

WORLD TRADE ORGANIZATION

G/L/865
4 November 2008

(08-5348)

REPORT (2008) OF THE COMMITTEE ON MARKET ACCESS

1. Since the last review¹, the Committee on Market Access has held two formal meetings (16 April 2008 and 16 October 2008), and two informal dedicated sessions of the Committee (16 April 2008 and 16 October 2008). The minutes of the formal meetings are contained in documents G/MA/M/46 and G/MA/M/47. In addition, two periodic reports giving an overview of the issues discussed in the Committee and providing factual information on the requests for waivers and waiver extensions related to the Harmonized System are contained in documents G/MA/198 and G/MA/216.
2. At its meeting of 16 April, the Committee took note of the nomination of Dr. Mohammad Saeed (Pakistan) as Chairman of the Committee for the current year and elected him by acclamation. At its meeting of 16 October, the Committee elected Mr. Barney Riley (New Zealand) as the Vice-Chairman for 2008.

A. WAIVERS

3. During the year, the Committee approved individual requests for waiver extensions from Argentina and Panama in relation to the introduction of HS96 changes to their schedules. The Committee also approved the extension of the HS2002 (G/C/W/601²) and HS2007 (G/C/W/602) "collective" waiver decisions. It was also agreed to forward these draft waiver decisions to the Council for Trade in Goods (CTG) for appropriate action.

B. INTRODUCTION OF HS96 CHANGES TO SCHEDULES OF CONCESSIONS

4. At its formal meetings in 2008, the Committee examined the situation related to the submission of HS96 documentation set out in documents G/MA/TAR/2/Rev.40 and 41. Among the Members listed, the submissions of only three Members remained outstanding. The Committee also noted that while several Members had not followed the HS96 transposition procedures outlined in GATT document L/6905, the Secretariat had automatically undertaken the work for them in connection with the HS02 exercise. However, the results of this work remained uncertified. It was agreed that the Secretariat would look into this issue and propose some solutions for examination by the Committee. At its meeting of 16 October, the Committee agreed that based on the procedure outlined at the meeting, the Secretariat should elaborate for further discussion, a draft decision which would envisage the certification of HS96 changes which had been introduced by the Secretariat to 64 schedules listed in JOB(05)/124/Add.2.

C. INTRODUCTION OF HS2002 CHANGES TO SCHEDULES OF CONCESSIONS

5. At its meetings in 2008, the Secretariat reported on the status of work concerning the introduction of HS02 changes to schedules of concessions using the CTS database as well as on the outcomes of the informal dedicated sessions of the Committee in which the HS02 files of Members

¹ G/L/839 (dated 12 November 2007).

² The list of Members annexed to the Decision has been modified, and the decision has now been re-issued as G/C/W/601/Rev.1.

were examined. At the October meeting, the Committee was informed that the number of files that had passed the multilateral review had now reached 80% of the membership. In fact only 4 draft HS02 files remained to be prepared. The main delay in certification of these files continued to be the lack of approval by Members of their own files. The Secretariat informed the Committee that it would be posting the certified HS02 files to the WTO IDB/CTS website. In this regard, the Committee agreed with the Secretariat's suggestion to also include on this website the HS02 files which remained uncertified but which had successfully passed the multilateral review. It was noted that these files would be available to all authorized users subject to the IDB/CTS dissemination policy (see G/MA/115).

D. INTRODUCTION OF HS2007 CHANGES TO SCHEDULES OF CONCESSIONS

6. In 2008, the Committee took note of the reports by the Secretariat on the status of work concerning the incorporation of HS07 changes to schedules. At the October meeting, the Committee noted that only two Members had submitted their HS07 files (the original deadline was 30 September 2007). Following a request made by a delegation, the Committee agreed that the Chairman should hold consultations with Members having to prepare their own HS07 files in order to establish a new deadline for the submission of such files, and should hold further consultations to re-examine some aspects of the HS07 procedures pertaining to the multilateral review. In respect of the latter, the Committee agreed with the Vice-Chairman's proposal that the Secretariat prepare a decision on such procedures along the lines of what had been agreed in respect of the HS96 changes introduced to schedules by the Secretariat.

E. DATABASES

7. With reference to the modalities and operation of the Integrated Data Base (IDB), the Committee, at its formal meetings in 2008, examined the status of IDB submissions on the basis of documents G/MA/IDB/2/Rev.27-28. The Secretariat also reported on the status of IDB dissemination, use of IDB information, IDB technical assistance, status of submissions, and the status of software development (IDB reporting tools and internet analysis facility). In addition, the Secretariat presented reports on the regular work undertaken on the Consolidated Tariff Schedules Database. At these meetings, Members were informed that the IDB and CTS data had been used for *inter alia* the calculation of AVEs, the preparation of the Electronic Negotiating Files (ENFs) as well as the World Tariff Profiles 2008 publication, and responding to requests arising from the negotiations.

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

8. The Committee conducted the transitional review under Paragraph 18 of the Protocol of Accession of the People's Republic of China. Questions/comments were submitted by the European Communities (G/MA/W/95), Japan (G/MA/W/93) and the United States (G/MA/W/94). The Committee's report to the CTG on the review is contained in G/MA/217.

G. OTHER ACTIVITIES

9. The Committee took note of document G/MA/NTM/QR/1/Add.11 which provided an update of the situation in respect of the notifications of quantitative restrictions pursuant to the "Decision on notification Procedures for Quantitative Restrictions" (G/L/59). The Committee also took note of document G/MA/NTM/W/3/Rev.1 which reflected the status of reverse notifications on non-tariff measures made pursuant to the Decision on reverse notification of non-tariff measures (G/L/60). The situation had not changed since 2001.

10. The Committee took note of the Secretariat document which provided details on the most recent information available in the tariff library and the website addresses where more recent national tariffs could be found (G/MA/TAR/3/Rev.12), as well as the Secretariat document entitled "Situation of Schedules of WTO Members" (G/MA/W/23/Rev.5).
