

WORLD TRADE ORGANIZATION

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Committee of Participants on the Expansion of Trade in Information Technology Products

MINUTES OF THE MEETING OF 3 MAY 2002

Chairmen: Mr. Hiromi Yano (Japan) and Mr. Preben Gregersen (Denmark)

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Introduction

The Chairman stated that the proposed agenda for this meeting was circulated in WTO/AIR/1782 on 19 April 2002. With reference to the agenda, he noted that there had been two documents relating to item 2.C. "Non-Tariff Measures Work Programme" that were issued after the issuance of the Airgram, which were included in the documents, these were G/IT/SPEC/Q2/12 and G/IT/SPEC/Q4/2. He asked if there were any other matters to be raised under "Other Business". He stated the review of product coverage and the date of the next meeting of the Committee would be taken up under "Other Business". The agenda was adopted with these additions.

1. Election of Chairperson

1.1 The Chairman stated that the Committee normally elected a new chairperson on an annual basis. This matter was placed on the agenda of the 15 February meeting, however, there had not been agreement on a new Chairperson at that point in time, and thus the matter was deferred to this meeting. Pursuant to consultations by Ambassador Hovorka in his capacity as Chairman of the Council for Trade in Goods, the Chairman believed a consensus had been reached on the election of Mr. Preben Gregersen of Denmark as the new chairperson of this Committee.

1.2 The Committee elected Mr. Gregersen as the new Chairman of the Committee. Mr. Gregersen immediately assumed his role at Chairman of the Committee.

2. Review of the Status of Implementation of the Ministerial Declaration on Trade in Information Technology Products (G/IT/1/Rev.23)

2.1 The Chairman pointed out that an overview of the implementation of the Ministerial Declaration on Trade in Information Technology Products was contained in G/IT/1/Rev.23. This document showed the participants and the implementation issues pertaining to the WTO procedures for implementation.

2.2 The Committee took note of the Chairman's statement.

3. Non-tariff Measures Work Programme (G/IT/SPEC/22, G/IT/SPEC/Q2/12, G/IT/SPEC/Q4/1, G/IT/SPEC/Q4/2)

3.1 The Chairman recalled that at the beginning of this meeting when the "Agenda" was raised, there were four new documents that had been circulated with respect to the "Non-tariff Measures Work Programme". Furthermore, he noted from the last meeting, it was agreed to proceed with a survey as outlined by Canada. Thus, in consultation with the Secretariat, document G/IT/22 concerning the survey on EMC/EMI was issued on 22 March 2002 to all participants. This survey built upon the earlier survey of the Committee with respect to standards-related matters that was conducted by the Committee in February 1998. Delegations were reminded of this earlier survey and responses, as contained in the G/IT/SPEC/Q1 series, which could aid them in their responses to this survey. Thus far, there were two replies to the survey which had been circulated in G/IT/SPEC/Q4/1 and G/IT/SPEC/Q4/2. He took this opportunity to remind all delegations of the deadline of 30 May 2002 to respond to the survey. Secondly, he noted the recent submission by the United States to the NTM work programme, which was provided in G/IT/SPEC/Q2/12. Thirdly, as concerned the status, he highlighted that there were a total of fourteen submissions from participants to the work programme, both in terms of original submissions and comments on those submissions; these were contained in the G/IT/SPEC/Q2 and G/IT/SPEC/Q3 series of documents. Furthermore, work had commenced on a pilot project with the survey on EMC/EMI. He encouraged all delegations to continue to make contributions to the work programme.

3.2 The delegate of Australia stated that her delegation would, in the near future, table a proposal for a symposium on NTMs to compliment the work programme. Consultations were continuing on the proposed timing of such a symposium, and once these details were finalized, it would be circulated to all participants.

3.3 The delegate of Canada thanked New Zealand for their response to the survey, and encouraged all participants to respond. He noted that the survey was an important step in moving forward with the work programme, both in terms of the pilot project and in terms of the broader work programme. Furthermore, he looked forward to reading the US submission and the future Australian proposal. He encouraged all participants to accelerate their contributions, so that the work programme did not lag behind.

3.4 The delegate of the European Communities stated that his delegation was finalizing their response to the survey and it should be available before the deadline of 30 May 2002. Also, he noted that they were working on their contribution to phase II, which was overdue and had not yet been submitted due to technical reasons. When reviewing the submissions of other participants, he noted that there were the same basic regulatory objectives shared by the various regulators around the world, i.e. protecting health, safety and the electromagnetic environment. These were valid concerns. Also, the regulators seemed to rely on the same technical basis, the international standards. However, there appeared to be small divergences in the application of the technical standards within the specific regulations which were then applied by the various ITA participants. It was not always clear as to what it concerned or what modifications had been made for the application of the international standards. Thus, it diminished the value of the international standard and also created non-transparency in its application. He also noted that some differences existed in the area of conformity assessment. Some participants relied on the suppliers' declaration of conformity assessment, while others relied on a certification and approval procedure by a third party. These were a number of the divergences which he noted would be addressed in their phase II submission. As concerned the pilot project, he noted continued support and looked forward to the proposal on the seminar.

3.5 The delegate of the United States stated that his delegation had submitted their paper to the NTM work programme, and hoped to be able to submit to the phase II work as soon as possible. As concerned the EMC/EMI survey, his delegation was working on this as well, and hoped to submit by

the deadline. He noted that this was a way forward, but would only work if it was taken seriously by the Committee and there was substantial participation.

3.6 The Chairman reminded the participants to respond by the deadline of 30 May 2002, and to continue to make contributions to the work programme.

3.7 The Committee took note of the statements made.

4. Divergences in Classifying Information Technology Products

4.1 The Chairman recalled that the Committee had continued to work on the issue of classification divergences. There were good discussions in the Committee, and it was agreed to have another meeting of customs experts on 6-8 May. Therefore, he looked forward to a productive session on classification issues in the near future by the customs experts. He encouraged all participants to send experts to this meeting, but in the event not all participants could be represented there, he hoped they could follow the work and provide any follow-up information on classification if necessary.

4.2 The Committee took note of the Chairman's statement.

5. New Participants

5.1 The Chairman recalled there was one schedule, that of the People's Republic of China, submitted to the Committee at the last meeting in February. At that time, it was decided to revert to the matter of this new participant at this meeting of the Committee as some participants needed more time to consider this matter. However, he had been informed that this issue would still require some additional time to be resolved, and therefore suggested that this matter be postponed and taken up at the next meeting scheduled for July 2002.

5.2 It was so agreed.

6. Other Business

6.1 The Chairman stated that the issue of the review of product coverage continued to be a matter under consultation, and he encouraged delegations to continue their efforts.

6.2 Furthermore, he proposed that the Committee's next regular meeting be held on 12 July 2002, subject to confirmation. A number of delegations noted that this would conflict with the scheduled meetings of the Negotiating Group on Market Access, and asked if another date could be found. It was agreed that the Secretariat would search for a more suitable date which would be communicated to Members in due course.
