

**REQUEST BY EL SALVADOR FOR A WAIVER UNDER ARTICLE IX  
OF THE WTO AGREEMENT FOR MINIMUM VALUES UNDER  
THE AGREEMENT ON IMPLEMENTATION OF ARTICLE VII  
OF THE GATT 1994**

Revision

The following communication, dated 29 October 2001, has been received from the Permanent Mission of El Salvador.

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The Permanent Mission of El Salvador to the World Trade Organization presents its compliments to the Market Access Division and has the honour to notify that it wishes to renew its request contained in document G/C/W/300/Rev.1, submitted to the Council for Trade in Goods under Article IX, paragraphs 3 and 4, of the Marrakesh Agreement, to apply minimum values.

Indeed, the extension with respect to the application of the Agreement on Customs Valuation, granted in document G/VAL/30 of 6 July 2000 indicated that El Salvador would have to apply the Agreement as from 7 September 2001. Accordingly, we are requesting a further extension of six months from 7 September 2001, during which time we wish to apply minimum values pursuant to the above-mentioned paragraphs.

Reasons for the renewed request

We all know that El Salvador suffered two very serious earthquakes at the beginning of this year, which made it necessary to reschedule its activities and commitments to meet the social priorities involved in assisting the affected population.

The adoption of customs legislation has therefore been delayed; indeed, El Salvador has had to review its priorities and pursue social schemes to respond to the needs of the population affected by the earthquakes.

Despite this, El Salvador has made great efforts to fulfil its commitments; for example:

- The progress report on the work plan for the implementation of Article VII of the General Agreement on Tariffs and Trade, contained in document G/VAL/N/4/SLV/1 dated 26 June, submitted to the WTO on 28 May. By then, the draft law had already been submitted to the corresponding institutions with a view to speeding up the process of approval before September 2001, as stipulated in document G/VAL/30.
- The application of paragraph 2 of the Decision on the Valuation of Carrier Media-Bearing Software for Data-Processing Equipment.

- Internal training activities related to the Agreement.
- Consolidation and updating of databases.

### Minimum values

The application of minimum values refers **exclusively** to the detailed list of products annexed hereto, and aims at stabilizing the collection of duties affected not only by the situation referred to above, but also by criminal activities such as smuggling and under-invoicing, which have recently been on the increase, exacerbated by the world economic slowdown currently affecting our main trading partners.

In the light of these considerations, negotiations have already taken place with the countries involved, **and are at a relatively advanced stage**.

### Conclusion

We call on Members, in considering whether to approve this request, to refer to Annex III, paragraph 1 of the Agreement on Implementation of Article VII of the General Agreement on Tariffs and Trade 1994 which states: "Members will give sympathetic consideration to such a request in cases where the developing country Member in question can show good cause." The two earthquakes, which came within one month of each other and which have caused a rise in poverty from 48 to 52 per cent, do not, *per se*, constitute the reason for the request. Rather, the request is being made in response to the new order of priorities that has had to be established to meet the requirements of the population. We count on the understanding of Members in this respect.

The current request is made without prejudice to the rights and obligations of El Salvador under the WTO Agreements, of which our country is a loyal signatory. **We would be grateful if this request could be circulated to the Members, for discussion in the next meeting of the Council for Trade in Goods.**

**ANNEX FROM EL SALVADOR: LIST OF PRODUCTS TO WHICH  
MINIMUM PRICES ARE APPLIED (REVISED VERSION  
OF 23 OCTOBER 2001)**

| No. | Trade name   | Item heading   |
|-----|--|--|
| 1   | Worn clothing and other worn related articles  | Ex 6309.ex 6310.10 and ex 6310.90                            |
| 2   | Used televisions   | Excl 8528.12.10, ex 8528.12.90, ex 8528.13.10, ex 8528.13.90 |
| 3   | Pneumatic tyres, retreaded or used   | Excl 4012.10.00, ex. 4012.20.00                              |
| 4   | Sound equipment  | Ex. 8520.32.90, ex.8520.90.00                                |
| 5   | Articles of apparel  | Ex. 6101.10.00 to 6117.90.00, 6201.11.00 to 6217.90.00       |
| 6   | Sacks and bags, of a kind used for the packing of goods  | Ex.6305.10.00  |
| 7   | Articles of apparel, made-up   | 6301.10.00 to 6304.99.00                                     |
| 8   | Footwear   | 6402.19.00 to 6405.90.00                                     |
| 9   | Vehicles other than railway or tramway rolling stock, and parts and accessories thereof, of Chapter 87 (used), except for vehicles used for travelling on snow classified under tariff subheading 8703.10, self-propelled works trucks classified under tariff heading 8709 and tanks classified under subheading 8710 (used vehicles) | Ex. Chapter 87, except 8703.10, ex 8709 and ex 8710          |
| 10  | Used aircraft  | Ex 8802.11.00 to 8802.40.00                                  |
| 11  | Used boats   | Ex 8901.90.10 to 8903.99.00                                  |
| 12  | Cement   | 2523.2100 to 2523.29.00                                      |
| 13  | Cookers for liquid fuel  | Ex 7321.11.10  |

| No. | Trade name                           | Item heading   |
|-----|--------------------------------------|--|
| 14  | Electric cookers                     | 8516.60.00   |
| 15  | Refrigerators                        | 8418.21.00, 8418.22.00, 8418.29.00, 8418.30.00, 8418.40.00, 8418.50.00 |
| 16  | Clocks and watches and parts thereof | 9101.11.00 to 9102.99.00   |
| 17  | Cigars and cigarettes                | 2402.10.00, 2402.20.00, 2402.90.00                                     |
| 18  | Dairy products                       | 0401.10.00 a 0406.90.00  |
| 19  | Arms                                 | 9302.00.00, 9303.10.00, 9303.90.00                                     |
| 20  | Woven fabrics of cotton              | 5208.11.00 to 5212.25.00   |
| 21  | Woven fabrics of synthetic filaments | 5407.41.10 to 5408.34.00   |
| 22  | Woven fabrics of synthetic fibres    | 5512.11.00 to 5516.94.00   |
| 23  | Used video decks                     | Ex. 8521.10.10, ex. 8521.10.90, ex. 8521.90.00                         |

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