

## Negotiating Group on Market Access

### TABLE OF CONTENTS OF THE INVENTORY OF NON-TARIFF MEASURES

Note by the Secretariat<sup>1</sup>

Revision

Pursuant to the discussion in the Negotiating Group on Market Access at its July 2003 meeting regarding the subject of non-tariff barriers, it was agreed that participants should improve or make new submissions on non-tariff barriers. Furthermore, in order to improve the responses and analysis, it was agreed that the Secretariat would send out the format for such notifications, including a new inventory categorisation. The attached information was sent to all delegations by fax in September and is now being formally circulated in order to aid in this process.

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<sup>1</sup> This document has been prepared under the Secretariat's own responsibility and without prejudice to the positions of Members and to their rights and obligations under the WTO.

Maintaining participant	Products affected by the barrier	Nature of the barrier	Trade effects of the barrier	Inventory category	Relevant WTO provisions	Treatment of the barrier
1	2	3	4	5	6	7

In Column 1 (Maintaining participant), at this point in time, notification of the maintaining participant is not necessary, however, if the participant wishes to submit this information, a column is identified for such purpose.

In Column 2 (Products affected by the barrier) participants are requested to list the products affected by the barrier. In this connection both the HS tariff line and the product description should be notified. If the problem is generic in nature, i.e. across all product categories, please indicate accordingly.

In Column 3 (Nature of the barrier), participants are requested to explain what the barrier is and how it operates.

In Column 4 (Trade effects of the barrier), participants are requested to give an indication of the trade effects of the barrier, .

In Column 5 (Inventory category), participants are requested to indicate the Inventory category, as set out in the revised attached Inventory, under which this barrier would fall. If no specific category exists for this barrier, please use the last category, "other" and give additional details if necessary.

In Column 6 (Relevant WTO provisions), participants are requested to indicate whether the barrier is covered by an existing WTO Agreement. If that is the case, please specify the relevant Article or Agreement.

In Column 7 (Treatment of the barrier), participants are requested to indicate how they would like to address this barrier in the context of the non-agricultural market access negotiations. In particular, as suggested at the meeting of the Negotiating Group in July 2003, it is expected that the participant would identify which of the four categories, as outlined in the "Draft Elements of Modalities" (TN/MA/W/35/Rev.1), the NTB would be classified. The four categories are listed below, and a), b), c), and d) have been assigned to them for easy reference and identification in the tabular format.

- a) Selected NTBs, to be agreed upon by the participants, would be dealt with by the NGMA on the basis of modalities, which could include request/offer, horizontal, or vertical approaches;
- b) NTBs that have a specific negotiating mandate in the Doha Declaration in other areas should continue to be addressed in that body but information on the progress or outcome of those negotiations should be reported to this group for transparency;
- c) Work on NTBs which relate to other areas of the Doha Declaration which currently do not have a specific negotiating mandate would progress in other fora but information on the progress should be reported to this group for transparency; and
- d) NTBs that currently do not have a specific negotiating mandate would, after further clarification and if the group decides there is a need to send them to another WTO body, be reported to the TNC in order to be forwarded to the appropriate WTO body for action and reporting back.

<b>PARTS AND SECTIONS</b>	<b>DESCRIPTION</b>
Part I	<u>Government Participation in Trade and Restrictive Practices Tolerated by Governments</u>
A	Government aids, including subsidies and tax benefits
B	Countervailing duties
C	Government procurement
D	Restrictive practices tolerated by governments
E	State trading, government monopoly practices, etc.
Part II	<u>Customs and Administrative Entry Procedures</u>
A	Anti-dumping duties
B	Customs valuation
C	Customs classification
D	Consular formalities and documentation
E	Samples
F	Rules of origin
G	Customs formalities
H	Import licensing
I	Preshipment inspection
Part III	<u>Technical Barriers to Trade</u>
A	General
B	Technical regulations and standards
C	Testing and certification arrangements
Part IV	<u>Sanitary and Phytosanitary Measures</u>
A	General
B	SPS measures including chemical residue limits, disease freedom, specified product treatment, etc.
C	Testing, certification and other conformity assessment

PARTS AND SECTIONS	DESCRIPTION
<p>Part V</p> <p>A</p> <p>B</p> <p>C</p> <p>D</p> <p>E</p> <p>F</p> <p>G</p> <p>H</p> <p>I</p> <p>J</p> <p>K</p> <p>L</p>	<p><u>Specific Limitations</u></p> <p>Quantitative restrictions</p> <p>Embargoes and other restrictions of similar effect</p> <p>Screen-time quotas and other mixing regulations</p> <p>Exchange controls</p> <p>Discrimination resulting from bilateral agreements</p> <p>Discriminatory sourcing</p> <p>Export restraints</p> <p>Measures to regulate domestic prices</p> <p>Tariff quotas</p> <p>Export taxes</p> <p>Requirements concerning marking, labelling and packaging</p> <p>Others</p>
<p>Part VI</p> <p>A</p> <p>B</p> <p>C</p> <p>D</p> <p>E</p>	<p><u>Charges on Imports</u></p> <p>Prior import deposits</p> <p>Surcharges, port taxes, statistical taxes, etc.</p> <p>Discriminatory film taxes, use taxes, etc.</p> <p>Discriminatory credit restrictions</p> <p>Border tax adjustments</p>
<p>Part VII</p> <p>A</p> <p>B</p> <p>C</p> <p>D</p> <p>E</p>	<p><u>Other</u></p> <p>Intellectual property issues</p> <p>Safeguard measures, emergency actions</p> <p>Distribution constraints</p> <p>Business practices or restrictions in the market</p> <p>Other</p>