

REPORT (2010) OF THE COUNCIL FOR TRADE IN GOODS

Revision

In accordance with the "Procedures for an Annual Overview of WTO Activities and for Reporting under the WTO" (WT/L/105), the Council for Trade in Goods is to report each year to the General Council on the activities in the Council as well as in the subsidiary bodies. The reports are to be "factual in nature, containing an indication of actions and decisions taken, with cross references to reports of subordinate bodies and could follow the model of the GATT 1947 Council reports to the CONTRACTING PARTIES".

Since the CTG 2009 annual report (G/L/911) was issued, the Council for Trade in Goods has met four times in formal session on the following dates: 23 March 2010 (G/C/M/101); 21 May 2010 (G/C/M/102; G/C/M/102/Rev.1 and G/C/M/102/Rev.1/Corr.1¹); 5 July 2010 (G/C/M/103 and Corr.1²); and 30 November 2010 (G/C/M/104).

The subject matters which were raised and/or acted upon in the Council are as follows:

1. Election of Chairperson
2. Appointment of officers
3. Matters of the Committee on Market Access
4. Waivers under Article IX of the WTO Agreement
5. European Union enlargement
6. Notification of regional trade agreements
7. Notifications:
 - 7.1 Status of notifications under the provisions of the Agreements in Annex 1A of the WTO Agreement
 - 7.2 Frequency of Notifications of State Trading Enterprises under Article XVII of GATT 1994 and the Understanding on the Interpretation of Article XVII of GATT 1994 (G/STR/7)
8. Japan – Concerns regarding the Feed-in Tariff (FIT) Programme of the Province of Ontario, Canada

¹ In English only.

² In English and French only.

9. Chinese Taipei – Concerns regarding certain aspects of Canada's tariff regime
10. European Union - Changes in Ecuador's tariff system under "Decreto Ejecutivo 372" "
11. The United States and the European Union - Import Licensing Measures and Procedures by Argentina
12. European Union and the United States - Measures by Argentina Affecting Imports of Food Products
13. Consideration of annual reports of subsidiary bodies
14. Mexico – Less Procedures and Better Regulation to enhance Competitiveness
15. Questions from the United States, the European Union, Canada, Japan and Panama (G/C/W/639) – Ecuador Mixed Tariffs

1. Election of Chairperson for the Council for Trade in Goods

At its meeting of 23 March the Council elected H.E. Ambassador Anthony MARUPING (Lesotho) as its Chairman for 2010.

2. Appointment of Officers for the subsidiary bodies of the Council

At its meeting of 23 March, the Council agreed on the nominations of the following persons for election as Chairpersons of its subsidiary bodies for 2010:

Committee on Market Access	Daniel OWOKO (Kenya)
Agriculture	Valeria CSUKASI (Uruguay)
Sanitary and Phytosanitary Measures	Flavio SOARES DAMICO (Brazil)
Technical Barriers to Trade	Amit YADAV (India)
TRIMs	Hong ZHAO (China)
Anti-Dumping Practices	Adrian SERRA (Argentina)
Subsidies and Countervailing Measures	Robert FANG (Chinese Taipei)
Safeguards	Tobias LORENTZSEN (Sweden)
Import Licensing	Anna ASHIKALI (Cyprus)
Rules of Origin	Jasmin QUAH-ZUBAIR (Singapore)
Customs Valuation	Tamás VATTAI (Hungary)
State Trading Enterprises	Doris JURADO (Colombia)
Committee of Participants on the Expansion of Trade in Information Technology Products	Tomohiro KANEKO (Japan)

At the same meeting, the Council agreed to proceed on the understanding that as concerns Vice-Chairpersons, it would be for the subsidiary bodies to decide if they needed a Vice-Chairperson in cases where the option existed under the respective Agreement and/or rules of procedure, and for the respective Chairperson to hold the necessary consultations.

3. Matters of the Committee on Market Access

At its meetings on 21 May and 30 November the Council took note of the periodic reports (in documents G/MA/242 and G/MA/243) of the Committee on Market Access.

4. Waivers under Article IX of the WTO Agreement

- (a) Introduction of Harmonized System 1996 changes into WTO Schedules of Tariff Concessions
- Request for Extension of Waiver (Argentina – G/C/W/632)

At its meeting on 21 May, the Council considered a request from Argentina for an extension of the waiver in connection with the introduction of HS96 changes to Argentina's Schedule of Concessions. The Council approved the waiver request and recommended that the draft decision contained in document G/C/W/632 be forwarded to the General Council for adoption.

- (b) Introduction of Harmonized System 2002 changes into WTO Schedules of Tariff Concessions - Requests for a waiver (G/C/W/637)

At its meeting on 30 November, the Council considered a collective request for an extension of the waiver in connection with the introduction of HS2002 changes to the Schedules of Concessions. The Council approved the waiver request and recommended that the draft decision contained in document G/C/W/637 be forwarded to the General Council for adoption.

- (c) Introduction of Harmonized System 2007 changes into WTO Schedules of Tariff Concessions
- Requests for a waiver (G/C/W/638)

At its meeting on 30 November, the Council considered a collective request for a waiver in connection with the introduction of HS 2007 changes to the Schedules of Concessions. The Council approved the waiver request and recommended that the draft decision contained in document G/C/W/638 be forwarded to the General Council for adoption.

- (d) European Union - Request for a Waiver on Additional Autonomous Trade Preferences granted by the European Union to Pakistan (G/C/W/640)

At its meeting on 30 November, the Council considered a request by the European Union for a waiver on additional autonomous preferences granted by the EU to Pakistan. The Council took note of the statements made. The issue will revert to the Council following consultations between the EU and those Members who have expressed concerns.

5. European Union enlargement: Procedures under Article XXVIII:3 of GATT 1994 (G/L/695/Add.11; G/L/695/Add.12; G/L/821/Add.6; G/L/821/Add.7)

At its meetings on 21 May and 30 November, the Council agreed on the extension of the deadlines set out in the communications from the EU (G/L/695/Add.11; G/L/821/Add.6 and G/L/695/Add.12; G/L/821/Add.7, respectively).

6. Notification of Regional Trade Agreements

At its meetings on 23 March, 21 May, 5 July and 30 November, the Council was informed of the following notifications on regional trade agreements :

- A. FREE TRADE AGREEMENT BETWEEN ASEAN AND JAPAN (WT/REG277/N/1)
B. FREE TRADE AGREEMENT BETWEEN PANAMA AND HONDURAS (WT/REG278/N/1)

- C. CUSTOMS UNION BETWEEN THE EUROPEAN UNION AND SAN MARINO (WT/REG280/N/1)
- D. FREE TRADE AGREEMENT BETWEEN PERU AND CHINA (WT/REG281/N/1)
- E. FREE TRADE AGREEMENT BETWEEN TURKEY AND MONTENEGRO (WT/REG282/N/1)
- F. FREE TRADE AGREEMENT BETWEEN HONDURAS - EL SALVADOR AND THE SEPARATE CUSTOMS TERRITORY OF TAIWAN, PENGHU, KINMEN AND MATSU (WT/REG283/N/1)
- G. FREE TRADE AGREEMENT BETWEEN ASEAN, AUSTRALIA AND NEW ZEALAND (WT/REG284/N/1)
- H. FREE TRADE AGREEMENT ON GOODS BETWEEN THE EUROPEAN UNION (EU) AND SERBIA (WT/REG285/N/1)
- I. FREE TRADE AGREEMENT ON GOODS AND SERVICES BETWEEN KOREA AND INDIA (WT/REG286/N/1)
- J. FREE TRADE AGREEMENT BETWEEN THE REPUBLIC OF KOREA AND ASEAN (WT/REG287/N/1 - S/C/N/559)
- K. FREE TRADE AGREEMENT BETWEEN TURKEY AND SERBIA (WT/REG288/N/1)
- L. FREE TRADE TREATY BETWEEN MEXICO AND COLOMBIA (WT/REG289/N/1 - S/C/N/563)

With regard to the notifications of the Free Trade Agreements between Korea and India (WT/REG286/N/1) and between Korea and ASEAN (WT/REG286/N/1), India, and Malaysia on behalf of the ASEAN countries, indicated at the meeting on 30 November, that these agreements were also notified to the Committee on Trade and Development (CTD) under the Enabling Clause in documents WT/COMTD/N/36 and WT/COMTD/N/33, respectively. The Council took note of these statements as well as of the statements made by China, Korea and Egypt.

7. Notifications

- 7.1 Status of notifications under the provisions of the Agreements in Annex 1A of the WTO Agreement

At its meeting on 23 March, the Council took note of the latest revision of the status of notifications contained in document G/L/223/Rev.17.

- 7.2 Frequency of Notifications of State Trading Enterprises under Article XVII of GATT 1994 and the Understanding on the Interpretation of Article XVII of GATT 1994 (G/STR/7)

At its meeting on 5 July, the Council took note of the Working Party Chairperson's statement and approved the recommendation of the Working Party on the Frequency of Notifications of State Trading Enterprises contained in document G/STR/7.

8. Japan - Concerns regarding the Feed-in Tariff (FIT) Programme of the Province of Ontario, Canada

At its meetings on 21 May and 5 July, the Council took note of the statements made under "Other Business" by Japan, the United States, the European Union and Canada³ regarding the Feed-In Tariff (FIT) Program of the Province of Ontario (Canada), established in May 2009 through the enactment of the Green Energy Act, 2009.

9. Chinese Taipei – Concerns regarding certain aspects of Canada's tariff regime

At its meeting on 21 May, the Council took note of the statements made under "Other Business" by Chinese Taipei and Canada relating to Canada's tariff regime applied to Chinese Taipei's products when these competed with products from other countries with comparable economic development.

10. European Union - Changes in Ecuador's tariff system under "Decreto Ejecutivo 372"

At its meeting on 5 July the Council took note of the statements made under "Other Business" by the European Union, the United States, Japan, Canada, China and Ecuador on Executive Decree 372, adopted by Ecuador on 28 May 2010, which had changed the tariff structure for a number of products from an *ad valorem* system to a system based on both, specific duties and *ad valorem* duties and which affected a large number of products mostly clothing, linen, textiles and footwear.

11. The United States and the European Union - Import Licensing Measures and Procedures by Argentina

At its meeting on 30 November the Council took note of the statements made by the United States, the European Union, Canada, Turkey, Peru, Switzerland, Japan and Argentina on the import licensing measures and procedures adopted by Argentina.

12. European Union and the United States - Measures by Argentina affecting imports of food products

At its meetings on 5 July the Council took note of the statements made by the European Union, Canada, Colombia, Australia, Japan, Switzerland, Norway, the United States and Argentina on measures adopted by the latter, in Internal Note 232 from the State Secretary for Internal Trade to the Director of the National Food Institute (Instituto Nacional de Alimentos – INAL), affecting import of food products.

At its meeting on 30 November the Council took note of the statements made by the United States, the European Union and Argentina on the measures by Argentina affecting imports of food products.

13. Consideration of annual reports of subsidiary bodies of the CTG

At its meeting on 30 November, the Council took note of the annual reports of its subsidiary bodies.⁴

³ See also documents G/C/W/635 and G/SCM/Q2/CAN/44 containing the responses by Canada to the questions posed by Japan.

⁴ See documents G/L/928; G/L/929; G/L/934; G/L/935; G/L/936; G/L/937; G/L/938, G/L/939; G/L/940; G/L/941; G/L/942; G/L/943; G/L/944; and, G/L/945.

14. Mexico – Less Procedures and Better Regulation to enhance Competitiveness.

At its meeting on 30 November the Council took note of the statement made by Mexico under "Other Business" on the measures adopted by its authorities, following Presidential instructions, to reduce and eliminate procedures and improve the administrative regulations so as to enhance competitiveness.

15. Questions from the United States, the European Union, Canada, Japan and Panama (G/C/W/639) - Ecuador Mixed Tariffs

At its meeting on 30 November the Council considered, under "Other Business", the questions in document G/C/W/639 posed to Ecuador by the United States, the European Union, Canada, Japan and Panama on the changes it had introduced, in Presidential Decrees 367 and 372, which had changed the tariff structure for a number of products from an *ad valorem* tariff system to a mixed tariff system. The Council also took note of the statements made by the United States, the European Union, Japan, Canada and Ecuador. The Council agreed that this issue will be included in the Agenda of its next meeting.
