

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

**PANAMA – SCHEDULE CXLI**

Request for a Waiver

The following communication, dated 15 February 2002, has been received from the Permanent Mission of Panama.

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The Government of Panama would like to request a waiver from its obligations under Article II of the GATT 1994 and General Council Decision WT/L/400 of 8 May 2001 in order to implement the 1996 Harmonized System (HS96) nomenclature and conclude its authorities' efforts to complete the documentation presented to the Committee on Market Access on 31 March 2001, for the adoption of the changes that the said nomenclature entails for Panama's schedules of concessions.

As we explained in our note to the Secretariat of 31 March 2001 (MPP-OMC-01-041), the authorities responsible for producing the final version of the documentation have yet to complete the work that the consultation phases at the inter-institutional level require. This is due to the complexity involved in dealing with the various aspects of the correlation process while at the same time having to interpret the scope of Panama's concessions reflected in the said schedules.

In view of the above circumstances, we would be grateful if you could circulate this waiver request at the next meeting of the Committee on Market Access.

Attached hereto are the following documents:

- 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 Concessions<sup>1</sup>;
- factual information concerning the request for a waiver with respect to the introduction of HS96 changes to Panama's Schedule of Concessions.

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<sup>1</sup> Document G/C/W/354.

Factual Information Concerning the Request for a Waiver with Respect to the Introduction of the HS96 Changes to Panama's Schedule of Concessions

Date of original waiver

24 April 1998

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

31 March 2001

The documents transmitted to the Committee on 31 March 2001 represent approximately 95 per cent of Panama's import tariff.

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

Number of countries with which Article XXVIII negotiations have been initiated

None.

Australia, Canada, the EC and the United States have made reservations with respect to the partial documentation transmitted by Panama to the Committee on 31 March 2001 pending the submission of the remaining documentation.

Information provided by Panama with the waiver request of 15 February 2002

Electronic files containing partial information on the correlation of pending tariff headings.

During the waiver period, Panama will supply the documentation needed to complete the information relating to the implementation of the amendments.

Outlook for concluding the process

Our authorities are currently involved in the preparatory work for the adoption of the executive decrees needed to introduce the amendments to tariff headings in relation to the introduction of the HS96 nomenclature in its Schedule of Concessions. As the procedure is an inter-institutional one, it will require a certain amount of time to complete.

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

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