

## REPORT (2003) OF THE COMMITTEE ON MARKET ACCESS

1. Since the last review<sup>1</sup>, the Committee on Market Access has held two formal meetings (26 March 2003 and 20 October 2003<sup>2</sup>, plus the resumption of a suspended meeting from 2002 on 29 November 2002) and five informal meetings (7 October, 29 October, 15 November, 21 November and 29 November 2002). The minutes of the formal meetings are contained in documents G/MA/M/33/Add.1, G/MA/M/34 and G/MA/M/35. In addition, two periodic reports giving an overview of the issues discussed in the Committee and providing factual information related to the requests for waivers and waiver extensions, both for the introduction of HS96 changes and for the transposition of schedules into the Harmonized System are contained in documents G/MA/149 and G/MA/151.

2. At its meeting of 26 March 2003, the Committee took note of the nomination of Ms. Jo Lomas (United Kingdom) as Chairperson of the Committee for the current year and elected her by acclamation. At that meeting, it was agreed that informal consultations would be carried out in order to elect a Vice-Chairperson for the current year. At the meeting of 20 October 2003, Mr. Sebastián Herreros (Chile) was elected Vice-Chairperson for 2003.

### A. TRANSPOSITION OF SCHEDULES OF CONCESSIONS INTO THE HARMONIZED SYSTEM (HS)

3. The Committee took note that there was one Member under waiver for the transposition of their schedule into the Harmonized System.

### B. INTRODUCTION OF HS96 CHANGES TO SCHEDULES OF CONCESSIONS

4. On 13 December 1995, several Members were granted individual waivers for the introduction of HS96 changes (WT/L/124 + Corr.1) which for operational reasons were grouped into one single decision. These waivers were extended by successive decisions of the General Council until 30 April 2002 (WT/L/400). The Committee agreed in 2001 that this would be the last HS96 waiver to be granted on a collective basis but that this did not preclude any Member from requesting a waiver on an individual basis. In this connection, at its formal meetings of 26 March 2003 and 20 October 2003, the Committee took note of and approved the individual requests for waivers to carry out possible consultations/negotiations under Article XXVIII following the introduction of HS96 changes in national tariffs.

5. At its formal meetings, the Committee examined the situation related to the submission of HS96 documentation set out in documents G/MA/TAR/2/Rev.30-31. At its meeting of 20 October 2003, the Committee noted that the submissions of seven Members, whether they had requested an extension of waivers or not, remained pending due to ongoing consultations and/or negotiations. The Committee agreed to hold an informal meeting to review the HS96 situation based on an informal list prepared by the Secretariat.

---

<sup>1</sup> G/L/582 (30 October 2002).

<sup>2</sup> The meeting was suspended for one agenda item.

**C. INTRODUCTION OF HS2002 CHANGES TO SCHEDULES OF CONCESSIONS**

6. At its formal meetings, the Committee took note of document G/MA/TAR/4 and its revisions containing information on documents circulated in connection with the procedures to introduce HS2002 changes to schedules of concessions. At its meeting of 20 October 2003, the Committee held discussions on the process for the HS2002 exercise. The Committee agreed to have informal consultations on HS2002 as well as for the waiver before the end of the year. The October meeting was suspended for this agenda item so that the Committee could take up the issue of the waiver before the end of the year at a re-convened meeting.

**D. DATABASES**

7. With reference to the modalities and operation of the Integrated Data Base (IDB), the Committee, at its formal meetings, examined the status of IDB submissions on the basis of documents G/MA/IDB/2/Rev.16-17. The Secretariat presented reported on the status of IDB dissemination, use and publication of IDB information, IDB technical assistance, status of submissions, and the status of software development (IDB reporting tools and internet analysis facility). Delegations were reminded of their notification obligations to the IDB and in that respect, the Chair would remind delegations in writing of their specific outstanding notifications, in particular those who had not submitted any information or those who had significant gaps of information.

8. At its formal meetings, the Committee took note of the Secretariat's reports on the status of the Consolidated Tariff Schedules Database Project which included the status of CTS files for both the tariff and agricultural commitments for Members. The software development status for dissemination, analytical facilities, and the link with the IDB were also presented. It was noted that a more in-depth discussion on the 'link' would be held at an informal meeting to be convened, as it involved highly technical matters.

9. At its meetings this year, the Committee agreed to the requests for access to the IDB and CTS databases from the ITCB, OECD and the FAO, contained in documents G/MA/W/48, G/MA/W/43 and G/MA/W/47, respectively. The organizations had undertaken to use and publish the information contained in these databases in accordance with the terms and conditions laid out in the document G/MA/115. Pursuant to the request made by the ITCB, at the meeting of 20 October 2003, the Committee held discussions and agreed that the Chair would follow-up with a letter to the ITCB about data it may have that could be shared with the WTO.

**E. IMPLEMENTATION ISSUES**

(1) Implementation-Related Issues and Concerns: Meaning to be given to the phrase "substantial interest" in paragraph 2 (d) of Article XIII of GATT 1994 (paragraph 1.2 of WT/MIN(01)17)

10. At its formal meeting of 23 September 2002 the Committee suspended discussions on implementation issues in order to undertake further work on this issue. At its resumed formal meeting of 29 November 2002 the Committee agreed to forward document G/MA/119, containing recommendations, to the General Council.

(2) Outstanding Implementation Issues raised by Members: Tired 99 of Job(01)/152/Rev.1 – Measures designed to secure a Redistribution of Negotiating Rights in Favour of Small and Medium-sized Exporting Members in Trade Negotiations

11. At its resumed formal meeting of 29 November 2002 the Committee adopted its report to the TNC contained in document G/MA/118.

**F. PARAGRAPH 18 OF THE PROTOCOL OF ACCESSION OF THE PEOPLE'S REPUBLIC OF CHINA – CHINA'S TRANSITIONAL REVIEW MECHANISM**

12. On China's Transitional Review Mechanism, the review took place at the meeting of 20 October 2003. Information was provided by China in G/MA/W/52 and questions and/or comments by Japan, the European Communities and the United States had been circulated in documents G/MA/W/49, G/MA/W/50 and G/MA/W/51, respectively. It was noted that China also had submitted its notification of Quantitative Restrictions, but some of the information was in Chinese and it would be submitted in English as soon as it was available. The Committee completed its review and agreed to forward its report in G/MA/150 to the Council for Trade in Goods.

**G. STATUS OF NOTIFICATIONS ON QUANTITATIVE RESTRICTIONS AND REVERSE NOTIFICATIONS OF NON-TARIFF MEASURES**

13. At its meeting of 26 March 2003, the Committee reviewed the status of notifications under the "Decision on Notification Procedures for Quantitative Restrictions" on the basis of Secretariat documents G/MA/NTM/QR/1/Add.9 and its corrigendum.

**H. OTHER ACTIVITIES**

14. At its meeting of 26 March 2003, the Committee took note of document G/MA/TAR/3/Rev.8 and its corrigendum which reflected the latest tariff information available in the Secretariat. A second corrigendum was circulated after the meeting.

---