

MINUTES OF THE MEETING OF 22 JUNE 1999

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1. Adoption of the agenda

1.1 The above agenda as reproduced in document WTO/AIR/1109 of 11 June 1999, was adopted with the addition of items 7(a) and 7(b). An annotated agenda was circulated in an informal document (Job no. 3467).

2. Submission of HS96 documentation (G/MA/TAR/2/Rev.19)

2.1 The Chairman stated that according to the provisions contained in the General Council Decision of 15 June 1999, the time-limit of the waivers granted to Members that had requested it was extended until 31 October 1999 (WT/L/303), with retroactive effect to 30 April 1999. It was envisaged that the Members concerned would submit by this date the complete documentation related to the introduction of HS96 changes in their WTO schedules, and that in special circumstances they could request technical assistance from the Secretariat.

2.2 Document G/MA/TAR/2/Rev.19 reflected the present situation concerning the submission of the required documentation. As could be noted from the document, seven Members presently under

waivers had not yet submitted any documentation. One Member had submitted preliminary information, and two Members had submitted documentation to the Secretariat for verification. Some of these Members had requested technical assistance from the Secretariat, and their documentation was being prepared and would be circulated shortly. Since the meeting of the Committee on 11 March 1999, the reservations on the HS96 documentation submitted by Canada and Malta had been lifted.

2.3 To date, apart from the Members already mentioned that had not yet submitted the required HS documentation, the submissions of twenty-three Members, whether they had requested an extension of waivers or not, remained pending due to ongoing consultations and/or negotiations. He urged delegations to speed up the process.

2.4 The representative of New Zealand recalled that New Zealand, one of a number of countries which was granted waivers for the introduction of HS96 changes to its schedule, had continued to seek extensions of the waiver to allow more time to resolve questions and reservations raised on the schedule, in particular by Canada and the European Communities. He wished to inform the Committee and, through it, Canada and the European Communities that New Zealand would be responding to their questions by the end of the week.

2.5 The Committee took note of the statements.

3. Modalities and operation of the Integrated Data Base (IDB)

(a) Status of submission of the required documentation (G/MA/IDB/2/Rev.5)

3.1 The Chairman drew the Committee's attention to document G/MA/IDB/2/Rev.5 which showed the status of submissions of the required documentation as of 17 June 1999. He noted that 59 Members and three acceding countries had provided IDB submissions, i.e. eight new Members since the last status report in document G/MA/IDB/2/Rev.4. The Secretariat had informed him that, since the document had been circulated, one more new submission had been received from Barbados (imports 1996-1998 and applied tariffs 1997).

3.2 The representative of Uruguay stated that Uruguay would be submitting statistics on imports for 1998 soon.

3.3 The representative of Brazil informed the Committee that, as indicated in document G/MA/IDB/2/Rev.5, Brazil would be submitting this week the revised import data for 1997 and bound rates for 1999 for industrial products and for the period of 1995 to 1999 for agricultural products.

3.4 The representative of Hungary informed the Committee that Hungary's import data for 1998 was now available, and that he would submit the electronic version of the Hungarian tariff soon. The hard copy of the Hungarian tariff had already been provided to the Secretariat.

3.5 The representative of Thailand stated that ASEAN members attached a lot of importance to the work on IDB. He wished to express appreciation for the technical assistance received from the Secretariat, in particular the IDB section, for organizing a regional seminar, and he wished to thank the Member who had financed the seminar. Since this regional seminar for ten countries, including acceding countries in the region, was held very recently, he had not yet received any official feedback but he believed that the work from the seminar would be fruitful and productive and would soon be reflected in the results of the IDB itself. In the meantime, his delegation intended to keep the Committee updated on the status of Thailand's submission and any related problems.

3.6 The representative of Japan welcomed the entry into function of the IDB as of 1 June 1999, and encouraged Members to submit the necessary data. The IDB had a function to analyze data, and the CD-Rom, which also had this function, was eagerly awaited by his delegation.

3.7 The Committee took note of the statements.

(b) Technical Assistance

3.8 The Chairman stated that since the 11 March 1999 meeting of the Committee, the IDB section had undertaken four technical assistance missions in relation to the IDB, namely a national seminar, two regional seminars for developing and least developed countries in Asia and French speaking African countries (with the participation of 21 and 17 countries respectively), and a regional seminar for the ASEAN countries which took place recently, and where ten countries participated. A special mission to Argentina took place this month to finalize the data entry software developed jointly with the SIECA secretariat and the Interamerican Development Bank.

3.9 The Committee took note of the statement.

4. Consolidated Tariff Schedules Database (G/MA/63)

4.1 The Chairman drew the Committee's attention to document G/MA/63. As indicated in the cover note to the document, the project proposal on the Consolidated Tariff Schedules (CTS) Database was circulated in an informal document at the 27 November 1998 meeting of the Market Access Committee and was approved by the Committee at that meeting. Following the obtention of funding from the United Kingdom, this project was launched recently. In light of these developments, the informal document was re-issued as an official document with the inclusion of an Annex 2 which gave information on the situation of Members' schedules. This table had been compiled based on the information available to the Secretariat and it was quite possible that some elements might be missing. Therefore comments were welcome. He proposed in this connection that Annex 2 be updated periodically by the Secretariat and that at the time of the next update any omissions could be taken into account. He added that the work on Annex 2 was done on the Secretariat's own responsibility in conjunction with the CTS project and had no legal implications regarding Members' rights or obligations.

4.2 The Committee took note of the statement and agreed to the proposal.

5. APEC'S proposal for an Internet Mirror Site of the Integrated Data Base

- Statement by Singapore as Coordinator of APEC

5.1 The representative of Singapore stated that the Mirror Site proposal was currently being explored by APEC's Market Access Group (MAG). The proposal was first initiated in 1998, where, in the context of technical assistance for the IDB, the WTO Secretariat had conducted a seminar for APEC countries on 14 June 1998 in Kuching, Malaysia. During that seminar the WTO Secretariat had conducted a demonstration utilizing the IDB CD-Rom. At that demonstration, the APEC MAG had recognized that the WTO IDB would meet APEC's need for a database for the purposes of trade policy analysis. APEC's existing Tariff Database had not been able to meet this objective. The Tariff Database basically contained applied tariffs and tariff-related information.

5.2 Subsequently the APEC MAG had communicated with the WTO Secretariat on four occasions between July 1998 and June 1999 on the possibility of establishing the Mirror Site of the IDB in the APEC Secretariat Homepage. The WTO Secretariat, the APEC MAG and the APEC Secretariat had been working together on the proposal which had been endorsed by the Committee on

Trade and Investments in the APEC, to which the MAG reports. As the Chair of the MAG, Singapore was mandated by the Committee on Trade and Investment to formally apply and liaise, on behalf of APEC, with the WTO Market Access Committee on this issue.

5.3 The proposed Mirror Site, which would be hosted in the APEC Secretariat Homepage, would use the structure of the IDB, in particular the IDB dissemination database, that would be available to users via a reporting application developed using internet technology as set out in paragraph 7 of document G/MA/IDB/3. The Mirror Site would only have information pertaining to APEC economies, of which there were 21 at present. All APEC economies were either WTO Members or acceding WTO countries. With the Mirror Site in the APEC Secretariat Homepage comprising trade information pertaining to only APEC economies, APEC members would be able to gain faster internet access to the IDB. In this regard, the APEC MAG would require access to the IDB database design and software in accordance with paragraph 27 of the IDB dissemination practices as set out in document G/MA/IDB/3. The details for this were currently being worked out between the APEC Secretariat and the WTO Secretariat.

5.4 The MAG had agreed that whatever conditions were associated with the current WTO IDB would similarly be applicable to the APEC Mirror Site on the APEC secretariat homepage. Access to the internet mirror site could be restricted to economies which had contributed to the IDB. This restriction would apply to both WTO Members and economies in the process of seeking accession to the WTO. Pursuant to this, at the APEC MAG's three meetings held on 21 February 1998, 15 June 1998 and 3 February 1998, the Chair had urged its members to submit updated data to the IDB. Based on the latest information from the WTO Secretariat, all but five APEC economies have submitted the relevant data for the IDB.

5.5 The WTO IDB had trade statistics which would facilitate the matching of tariff information with associated trade statistics and would be useful for the evaluation of the impact of tariffs on intensity of intra-APEC trade. In terms of tariff-related information, the IDB was more comprehensive as it provided trade databases on various types of duties, for example, MFN GATT-bound rate, MFN applied rate, MFN pre-Uruguay rate etc. The bound tariff rates for example, contributed to greater transparency of tariff regimes of member economies. In addition, the MAG would assist in urging all APEC economies to update their information according to the WTO submission deadline. Thus the APEC MAG would work with the WTO Secretariat for the prompt supply of trade information.

5.6 A member of the Secretariat stated that in paragraph 27 of the IDB dissemination document, it was stated that it would be up to the members of any regional organization to provide their IDB data to that organization. In theory, if permission were granted by the Committee to APEC's request, the APEC Secretariat might first establish an internet mirror site and the file transfer facility at the APEC Secretariat. This would imply providing a copy of the IDB File Transfer Facility application software to the APEC Secretariat. However, different passwords would need to be set up by the APEC Secretariat who would also need to issue the passwords and user-identification codes to its members. The mirror site would be stocked with APEC members' processed IDB files which would be provided to the APEC Secretariat by its members. APEC members would download their own processed IDB files from the WTO internet site and then upload these files to the APEC internet site. The WTO might also provide APEC with the IDB-PC Reporting Tools when they were ready and subsequently with the software for the IDB dissemination database and the Internet reporting application, once it was ready.

5.7 The representative of India requested that Singapore's request as well as the Secretariat's explanations be circulated¹ so that her delegation could assess exactly what was required of Members. India wished to revert to this matter at a future meeting after having examined APEC's request.

5.8 The representative of Brazil stated that he would like to revert the matter to his authorities, so that they could study it.

5.9 The representative of the European Communities stated that the Secretariat had provided an important clarification by stating that each APEC member would download its own data from the IDB and then upload it into the APEC site. *Prima facie* he did not see how the Committee could prevent this from being done. His understanding would be that the main contribution from this Committee and from the WTO would be the supply of the software. Additionally, he wished to know whether the data submitted directly by APEC members to the APEC site would also be available to the IDB as a kind of reciprocity arrangement for the WTO having supplied the software.

5.10 The representative of Malaysia wished to know, in the event that this request was granted, whether it could be assumed that the APEC Secretariat would not have direct access to the WTO Secretariat's website.

5.11 The representative of Argentina stated that his delegation would like to have from the Secretariat as well as from APEC the basic information and the explanations provided in writing so that his authorities could consider them. He added that this matter raised a question of principle. If the Committee authorized access to APEC, then the Committee should be prepared to give the same treatment to other regional groups.

5.12 The representative of Uruguay stated that it would be important to have the proposal in writing so that his authorities could examine it. He wondered whether the Committee could, in future, also consider requests for mirror sites coming from other regional organizations.

5.13 The representative of Norway stated that creating a mirror site was actually taking a copy of the database and making it available on another server or another place for practical purposes. As he understood it, paragraph 27 of the guidelines (G/MA/IDB/3) was more related to the distribution of the database designed software as such and not to the contents. So it would be, in principle, important to distinguish between the use of the design and software for filling in APEC's own data and having a mirror site. His initial reaction to the proposal was that it was a common enough practice in other organizations to have mirror sites in order to avoid the internet problems of bottlenecks and geographical distances. But using the database design and software for another purpose was a different thing.

5.14 The representative of Singapore responded that the request concerned the application design and software, and was not just the duplication of one site to another site. It was also clear that APEC would not have direct access to the WTO website. APEC members would be submitting the information to the APEC Secretariat who in turn would create this duplicate site on the APEC homepage. The idea was to have faster access as the APEC Secretariat would be dealing with 21 member economies on APEC's web page, as compared to the 135 on the WTO IDB web page.

5.15 The representative of the United States stated that he thought that the software that was developed for the IDB was partly or mostly done by the World Bank. In that case, would there be any restriction on the WTO to give this software to anyone?

¹ Circulated in document G/MA/W/20.

5.16 A member of the Secretariat stated that the intention was not to give to the APEC Secretariat the software that was developed in cooperation with the World Bank. That software was for the IDB CD-Rom. Instead, a copy of the IDB File Transfer Facility application software, which was developed by the International Computing Centre (ICC), would be transferred to the APEC Secretariat. In this connection, she did not believe that there would be any problems as the WTO was the owner of the source code. APEC might have to incur some expenses, for example by visiting the ICC. The other software which could be given to APEC would be the database design and software for the IDB dissemination database and the Internet reporting application, once this was ready. The WTO Secretariat was trying to develop the latter in-house which would therefore not pose the problem as described by the US. She stated that the term "mirror site" as described by the representative of Norway was correct, i.e. it was the replication of data and the software. However, in this instance it was more a replication of the software, not the data itself. The APEC mirror site would be a subset of the WTO, and would contain only the data for APEC economies.

5.17 The Committee took note of the statements.

6. Election of Officers – Vice Chairperson

6.1 The Chairman stated that Rule 12 of the Rules of Procedure of the Committee on Market Access (G/L/148) allowed the possibility for the Committee to elect a Vice-Chairperson.

6.2 The representative of Argentina nominated Mr. Christophe Kiener (Switzerland) as Vice-Chairperson of the Committee.

6.3 The Committee agreed to the nomination.

7. Other Business

(a) New Zealand – APEC's Accelerated Tariff Liberalization (ATL) Initiative

7.1 The representative of New Zealand stated that as the current chair of APEC and with the agreement of the other twenty-eight APEC economies, New Zealand had undertaken to regularly keep WTO Members fully informed of the ATL initiative, a constructive APEC contribution to the ministerial preparatory process. New Zealand was grateful for the recent indications of support given to the ATL initiative by various WTO Members, in particular from a number of non-APEC members. New Zealand was aiming to continue to play an active role in monitoring reactions to ATL and arranging informal meetings in the WTO on the initiative. In this regard, he wished to inform the Committee that a New Zealand ATL team was planning to visit Geneva in the week commencing 12 July 1999. His delegation would be in touch with interested parties to organize briefings at that time. Any delegation wishing further information on the ATL initiative or the forthcoming briefings was invited to contact the New Zealand Mission directly.

7.2 The Committee took note of the statement.

(b) Date of the next meeting

7.3 The Committee took note that the next meeting of the Committee was scheduled for Tuesday, 5 October 1999, subject to confirmation.
