observers, the Committee agreed that governments which were in the process of acceding to the WTO or had initiated negotiations to do so, or had declared their intention to do so in the near future would be welcome to attend the meetings of the Committee. The Committee also agreed that, pending the approval of the criteria and condition for observer status for international intergovernmental organizations in the WTO, the following organizations: FAO, IMF, ITCB, UNCTAD, WCO and the World Bank would be invited to attend the meetings of the Committee in the capacity of observers.
5. At its meeting of 31 October 1995, the Committee adopted its Rules of Procedure (document G/MA/W/2) based on the Rules of Procedure adopted by the Council for Trade in Goods and approved by the General Council on 31 July 1995 (document WT/L/79). The Committee's Rules of Procedure have been forwarded to the Council for Trade in Goods for adoption.
6. In October 1995, the Committee also adopted two Decisions on non-tariff measures: (1) Notification procedures of quantitative restrictions (document G/MA/NTM/W/1/Rev.1) and (2) Reverse notification on non-tariff measures (document G/MA/NTM/W/2/Rev.1).
7. At the meeting in October the Committee Members also examined several issues concerning the future of the Integrated Data Base and they agreed to make every effort to provide the necessary trade and tariff data in order to establish a reliable data base. In addition the Committee agreed that: (1) the Secretariat prepare a simplified format for the IDB data submissions and develop PC applications for the preparation of data in capitals; (2) the Secretariat undertake a study on the "downsizing" of the IDB from a mainframe to a PC environment; (3) the IDB be made operational with basic information on tariffs and imports before broadening its scope by including non-tariff measures and other types of restrictions; and (4) access to the IDB could be given to international organizations.

8. During the second half of the year the activities of the Committee were, for a large part, dedicated to the introduction of amendments to the Harmonized System nomenclature recommended by the Council of the World Customs Organization (WCO) which will enter into force on 1 January 1996 and to the procedures to follow under the WTO to rectify the Schedules of Concessions. In this context, at the meeting of 22 November, Members agreed to the text of a Draft Decision for a collective waiver for the suspension of the provisions of Article II of the GATT 1994 in accordance with Article IX of the WTO Agreement for those Members which requested a waiver for the introduction of the HS96 changes. The Draft Decision is forwarded to the Council for Trade in Goods for adoption.

9. During the course of the year the Committee also examined various issues related to the establishment of consolidated loose-leaf schedules. These issues related, among other things, to the legal implications; the coverage on unbound items; ad valorem, specific and mixed duties; rates of staging; other duties and charges (ODCs); treatment of agriculture and Initial Negotiating Rights (INRs). At the meeting on 22 November 1995 the Committee agreed to the establishment of consolidated loose-leaf schedules on the basis of proposals by the Chairman contained in document G/MA/TAR/W/4/Rev.2. A Draft Decision to this effect will be prepared for consideration by members at the next meeting of the Committee.

10. The Committee took note of the factual information provided by members under current waivers related to the renegotiation or transposition into HS of their Schedules of concessions. This information is reproduced as an Annex to this report.

Annex

FACTUAL INFORMATION RELATED TO THE EXTENSION OF WAIVERS

Country	Date of original waiver	Date of submission of HS documentation	N of extensions and dates	N of countries with which Article XXVIII negotiations have been initiated	N of countries with which Article XXVIII negotiations have been concluded	Status of outstanding Article XXVIII negotiations	Outlook for concluding the process	Request for extension and draft decision
1. Bangladesh	18.07.1988	06.12.1990 SECRET/HS/29	Thirteen: 24.07.1989 05.12.1989 16.07.1990 13.12.1990 12.08.1991 04.12.1991 20.07.1992 03.12.1992 19.07.1993 17.01.1994 21.07.1994 09.12.1994 15.09.1995	Four	One	Consultations are progressing	Intention to conclude negotiations with two remaining countries as soon as possible	Extension requested G/L/42 G/C/W/23
2. Bolivia	03.12.1992	G/SECRET/HS/6	Three: 17.01.1994 21.07.1994 09.12.1994					Extension requested G/L/43 G/C/W/24
3. Guatemala	26.01.1994	G/SECRET/HS/7	Two: 09.12.1994 31.08.1995					Extension requested G/L/44 G/C/W/25

Country	Date of original waiver	Date of submission of HS documentation	N of extensions and dates	N of countries with which Article XXVIII negotiations have been initiated	N of countries with which Article XXVIII negotiations have been concluded	Status of outstanding Article XXVIII negotiations	Outlook for concluding the process	Request for extension and draft decision
4. Jamaica	20.08.1993	06.10.1995 G/SECRET/HS/5	Three: 21.07.1994 09.12.1994 31.08.1995			Documentation under examination (time-limit not over)		Extension requested G/L/45 G/C/W/26
5. Malawi	03.12.1992	Sept. 1992 (partial documentation - statistics missing)	Four: 17.01.1994 21.07.1994 09.12.1994 [Subm. to GC of 15.11.1995]			Technical problems were encountered in the transposition of the schedule into the Harmonized System, and in the compilation of the required statistics	Technical assistance being extended to Malawi by the Secretariat (November 1995)	Request for extension not yet received
6. Morocco	20.07.1992	08.06.1995 G/SECRET/HS/2	Five: 19.07.1993 17.01.1994 21.07.1994 09.12.1994 31.08.1995	Two	None	Documentation under examination	Intends to conclude negotiations as soon as possible	Extension requested G/L/56 G/C/W/35
7. Nicaragua	26.01.1994	28.06.1995 G/SECRET/HS/3	One: 09.12.1994	Two	None	Nicaragua is expecting request lists from trading partners		Extension requested G/L/46 G/C/W/27

Country	Date of original waiver	Date of submission of HS documentation	N of extensions and dates	N of countries with which Article XXVIII negotiations have been initiated	N of countries with which Article XXVIII negotiations have been concluded	Status of outstanding Article XXVIII negotiations	Outlook for concluding the process	Request for extension and draft decision
8. Pakistan	29.11.1977	The documentation related to the original waiver was circulated in doc. L/4567 and L/4609 and Add.1-2. HS documentation not submitted	Nineteen: 22.11.1982 07.11.1983 30.11.1984 26.11.1985 24.11.1986 03.12.1987 23.01.1989 24.07.1989 05.12.1989 16.07.1990 01.07.1991 04.12.1991 20.07.1992 03.12.1992 19.07.1993 17.01.1994 21.07.1994 09.12.1994 [Subm. to GC of 15.11.1995]	Nine	Eight	Negotiations pending with one member	Hopes to reach settlement before the end of the year	Extension not requested
9. Senegal	07.12.1990	18.11.1993 SECRET/341 and Add.1	Eight: 04.12.1991 20.07.1992 03.12.1992 19.07.1993 17.01.1994 21.07.1994 09.12.1994 31.08.1995	Four	One	Questions transmitted to the relevant authorities. Negotiations pending with three members	Hopes to conclude soon	Extension requested G/L/52 G/C/W/32

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10. Sri Lanka	08.11.1988	12.01.1990 SECRET/HS/26	Twelve: 24.07.1989 16.07.1990 07.12.1990 01.07.1991 04.12.1991 20.07.1992 03.12.1992 19.07.1993 17.01.1994 21.07.1994 09.12.1994 31.08.1995	Five	One	Conclusion is expected with one country very soon, and the other negotiations are in progress	Expects to conclude the negotiations within two months	Extension requested G/L/48 G/C/W/29
11. Trinidad & Tobago	20.08.1993	01.09.1995 G/SECRET/HS/4	Three: 21.07.1994 09.12.1994 31.08.1995			Documentation under examination (time-limit not over)		Extension requested G/L/49 G/C/W/30
12. Zambia	26.11.1993 (2 years)	Documentation being prepared by M.A. Division					Technical assistance being extended to Zambia by Secretariat in November 1995	Extension requested G/L/53 G/C/W/33