

出國報告（出國類別：國際會議）

## 出席 2019 年 4 月世界貿易組織 (WTO)貨品貿易理事會報告

服務機關：經濟部國際貿易局

姓名職稱：鄭悅庭 科長

派赴國家：瑞士

出國期間：108 年 4 月 9 日至 4 月 14 日

報告日期：108 年 4 月 29 日

# 出席 2019 年 4 月 WTO 貨品貿易理事會報告

## 目錄

摘要.....	1
壹、 前言.....	2
貳、 出席會議行程.....	3
一、 會議進行方式.....	3
二、 會議討論重點.....	3
(一) 亞美尼亞進行關稅減讓表重談判 (議程第 4 項) .....	3
(二) 歐盟回應英國脫歐之關稅配額承諾重談判 (議程第 5 項) .....	3
(三) 提高 WTO 協定透明化及強化通知要求之程序 (議程第 9 項) .....	4
(四) 印尼進出口限制政策與措施 (議程第 11 項) .....	6
(五) 印度對資通訊產品關稅措施 (議程第 12 項) .....	6
(六) 越南對汽車製造、組裝與維修服務相關法規 (議程第 16 項) .....	7
(七) 中國大陸對進口廢料的限制措施 (議程第 17 項) .....	7
(八) 中國大陸特定積體電路關稅 (議程第 19 項) .....	8
(九) 中國大陸出口管制法草案 (議程第 21 項) .....	9
(十) 美國聯邦通訊委員會 (FCC) 對通訊設備與服務禁令之草案 (議程第 23 項) .....	9
(十一) 澳洲對 5G 設備採取禁止市場進入之歧視 (議程第 24 項).....	10
(十二) 歐盟化學品法規 (議程第 25 項).....	10
(十三) 香港提案- 促進貨品貿易理事會與轄下委員會的運作 (議程第 33 項) .....	11
(十四) 下次會議時間.....	12
(十五) 主席選任.....	12
參、 觀察與建議.....	12
一、 CTG 現有議程多為先前延續之貿易關切議題 .....	12
二、 會員開始研議如何改善會議效率 .....	13
三、 我國宜善加利用 WTO 場域，維護我國貿易利益 .....	13
四、 貿易關切議題宜先在 CTG 轄下委員會討論後，再考慮提至 CTG，且發言立場宜一致	13

附件 1:	2019 年 4 月 CTG 議程.....	14
附件 2:	提高 WTO 協定透明化及強化通知要求之程序(JOB/CTG/14/REV.1)	17
附件 3:	強化透明化提案行政措施期程.....	21
附件 4:	提高 WTO 協定透明化及強化通知要求之程序-我方發言資料 .....	24
附件 5:	針對會員對透明化提案的意見，我方回應發言資料 .....	26
附件 6:	印度提高資通訊產品關稅案發言參考資料 .....	28
附件 7:	中國大陸調高多元件積體電路(MCO)產品關稅發言參考資料.....	29
附件 8:	香港提案-促進貨品貿易理事會與轄下委員會運作 .....	31

## 摘要

本次出國目的原係欲參世界貿易組織（WTO）4月11日至12日複邊議題投資便捷化討論，因同期間舉行的WTO貨品貿易理事會議程涉及我國關切事項，爰改為參加貨品貿易理事會。

WTO貨品貿易理事會（CTG）掌管關稅暨貿易總協定(GATT)之運作，轄下設有市場進入、農業、食品衛生檢驗與動植物防疫檢疫措施、技術性貿易障礙、補貼暨平衡措施、反傾銷、關稅估價、原產地規則、輸入許可程序、與貿易有關投資措施、防衛措施與貿易便捷化等12個委員會。本次CTG會議主要討論轄下各委員會提交本理事會採認事項及會員所提與貨品貿易相關的關切事項，我國亦針對亞美尼亞進行關稅減讓表重談判、歐盟回應英國脫歐之關稅配額承諾重談判、印尼進出口限制政策與措施、印度對資通訊產品關稅措施、中國大陸特定積體電路關稅等案表達關切。此外，我國與美、日、歐等會員於2018年提出「提高WTO協定透明化及強化通知要求之程序」提案，經彙整會員意見並內部討論後，本次再度提出修正提案，供會員討論並尋求支持。

## 壹、前言

本次出國目的原係欲參世界貿易組織（WTO）4月11日至12日複邊議題投資便捷化討論，因同期間舉行的WTO貨品貿易理事會議程涉及我國關切事項，爰改為參加貨品貿易理事會。

WTO貨品貿易理事會（CTG）掌管關稅暨貿易總協定(GATT)之運作，轄下設有市場進入、農業、食品衛生檢驗與動植物防疫檢疫措施、技術性貿易障礙、補貼暨平衡措施、反傾銷、關稅估價、原產地規則、輸入許可程序、與貿易有關投資措施、防衛措施與貿易便捷化等12個委員會；另設有國營貿易事業工作小組，以及複邊協定之資訊科技協定(ITA)委員會等。

WTO全體會員均可參與本理事會及轄下各委員會之會議，平均每年召開3~4次會議，主要討論轄下各委員會提交本理事會採認事項及會員所提與貨品貿易相關的關切事項，並選任本理事會及轄下各委員會主席。

2019年4月CTG會議議程項目共計35項，除例行提報議題（例如會員通知義務履行情形）外，大多為會員提出之貿易關切議題，我國亦針對印度調高資通訊產品關稅措施與中國大陸提高特定積體電路關稅等影響我業者之措施，再度於CTG會議表達關切。此外，我國與美、日、歐等會員於2018年提出「提高WTO協定透明化及強化通知要求之程序」提案，經彙整會員意見並內部討論後，本次亦再度提出修正提案，供會員討論並尋求支持。

此外，會員有感於議程所列的貿易關切議題數量漸增，且多數為重複討論，造成會議時間冗長，故已開始思考如何改善，本次即有香港針對促進貨品貿易理事會與轄下委員會的運作提案討論。

## 貳、出席會議行程

### 一、會議進行方式

本次我國出席人員包括我國常駐 WTO 代表團連公使玉蘋、吳簡任秘書怡真與經濟部國際貿易局鄭科長悅庭。本次會議由加拿大大使 Mr. Stephen DE BOER 主持，議程項目共計 35 項（如附件 1），會議係按照議程所列順序逐次討論，先由主席簡要說明會員提案經過，再邀請議程提案會員發言介紹提案內容，最後請其他會員發言表示意見。

### 二、會議討論重點

#### （一）亞美尼亞進行關稅減讓表重談判（議程第 4 項）

1. 本案係因亞美尼亞 2014 年加入歐亞經濟關稅同盟（EAEU）造成若干稅項的實施稅率高於約束稅率，爰與會員進行關稅重談判。
2. 計有歐盟（關切農業產品談判進展）、烏克蘭、中國大陸與我國發言，呼籲亞美尼亞持續與會員進行補償談判，亞美尼亞表示已提出非農產品的補償降稅清單，最近正與歐盟進行一系列雙邊談判，針對農產品補償清單部分，會繼續與其他 EAEU 成員合作（謹註：因 EAEU 為關稅同盟，相關關稅降稅也需其他 EAEU 成員同意），俾與提出關切的 WTO 會員持續協商。

#### （二）歐盟回應英國脫歐之關稅配額承諾重談判（議程第 5 項）

1. 由於對歐盟與英國分別提出的關稅配額（TRQ）草案有所疑慮，本案發言關切的會員眾多，尤其是農產品出口大國，計有美國、紐西蘭、韓國、中國大陸、澳洲、巴西、俄羅斯、烏拉圭、墨西哥、加拿大、日本、印度、阿根廷、印尼、哥斯大黎加、智利、斯里蘭卡、哥倫比亞、瑞士、瓜地馬拉等會員發言，我國發言表達體制性關切。

2. 關切重點包括，歐盟與英國用來計算 TRQ 草案的貿易數據有誤，無法完全反應真實貿易情形，且草案的 TRQ 上限較現有 TRQ 大幅降低，嚴重影響其他會員的權益；英國脫歐對於英、歐兩方都是重大改變，但不應影響其他會員的貿易利益，呼籲歐盟、英國繼續與其他會員針對 TRQ 進行透明化協商以尋求解決方案。
3. 歐盟回應感謝會員關切，並表示英歐兩方已密切合作，盼與會員解決 TRQ 問題。歐盟強調其為多邊貿易體制的支持者，會持續依據 GATT 第 28 條有關關稅減讓表重談判的規定，與會員進行協商。

### (三) 提高 WTO 協定透明化及強化通知要求之程序 (議程第 9 項)

1. 本項提案係由美國、歐盟、日本、我國、阿根廷、哥斯大黎加於 2018 年 11 月 CTG 會議提出，會後連署國依據會員回饋意見修正，並於本次會議再次提出，同時加拿大與紐西蘭亦加入連署 (JOB/CTG/14/Rev.1，詳附件 2)。
2. 提案國首先由美國大使 Dennis Shea 進行整體性發言，S 大使表示 WTO 會員未履行通知義務，將損害貿易的穩定性，對於企業 (貿易商) 與 WTO 的運作都將造成負面影響，本修正版已將前次會員關切點納入，但不遵守通知義務者應有處罰，並強調這並未新增會員負擔，因為提交通知本是所有會員都必須履行的義務。接續由其他提案國輪番介紹本次修正提案的重點，包括已將條文內容予以精簡、僅農業境內支持通知享有較長的通知期限、行政罰則的時程如何計算 (分一般會員以及主動表達需要技術協助的開發中會員，詳附件 3)、SPS 與 TBT 的通知將由其所屬委員會制訂出相關指南 (guideline) 後再適用本提案行政罰則等，我國更呼籲，會員不需完成贊同本案所有內容，只要同意本案的提案方向就可

以表達支持（我方發言資料如附件 4）（謹註：其後發言的土耳其亦認同我方此一主張）。

3. 其他會員看法：整體而言，會員較多疑慮的部分仍在於第 11 段的行政罰則，並認為必須考量開發中會員的能力限制，給予量身定做的技術協助與能力建構，並給予更多特殊與差別待遇（S & DT）。會員立場大致可分為以下 3 類：

- 肯定本案精神，願繼續討論：包括巴西、哥倫比亞、新加坡、巴拿馬、韓國、智利、香港、墨西哥皆表示願意繼續討論以促進改善本提案內容。
- 對部分條文有所顧慮，但願繼續討論：例如中國大陸、查德、印度與古巴表示反對設立行政罰則（尤其是罰款），認為應該要協助有困難的會員，促使其能準時提交通知；土耳其認為有能力執行反通知（counter notification）的會員不多，可能難以執行。此外，牙買加（代表 ACP 集團發言）、玻利維亞、奈及利亞、瓜地馬拉、印尼、巴基斯坦呼籲應正視開發中會員與低度開發會員的能力有所侷限，要先瞭解會員為何無法履行通知的原因與難處何在，再對症下藥給予協助。
- 直接表達不支持：包括南非（代表非洲國家集團）、斯里蘭卡、厄瓜多與吉布地，認為無論舉辦多少場次的能力建構研討會，最後仍需要會員自己動用人力與資源去完成通知作業，但該會員就是能力有限（無法確實提交通知）。此外，對未履行通知的會員進行羞辱（指行政罰則），這不是 WTO 會做的事。

4. 針對以上會員意見，美國說明行政罰則的設計，是為促使會員負起責任進行通知，並再次重申未增加會員負擔（因為通知是每個會員原本就該履行的義務），包括我國在內的其他提案國也表示會再繼續與會員溝通（我方發言資料如附件 5）。



#### (四) 印尼進出口限制政策與措施 (議程第 11 項)

1. 本案包括眾多印尼進出口貿易限制措施，包括印尼對電信、零售、能源、建設、運輸之政府採購要求自製率、對 4G 手機的銷售限制以及普遍缺乏透明度等；對肉類、乳製品、新鮮植物、園藝、木材和林業產品、酒精和化妝品之進口行政要求複雜且索取高額登記費等；另外亦關切清真產品認證法 (regulations of Halal Law 33/2014) 的實施情形。
2. 發言關切的會員包括歐盟、美國、日本、挪威、中國大陸、紐西蘭、巴西、俄羅斯與我國。由於本案已列入 CTG 議程達 4 年之久，本次會員大多簡短重申關切，盼印尼儘速提出說明，其中歐盟關切化妝品與清真認證法令、美國關切清真認證法令與自製率規定、俄羅斯關切肉類產品進口限制措施、我國關切電信產品自製率規定。
3. 印尼僅表示已在前次會議說明其措施符合 WTO 規範，願與提出關切的會員溝通，並未提供任何具體說明。

#### (五) 印度對資通訊產品關稅措施 (議程第 12 項)

1. 本案係印度於 2014 年起，陸續對屬於資訊科技協定 (ITA) 的多項零關稅資通訊產品課徵關稅，因此引起包括我國在內的眾多會員關切，由於本案已列入 CTG 議程討論多年，但印度仍未撤除相關關稅，大多數會員發言時已不再詳細列出印度爭議措施，僅是簡短重申對本案的關切。
2. 歐盟已於 2019 年 4 月初對印度提出爭端解決諮商，故在會中僅簡短要求印度撤除相關關稅，美國則表示對印度持續調高多項 ICT 產品的作為已漸失耐心。我方亦發言要求印度維持原有承諾義務，否則我方不排除循 WTO 爭端解決機制，向印度要求諮商解決 (我

方發言資料如附件 6)。中國大陸與瑞士表示注意到歐盟已提出諮商，將持續密切關注相關進展。此外日本、挪威、加拿大、泰國、新加坡、韓國、紐西蘭、澳洲亦呼籲印度儘速執行零關稅承諾。

3. 印度回復內容仍與先前會議相似，重申印度遵守對 ITA1 的承諾，由於該協定是在 1997 年簽署，之後發展出的許多新產品在當時並未出現，印度並無意履行超過 ITA1 承諾的部分，並樂意就產品範圍的認定與會員進行技術性雙邊討論。

#### **(六) 越南對汽車製造、組裝與維修服務相關法規（議程第 16 項）**

1. 針對越南對汽車製造、裝配、進口，汽車保證與維修服務之法令（Decree 116/2017，該法令已於 2018 年 1 月 1 日生效），美國、泰國、俄羅斯、歐盟持續表達關切，認為前述新的測試程序以及對車輛類型批准證書之要求過於繁複，對貿易造成不必要的障礙，不符合 TBT 規範，要求越南將相關法令資訊通知 TBT 委員會，並提供具體說明。
2. 越南說明其立法目的是為確保消費者安全以及環境保護，事前也已向貿易伙伴國、消費者等利害關係人尋求意見，且亦提供外國汽車製造商協助以符合本項法規。

#### **(七) 中國大陸對進口廢料的限制措施（議程第 17 項）**

1. 中國大陸在 2017 年宣布將停止進口廢塑料、未分類的廢紙、廢紡織品等 24 種廢料，該年 7 月將本措施通知 TBT 委員會後，於該年 12 月 30 日實施。而在同年 11 月又宣布擴大禁止進口的廢料品項，涵蓋廢鐵線、廢電子產品、廢金屬等，並於 2018 年 3 月 1 日實施。最近中國大陸又擬將廢料禁令擴大至所有木製品、汽車、家電、電動機車、船隻。

2. 本案計有美國、澳洲、加拿大、多明尼加、韓國、歐盟、紐西蘭表達關切，主要係質疑中國大陸此項措施從公告到實施期間過短，讓出口國反應不及；由於中國大陸是廢料處理大國，此禁令也造成整個產業供應鏈大亂，廢料亦未獲得妥善處理（最後在第三國就地掩埋或送焚化爐），對環境仍造成影響。此外會員認為中國大陸並未針對國內廢料有相應的處理作為，似有歧視進口品之虞，要求儘速停止相關措施。美國提到中國大陸持續擴大相關進口禁令的實施範圍，要求將更新措施通知 TBT 委員會。
3. 陸方回應表示，廢料與一般貨品不同，數十年來廢料進口到中國，出口國企業享受巨大貿易利益，但中國大陸卻承受污染苦果與人民健康受損，希望廢料出口國負起國際責任並有所貢獻。陸方並表示本案已通知市場進入委員會，未來會依相關 WTO 規定提交通知。

#### （八）中國大陸特定積體電路關稅（議程第 19 項）

1. 本案為中國大陸 2017 年新版進出口稅則所訂之 4 個稅目的多元件積體電路(multi-component integrated circuits, MCOs)產品稅率，高於中國大陸現行 WTO 關稅減讓承諾表所承諾之稅率，因此會員持續提出關切。
2. 發言會員包括歐盟、日本、我國、韓國、美國（以上為政府間半導體會議 GAMS 成員）以及瑞士，其中我國表示，依 WTO 總理事會決議，WTO 會員於轉換 HS Code 時，有義務維持其關稅承諾水平不變，我方敦促中國大陸立即取消對該等 MCO 產品之關稅，以解決會員關切(發言資料如附件 7)，其他會員亦簡短請中國大陸遵守其在 WTO 零關稅的承諾，儘速撤銷相關關稅。
3. 陸方回應，已就本案在其他 WTO 會議（市場進入委員會、資訊科技協定 (ITA) 委員會）以及雙邊會議與關切會員討論，強調本次

轉版雖然有些稅項關稅提高，但部分稅項關稅也降低了（暗指會員只挑提高的部分關切）。中國大陸是依據秘書處公布的稅則轉版方式文件進行轉版，並無意也不會故意提高零關稅。另陸方也表示，所有 MCO 產品都會在 2021 年 6 月降回零關稅。

### （九）中國大陸出口管制法草案（議程第 21 項）

1. 中國大陸於 2017 年 6 月公布「出口管制法」草案，管制範圍包括對兩用物品、軍品、核以及其他與國家安全相關的貨物、技術、服務等行為，採取禁止或限制措施。並且要求出口管制清單以外產品的出口商有義務自行瞭解欲出口物品有無涉及國家安全、恐怖活動的風險，並須向政府申請出口許可證。
2. 本案計有日本、韓國與歐盟表達關切，除請中國大陸提供目前立法進度與草案版本外，亦認為本草案對國際貿易造成衝擊，且違反 GATT 第 11 條有關數量限制的規定。日本並表示不認為本案可以用國家安全作為正當理由，應立即取消。
3. 陸方表示不再重複以往說明，僅強調即使其他國家如何不合理對待中國大陸，陸方從未主動阻礙貿易，本法草案已在 2017 年公開上網徵求意見，收到的各方意見會適當考量納入。目前本草案仍在國務院檢視，尚無實施時程。

### （十）美國聯邦通訊委員會（FCC）對通訊設備與服務禁令之草案（議程第 23 項）

1. FCC 在 2018 年 5 月提出一項提議，倘特定通訊供應商被認定對美國國內網路或通訊供應鏈構成國家安全風險，則禁止用 Universal Service Fund 的資金向該等廠商購買設備或服務。
2. 中國大陸認為美國本項措施明顯影響國際貿易並表達嚴重關切，倘國安理由可以如此廣泛、任意（arbitrary）的使用，將對國際貿

易有負面影響。陸方亦指出，本案美國國內業者也有反對意見，並詢問美方如何考量該等意見。陸方盼相關措施應在透明化且 MFN 原則下執行。

3. 美國復以，FCC 提出這項提案的過程都符合透明化，包括將提案文件上網公告、說明提案理由。目前這項提案仍未定案( pending)，FCC 亦未據以實施。

#### (十一) 澳洲對 5G 設備採取禁止市場進入之歧視(議程第 24 項)

1. (據中國大陸前次 CTG 會議發言) 本案係澳洲通訊與藝術部於 2018 年 8 月 22 日用電話通知華為、中興通訊(ZTE)、澳洲本地電信營運商，華為、中興通訊將被禁止參與澳洲的 5G 計畫，即澳洲當地電信營運商將被禁止從該兩間中國大陸公司購買 5G 產品，惟該項禁令並未見澳洲相關官方文件。(謹註：本措施係依據澳洲就 5G 技術設定安全行政指導 (security guidance)，澳洲於上次 CTG 會議，表示該指導僅涉及公共 5G 網絡不影響其他網絡，強調澳洲並未對進口設備採取任何限制)
2. 中國大陸表示，在 2018 年 8 月的市場進入委員會，澳洲承諾將提供相關資訊，但迄今陸方並未接獲。陸方請澳方將相關措施上網公告並通知 WTO，且說明為何只針對中國大陸的原因。陸方強調，本措施是明顯的違反 MFN 原則與 GATT 第 11 條數量限制規定，且未遵守 GATT 第 10 條公布貿易法規的透明化規定。最後陸方說明 5G 是全球性產業，網路安全則是全球性挑戰，各國應合作面對，歧視特定國家產品不會促成網路安全，本措施應透明公開且不應造成不必要的貿易障礙，呼籲澳洲遵守 WTO 承諾。

#### (十二) 歐盟化學品法規(議程第 25 項)

1. 措施簡介：歐盟自 2009 年 1 月 20 日公告「化學物質和混合物分

類、標示與包裝法規」(簡稱 CLP 法規)，採用以聯合國 GHS 為基礎的化學品分類及標示系統。適用對象包括製造商、進口商、特定成品製造商、下游使用者(包括重新填料及再次進口的廠商)、經銷商(包含零售商)。CLP 法規的危害分類標準較為嚴格。產品分類的危害圖示、警示用語，以及安全資料表的格式均與舊有分類標示系統不同。

2. 俄羅斯、美國、加拿大、墨西哥、澳洲、菲律賓皆發言關切，表示本案涉及產品範圍極廣，包括食具、玩具、化妝品等，並已在 TBT 委員會討論多年，要求歐盟提供具體以科學為基礎的評估資料並通知 TBT 委員會。
3. 歐盟僅簡短回應相關法規都經過科學驗證，法規資料皆已公開在歐盟化學總署(European Chemicals Agency)網站。

### (十三) 香港提案-促進貨品貿易理事會與轄下委員會的運作 (議程第 33 項)

1. 2018 年底 CTG 主席邀請會員商討如何促進 CTG 與其轄下委員會的運作效率，並在 2019 年 3 月 4 日舉行非正式會議討論。香港根據該次討論情形，提出幾項可能作法(RD/CTG/6，如附件 8):
  - 提早公布議程內容與相關資料。
  - 會前利用雙邊或非正式會議充分討論。
  - 先前已討論過的議程項目，應具焦於前次會議迄今的進展(不要重複以前的發言內容)。
  - 善用資料庫交流同一議題在不同會議的討論資訊。
  - CTG 與轄下委員會的主席與秘書處人員應定期交流。
2. 香港於會中表示盼此文件拋磚引玉，引起更多發想與關注，並建

議主席未來再召開非正式會議討論。包括哥斯大黎加、中國大陸、新加坡、韓國、阿根廷、瓜地馬拉、紐西蘭、墨西哥、日本、澳洲、哥倫比亞皆表示願繼續討論，美國稱本文件所提建議都是常識（common sense），願合作繼續討論。歐盟則希望能有更全面性的建議（謹註：歐盟擬於總理事會提出改善 WTO 委員會與理事會處理會員貿易關切的程序草案），瑞士亦認為，在 WTO 常設會議未獲解決的貿易關切議題要進行爭端解決程序前，應建立一協調機制處理，避免爭端解決案件數量過多（據悉瑞士似亦準備就改善 WTO 會議運作機制提案）。

#### （十四）下次會議時間

主席宣布下次 CTG 會議時間為 7 月 8 日至 7 月 9 日，會員倘欲提案則需於 6 月 27 日前提提交文件。

#### （十五）主席選任

現任主席加拿大大使 Mr. Stephen DE BOER 卸任，新任主席為烏拉圭大使 Mr. José Luís CANCELA GÓMEZ。

### 參、觀察與建議

#### 一、CTG 現有議程多為先前延續之貿易關切議題

近年會員要求列入 CTG 議程討論的貿易關切議題激增，且因多數案件都未獲解決，只能常駐在議程上（例如本次 CTG 議程項目高達 35 項，其中有 22 項是延續前次會議討論的貿易關切議題），造成每次會議都重複討論相同議題且拉長會議時間。本次會議因大家已意識到此一問題，大多克制不再重複以往發言內容，僅就案情最新發展予以關切，並精簡發言內容。

## 二、會員開始研議如何改善會議效率

此外，CTG 主席與會員開始正視該如何改善會議效率，其根源即是如何有效處理貿易關切議題，避免讓會議流於形式或演說大會，除香港在 CTG 提案外，歐盟也擬總理事會提出更全面的改革構想，另瑞士也在準備提案中，預料未來在 CTG 會議中亦將持續討論，建議我方宜預為因應並積極參與。

## 三、我國宜善加利用 WTO 場域，維護我國貿易利益

WTO 為我國少數正式加入（擁有正式會籍）的國際經貿組織，相關單位宜利用此點，針對影響我國業者貿易利益的他國措施，藉由 WTO 相關委員會提出關切，促使他國正視並予以改善。

## 四、貿易關切議題宜先在 CTG 轄下委員會討論後，再考慮提至 CTG，且發言立場宜一致

本次會中觀察到，會員在 CTG 提出貿易關切前，除了透過雙邊諮商管道外，大多已先在該議題涉及的委員會提出關切（例如 TBT 措施就提至 TBT 委員會，關稅問題提至市場進入委員會，資通訊產品關稅問題就再加提 ITA 委員會），少部分議題屬性無法判別歸屬 CTG 轄下哪一個委員會（例如涉及國安問題者），才直接提至 CTG。因此我方未來倘欲提出特定貿易關切，建議宜詢此模式提出，避免被對方會員質疑，且在各個會議的立場說詞應一致，並隨案情演進做適當修改，避免每次皆為相同內容。



# 附件1： 2019年4月CTG議程

WTO/AIR/CTG/13 1

APRIL 2019

SUBJECT: COUNCIL FOR TRADE IN GOODS

THE NEXT MEETING OF THE COUNCIL FOR TRADE IN GOODS WILL BE HELD IN THE CENTRE WILLIAM RAPPARD STARTING ON **THURSDAY, 11 APRIL 2019 AT 10:00 A.M.** AND CONTINUING ON FRIDAY, 12 APRIL 2019 (AS NECESSARY).

THE FOLLOWING ITEMS ARE PROPOSED FOR THE AGENDA:

1. NOTIFICATION OF REGIONAL TRADE AGREEMENTS:
  - 1.1 COMPREHENSIVE AND PROGRESSIVE AGREEMENT FOR TRANS-PACIFIC PARTNERSHIP (CPTPP) (WT/REG395/N/1)
  - 1.2 ECONOMIC PARTNERSHIP AGREEMENT BETWEEN THE EUROPEAN UNION AND JAPAN (WT/REG396/N/1)
  - 1.3 FREE TRADE AGREEMENT BETWEEN HONG KONG, CHINA AND GEORGIA (WT/REG397/N/1)
2. STATUS OF NOTIFICATIONS UNDER THE PROVISIONS OF THE AGREEMENTS IN ANNEX IA OF THE WTO AGREEMENT (G/L/223/REV.26)
3. APPOINTMENT OF OFFICERS TO THE SUBSIDIARY BODIES OF THE COUNCIL FOR TRADE IN GOODS
4. ACCESSION OF THE REPUBLIC OF ARMENIA AND THE KYRGYZ REPUBLIC TO THE EURASIAN ECONOMIC UNION: PROCEDURES UNDER ARTICLE XXVIII:3 OF GATT 1994 - REQUEST FROM THE EUROPEAN UNION
5. EUROPEAN UNION - PROPOSED MODIFICATION OF EU TRQ COMMITMENTS: SYSTEMIC CONCERNS - REQUEST FROM AUSTRALIA, BRAZIL, CANADA, CHINA, NEW ZEALAND, THE RUSSIAN FEDERATION, THE UNITED STATES, AND URUGUAY
6. ENLARGEMENT OF THE EUROPEAN UNION TO INCLUDE CROATIA: NEGOTIATIONS UNDER ARTICLE XXIV:6 OF THE GATT 1994 - REQUEST FROM THE RUSSIAN FEDERATION
7. JORDAN - REQUEST FOR A WAIVER RELATING TO THE TRANSITIONAL PERIOD FOR THE ELIMINATION OF THE EXPORT SUBSIDY PROGRAMME FOR JORDAN (G/C/W/705; G/C/W/705/CORR.1; G/C/W/705/REV.1; AND G/C/W/705/REV.2)
8. MEASURES TO ALLOW GRADUATED LDCs, WITH GNP BELOW USD 1,000, BENEFITS PURSUANT TO ANNEX VII(B) OF THE AGREEMENT ON SUBSIDIES AND COUNTERVAILING MEASURES - COMMUNICATION FROM THE CENTRAL AFRICAN REPUBLIC ON BEHALF OF THE LDC GROUP (WT/GC/W/742-G/C/W/752)

9. PROCEDURES TO ENHANCE TRANSPARENCY AND STRENGTHEN NOTIFICATION REQUIREMENTS UNDER WTO AGREEMENTS - COMMUNICATION FROM ARGENTINA, AUSTRALIA, CANADA, COSTA RICA, THE EUROPEAN UNION, JAPAN, NEW ZEALAND, THE SEPARATE CUSTOMS TERRITORY OF TAIWAN, PENGHU, KINMEN AND MATSU, AND THE UNITED STATES (JOB/GC/204/REV.1-JOB/CTG/14/REV.1)
10. KINGDOM OF SAUDI ARABIA, KINGDOM OF BAHRAIN, AND THE UNITED ARAB EMIRATES - SELECTIVE TAX ON CERTAIN IMPORTED PRODUCTS - REQUEST FROM THE EUROPEAN UNION, SWITZERLAND, AND THE UNITED STATES
11. INDONESIA'S IMPORT AND EXPORT RESTRICTING POLICIES AND PRACTICES - REQUEST FROM THE EUROPEAN UNION, JAPAN, NORWAY, AND THE UNITED STATES
12. INDIA - CUSTOMS DUTIES ON ICT PRODUCTS - REQUEST FROM CANADA, CHINA, THE EUROPEAN UNION, JAPAN, NORWAY, CHINESE TAIPEI, AND THE UNITED STATES
13. EUROPEAN UNION - QUALITY SCHEMES FOR AGRICULTURAL PRODUCTS AND FOODSTUFFS - THE REGISTRATION OF CERTAIN TERMS OF CHEESE AS GEOGRAPHICAL INDICATIONS - REQUEST FROM THE UNITED STATES AND URUGUAY
14. EGYPT - MANUFACTURER REGISTRATION SYSTEM - REQUEST FROM THE EUROPEAN UNION
15. MONGOLIA - QUANTITATIVE RESTRICTIONS AND PROHIBITIONS ON IMPORTATIONS OF CERTAIN AGRICULTURAL PRODUCTS - REQUEST FROM THE RUSSIAN FEDERATION
16. VIET NAM - DECREE ON THE REGULATION ON CONDITIONS FOR AUTOMOBILES MANUFACTURING, ASSEMBLING, IMPORTING, AND AUTOMOTIVE WARRANTY AND MAINTENANCE SERVICES - REQUEST FROM THE UNITED STATES
17. CHINA - MEASURES RESTRICTING THE IMPORT OF SCRAP MATERIALS - REQUEST FROM THE UNITED STATES
18. INDIA - QUANTITATIVE RESTRICTIONS ON IMPORTS OF CERTAIN PULSES - REQUEST FROM AUSTRALIA, CANADA, THE EUROPEAN UNION, THE RUSSIAN FEDERATION, AND THE UNITED STATES
19. CHINA - CUSTOMS DUTIES ON CERTAIN INTEGRATED CIRCUITS - REQUEST FROM THE EUROPEAN UNION, JAPAN, AND CHINESE TAIPEI
20. EUROPEAN UNION - DRAFT IMPLEMENTING REGULATIONS REGARDING PROTECTED DESIGNATIONS OF ORIGIN AND GEOGRAPHICAL INDICATIONS,
21. TRADITIONAL TERMS, LABELLING AND PRESENTATION OF CERTAIN WINE SECTOR PRODUCTS - REQUEST FROM THE UNITED STATES
22. CHINA - NEW EXPORT CONTROL LAW IN DRAFT - REQUEST FROM JAPAN
23. UNITED STATES - PROHIBITIVE PROPOSAL ON COMMUNICATION EQUIPMENT OR SERVICES RELEASED BY THE FCC - REQUEST FROM CHINA
24. EUROPEAN UNION - SAFEGUARD MEASURES ON INDICA RICE FROM CAMBODIA - REQUEST FROM CAMBODIA

25. AUSTRALIA - DISCRIMINATORY MARKET ACCESS PROHIBITION ON 5G EQUIPMENT - REQUEST FROM CHINA
26. EUROPEAN UNION - REGULATION EC NO. 1272/2008 (CLP REGULATION) - REQUEST FROM THE RUSSIAN FEDERATION
27. UNITED STATES - MEASURES ON AVIATION SECURITY EQUIPMENT - REQUEST FROM CHINA
28. THE RUSSIAN FEDERATION - TRADE RESTRICTING PRACTICES - REQUEST FROM THE EUROPEAN UNION
29. CROATIA - REGULATION OF IMPORT AND SALE OF CERTAIN OIL PRODUCTS - REQUEST FROM THE RUSSIAN FEDERATION
30. JAMAICA - REGULATIONS NOS. 145 AND 146 BANNING SINGLE-USE PLASTIC PRODUCTS - REQUEST FROM THE DOMINICAN REPUBLIC
31. EUROPEAN UNION - AMENDMENTS TO THE DIRECTIVE 2009/28/EC, RENEWABLE ENERGY DIRECTIVE - REQUEST FROM MALAYSIA
32. TRINIDAD AND TOBAGO - ANNOUNCEMENT CONCERNING THE BAN ON THE MARKETING AND IMPORTATION OF POLYSTYRENE PLASTICS - REQUEST FROM THE DOMINICAN REPUBLIC
33. BETTER FUNCTIONING OF THE COUNCIL FOR TRADE IN GOODS AND SUBSIDIARY COMMITTEES - STATEMENT BY HONG KONG, CHINA
34. WORK PROGRAMME ON ELECTRONIC COMMERCE
35. OTHER BUSINESS
36. ELECTION OF CHAIRPERSON OF THE COUNCIL FOR TRADE IN GOODS

MEMBERS OF THE WTO, OTHER GOVERNMENTS AND INTERNATIONAL ORGANIZATIONS WITH OBSERVER STATUS ARE REQUESTED TO INFORM THE SECRETARIAT OF THE NAMES OF THEIR REPRESENTATIVES AS SOON AS POSSIBLE.

ROBERTO AZEVEDO

## 附件2: 提高 WTO 協定透明化及強化通知要求之程序 (JOB/CTG/14/Rev.1)

### PROCEDURES TO ENHANCE TRANSPARENCY AND STRENGTHEN NOTIFICATION REQUIREMENTS UNDER WTO AGREEMENTS

COMMUNICATION FROM ARGENTINA, AUSTRALIA, CANADA, COSTA RICA, THE EUROPEAN UNION,  
JAPAN, NEW ZEALAND, THE SEPARATE CUSTOMS TERRITORY OF TAIWAN, PENGHU, KINMEN  
AND MATSU, AND THE UNITED STATES

#### *Revision*

The following communication, dated 29 March 2019, is being circulated at the request of the Delegations of Argentina, Australia, Canada, Costa Rica, the European Union, Japan, New Zealand, the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu, and the United States.

---

#### **Draft General Council Decision**

#### **Procedures to Enhance Transparency and Strengthen Notification Requirements Under WTO Agreements**

#### **Decision of X Date**

*The General Council,*

*Recognizing* that transparency and notification requirements constitute fundamental elements of many WTO agreements and a properly functioning WTO system, and thus of Members' obligations;

*Acknowledging* the chronic low level of compliance with existing notification requirements under many WTO agreements; and

*Desiring* to strengthen and enhance transparency and improve the operation and effectiveness of notification requirements;

*Decides:*

#### General

1. To reaffirm existing notification obligations and recommit to providing required and timely notifications under the following WTO Agreements and Understandings within the

remit of the Council for Trade in Goods, for which there is regular annual reporting provided by the Secretariat (G/L/223/Rev.26 and its revisions):

Agreement on Agriculture  
Agreement on Implementation of Article VI of the GATT 1994 (Anti-Dumping)  
Agreement on Subsidies and Countervailing Measures  
Agreement on Safeguards  
Understanding on the Interpretation of Article XVII of the GATT 1994 (State Trading)  
Agreement on Implementation of Article VII of the GATT 1994 (Customs Valuation)  
Agreement on Import Licensing Procedures  
Agreement on Rules of Origin  
Agreement on Preshipment Inspection  
Decision on Notification Procedures for Quantitative Restrictions (G/L/59/Rev.1)  
Agreement on Trade Related Investment Measures  
Agreement on the Application of Sanitary and Phytosanitary Measures  
Agreement on Technical Barriers to Trade  
Agreement on Trade Facilitation, Section I

2. To instruct the Working Group on Notification Obligations and Procedures (Working Group) to meet before [x date] to develop recommendations on improving Member compliance with notification obligations under the Agreements and Understandings listed in paragraph 1. The Working Group will consult with appropriate committees, other working groups and bodies as appropriate, and consider both systemic and specific improvements that can help Members improve compliance with notification obligations. The Working Group will also consult with the WTO Secretariat as appropriate, including the WTO Institute for Training and Technical Cooperation (ITTC) to assess the contribution of WTO trade-related technical assistance to improving notification compliance, as well as the Central Registry of Notifications. The Working Group will report to the Council for Trade in Goods on its findings before [x date], and provide updates at each subsequent meeting.
3. To instruct the Working Group to work with the Secretariat to update the Technical Cooperation Handbook on Notifications (WT/TC/NOTIF/INF/3) and present it to the Council for Trade in Goods for its [x date] meeting.
4. To instruct the Trade Policy Review Body to ensure that beginning in [20XX] all trade policy reviews include a specific, standardized focus on the Member's compliance with its notification obligations under the Agreements and Understandings listed in paragraph 1.
5. To encourage Members, at any time, to provide a counter notification of another Member concerning notification obligations under the Agreements and Understandings listed in paragraph 1.
6. That beginning in [x date] a Member that fails to provide a required notification by the deadline provided under an Agreement or Understanding listed in paragraph 1<sup>1</sup>, or has failed

---

<sup>1</sup> For the purposes of this Decision, the SPS Committee and TBT Committee, respectively, will develop guidelines on the conditions under which a Member shall be deemed to have failed to provide a required notification with respect to ad hoc notifications for the

to provide any prior required notification under an Agreement or Understanding listed in paragraph 1, will be subject to the administrative measures under paragraph 11.

7. Notwithstanding paragraph 6, with respect to the notification referred to as DS:1 in the Committee on Agriculture's Notification Requirements and Formats (G/AG/2), the deadline for the purposes of paragraphs 8, 10(b), and 11 of this Decision shall be two years following the notification deadline required under G/AG/2. This paragraph shall cease to operate once an update of G/AG/2 has been adopted. An update of G/AG/2 is encouraged within two years of this Decision.

8. A Member that fails to provide a required notification within the deadline referenced in paragraph 6 or the deadline set out in paragraph 7 is encouraged to submit to the relevant committee by six months after the relevant deadline and every six months thereafter an explanation for the delay, the anticipated time-frame for its notification, and any elements of a partial notification that a Member can produce to limit any delay in transparency.

9. If a Member fails to provide a required notification within the deadline referenced in paragraph 6 or the deadline set out in paragraph 7, the Member may request the Secretariat provide assistance in researching the matter and, in full consultation with the relevant Member, and only with the approval of that Member, provide a notification on its behalf.

10. A developing country Member encountering difficulties to fulfil its notification obligations is encouraged:

- (a) to request assistance and support for capacity building from the Secretariat, either in the form of WTO trade-related technical assistance or as ad hoc assistance for a particular notification; and
- (b) to submit to the relevant committee and to the Working Group by [six] months after the deadline referenced in paragraph 6 or the deadline set out in paragraph 7 and every six months thereafter information on those notifications under the Agreements and Understandings listed in paragraph 1 that it has not submitted due to a lack of capacity, including information on the assistance and support for capacity building that the Member requires in order to submit required notifications.

11. For an Agreement or Understanding listed in paragraph 1, if a Member fails to provide a required notification within one year of the deadline referenced in paragraph 6 or the deadline set out in paragraph 7, and that Member has not requested assistance from the Secretariat identified in paragraph 10, the following administrative measures shall apply to that Member:

- (a) After one year from the deadline referenced in paragraph 6 or the deadline set

---

Agreement on the Application of Sanitary and Phytosanitary Measures and Agreement on Technical Barriers to Trade such that administrative measures shall be applied pursuant to paragraph 11 of this decision. This decision shall not apply to ad hoc notifications under the TBT or SPS Agreements until the relevant guidelines have been adopted.

out in paragraph 7, the following administrative measures shall be applied to the Member:

- (i) representatives of the Member cannot be nominated to preside over WTO bodies;
  - (ii) questions posed by the Member to another Member during a Trade Policy Review need not be answered;
  - (iii) the Member shall be assessed a charge by the Secretariat at the rate of [x][5] percent of its normal assessed contribution to the WTO budget, to be effective in the following biennial budget cycle, that may be used for the purpose of providing Members with technical assistance to fulfil notification obligations, including through the ITTC;
  - (iv) the Secretariat shall report annually to the Council for Trade in Goods on the status of the Member's notifications; and
  - (v) the Member shall be subject to specific reporting at the General Council meetings.
- (b) A year after the administrative measures in subparagraph (a) are applied, the following administrative measures shall also be applied to the Member, in addition to the measures in subparagraph (a):
- (i) the Member shall be designated as a Member with notification delay;
  - (ii) representatives of the Member will be called upon in WTO formal meetings after all other Members have taken the floor, and before any observers; and
  - (iii) when the Member with notification delay takes the floor in the General Council it will be identified as such.
- (c) The commencement of the administrative measures identified in paragraph 11(a) and 11(b) shall be deferred a year, respectively, for a developing country Member that has submitted information on the assistance and support for capacity building that the Member requires, as set out in paragraph 10, if the Member still fails to provide the required notification.

12. When the administrative measures identified in paragraph 11 will be applied to any Member, the Director-General will notify the Ministers of those Members responsible for the WTO of the administrative measures being applied with respect to those Members. Once any such Member comes into compliance with its notification requirements, the administrative measures will cease to apply.



10 April 2019

Council for Trade in Goods

Original: English/anglais/inglés

## 附件3： 強化透明化提案行政措施期程

### UNOFFICIAL ROOM DOCUMENT<sup>2</sup>

#### PROCEDURES TO ENHANCE TRANSPARENCY AND STRENGTHEN NOTIFICATION REQUIREMENTS UNDER WTO AGREEMENTS

COUNCIL FOR TRADE IN GOODS – 11 APRIL 2019

*Communication from Argentina, Australia, Canada, Costa Rica, the European Union, Japan, New Zealand, the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu, and the United States*

Conseil du commerce des marchandises

### DOCUMENT DE SÉANCE NON OFFICIEL<sup>1</sup>

#### PROCEDURES TO ENHANCE TRANSPARENCY AND STRENGTHEN NOTIFICATION REQUIREMENTS UNDER WTO AGREEMENTS

COUNCIL FOR TRADE IN GOODS – 11 APRIL 2019

*Communication from Argentina, Australia, Canada, Costa Rica, the European Union, Japan, New Zealand, the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu, and the United States*

Consejo del Comercio de Mercancías

### DOCUMENTO DE SALA NO OFICIAL<sup>1</sup>

#### PROCEDURES TO ENHANCE TRANSPARENCY AND STRENGTHEN NOTIFICATION REQUIREMENTS UNDER WTO AGREEMENTS

\* In Original language only/En langue originale seulement/En el idioma original solamente.

<sup>2</sup> Documents issued in the RD series are not official WTO documents. They usually appear in their language of submission and will not be translated systematically into the working languages of the WTO. They are intended for use in WTO meeting rooms and are attributed an unofficial symbol for archiving purposes only.

Les documents de la série RD ne sont pas des documents officiels de l'OMC. Ils ne paraissent généralement que dans la langue dans laquelle ils ont été communiqués et ne seront pas systématiquement traduits dans les langues de travail de l'OMC. Ils sont destinés aux salles de réunion de l'OMC et une cote non officielle leur est attribuée à des fins d'archivage.

Los documentos de la serie RD no son documentos oficiales de la OMC. Por lo general se distribuyen en el idioma en que han sido presentados y no se traducen sistemáticamente a los idiomas de trabajo de la Organización. Se distribuyen para su uso en las salas de reunión de la OMC y se les asigna una signatura no oficial a efectos de archivo únicamente.



COUNCIL FOR TRADE IN GOODS – 11 APRIL 2019

*Communication from Argentina, Australia, Canada, Costa Rica, the European Union, Japan, New Zealand, the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu, and the United States*

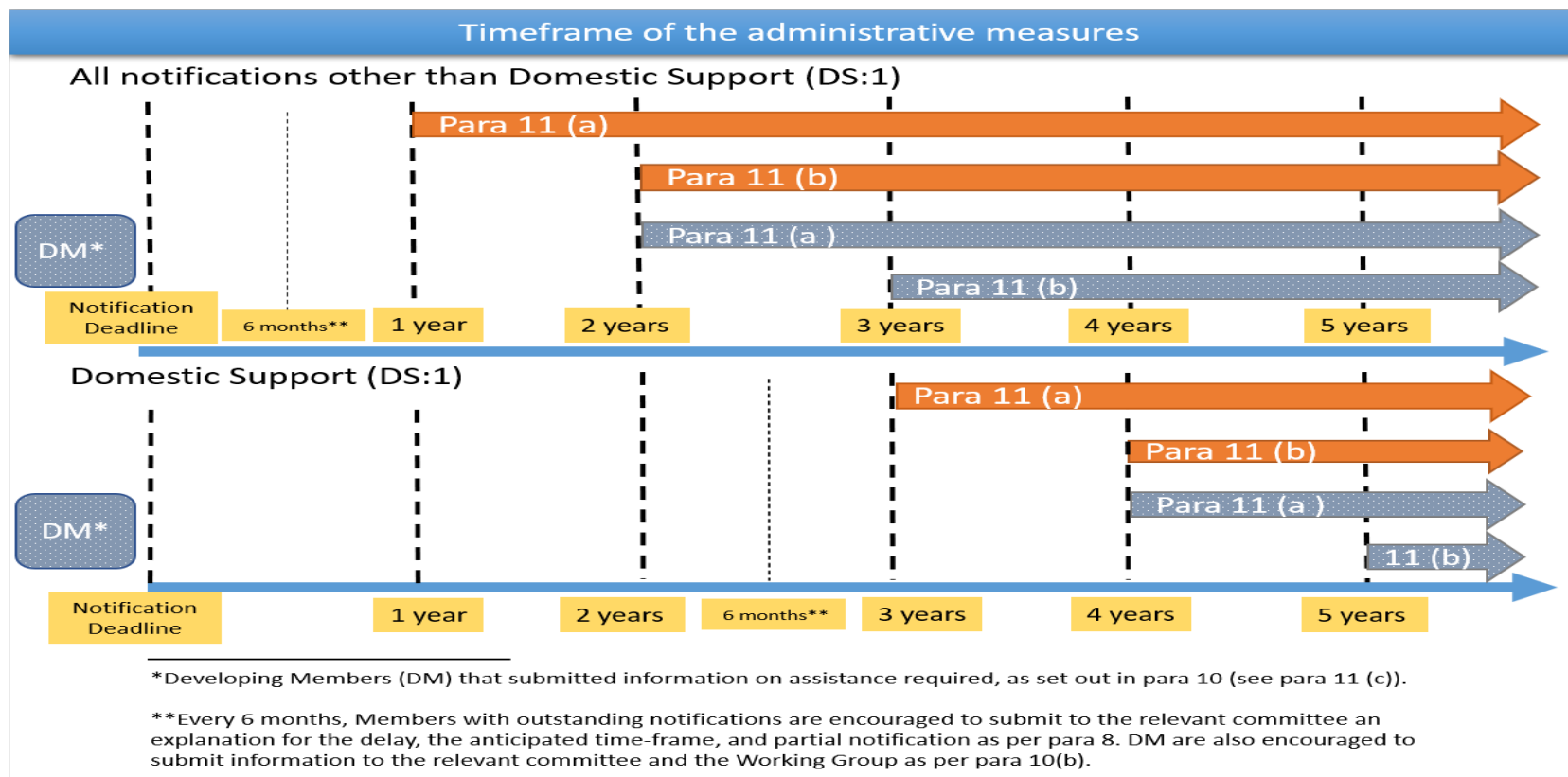
---



10 April 2019

Council for Trade in Goods

Original: English/anglais/inglés



## 附件4: 提高 WTO 協定透明化及強化通知要求之程序-我方發言資料

**Firstly**, I would just like to confirm that my delegation associates itself fully with the statement made by the United States. **Secondly**, I would also like to take this opportunity to thank the other proponents for all their hard work on improving this proposal as well as Members' comments on this revised proposal. And **lastly**, we very much welcome the recent addition of both Canada and New Zealand as cosponsors of the proposal.

As we all know, Mr. Chairman, transparency is one of the essential pillars on which the WTO is founded. We believe that transparency is critical to the sustainability of the WTO. All stakeholders benefit from a transparent system, but we all have to make the same effort to ensure that it works. Members have highlighted the need for WTO reforms. We must succeed in achieving them this year.

Members recognize the importance of transparency – that's not the problem. From the Secretariat's annual report on notifications provided to the Council on Trade in Goods (G/L/223/Rev.26 and its revisions), however, there is great room for improvement. We are therefore trying to propose an effective way of strengthening notification requirements and thereby improving the situation. The prime emphasis is on how to strengthen and reaffirm existing notification requirements, so we see this revised proposal as being a modest proposal, dedicated more to enforcing, streamlining than to radical reform.

We are aware of some concerns about the so-called “carrot and stick” approach being adopted here. **That is certainly not the intention of this proposal.** If and when a Member fails to notify, that Member can choose to seek assistance from the Secretariat by resorting to Paragraph 10. **The “stick” can easily be avoided as long as a Member takes action** under Paragraph 10 that results in a notification within the required time-frame of two years. We simply want to incorporate a few incentives and consequences that might just **encourage more Members to notify themselves.**

**Members all have different preferences. They don't have to agree completely with this proposal (100%) in order to support it. If a Member agrees with the general direction of the proposal, even if only to a certain extent, it can still support it. The main point is that the general direction is good.**

And, **finally**, Mr. Chairman, Members' comments and feedback are vital, of course, to the process of getting the necessary WTO reforms underway. More Member support for the proposal would definitely be greatly welcomed. Together with the other proponents, we remain open to any views and suggestions you might have.

## 附件5: 針對會員對透明化提案的意見，我方回應發言資料

- We would like to thank all Members that intervened today for their comments and observations. We note that several of these comments and observations were related to the provisions on Technical Assistance and Capacity Building included in our proposal.
- At the outset, it is important to note that the notification commitments of all WTO Members remain unchanged under this proposal. In the same line, Members still have access to all the current tools in case they face difficulties when fulfilling their notifications commitments, including access to technical assistance provided by the Secretariat. Members also have the same opportunities to discuss their concerns and difficulties in the relevant Committees and working groups.
- Having said that, we would like to highlight several positive elements that this proposal contains, and that we believe are good additions to the already existing toolbox available to Members. These additional tools aim to create cost-effective incentives to address different constraints that may be hampering Members' ability to comply with their notification commitments.
- First, the proposal provides (additional) elements that could contribute to address internal cooperation and institutional capacity constraints at the domestic level. For instance, national authorities- especially those involved in international trade- would have additional tools when highlighting the importance of transparency at the WTO and assigning resources to strengthening their national notification systems. We also recognize that this is not a universal solution, and it is up to Members -as it is always the case- to assess the utility of these tools and their application to their specific circumstances.
- Second, while we recall that Members today have the opportunity to discuss their concerns and difficulties in the relevant Committees, this proposal also provides a specific forum -through the Working Group on Notification Obligations and Procedures- where Members can present their systemic difficulties and find technically driven solutions, including developing possible recommendations to improve transparency performance.
- Third, we are convinced that the benefits of providing notifications exceed by far any related costs, even more so in the case of developing Members. The creation of a notification system can certainly be resource-intensive in the short term, but this is just one part of the equation. We very rarely consider that having a national market intelligence system like the one provided by the WTO, is beyond reach of most Members. Indeed, by providing one notification, Members have access to the information of the

rest of the WTO in a curated, harmonized and standardized manner, translated to the three official languages. This is the most cost-efficient framework available to the global trade community, and a development outcome that is often forgotten.

- Fourth, as Members identify their most urgent needs regarding technical assistance, it becomes increasingly important to create tailor-made solutions. Of course, it could be expected a temporary peak in assistance requests, but in the long term, it would be also reasonable to expect a more efficient use of the resources available as the activities become more solution-oriented.
- Finally, as mentioned by the US in the presentation of this revised version, we plan to continue proponent-based discussions in order to further improve this initiative.

## 附件6: 印度提高資通訊產品關稅案發言參考資料

印度自 2014 年起，透過財政預算書及多項公告，調高至少 32 項資通訊科技產品關稅，系爭產品分屬海關進口稅則第 70、84、85 及 90 章。我方主張印方調高之 ICT 產品關稅已超越印度在 WTO 既有之零關稅承諾，且已違反 GATT 第 2 條關稅拘束義務，因此我方要求印度改善，維持原有之承諾義務，我方不排除循 WTO 爭端解決機制，向印度要求諮商解決。

Thank you, Chair.

We share the concerns raised by other interest members.

Since 2014, India has raised tariffs on at least 32 ICT products through its Union Budget and the publication of other government notifications. These products are subject to HS Chapters 70, 84, 85 and 90. We propose that the tariffs on ICT products raised by the Indian side have surpassed India's zero bound commitment in the WTO, and has violated Article II:1 (a) and (b) of the GATT 1994, with regard to the tariff binding obligations. Therefore, we request that India abide by its commitment by restoring the original tariff rates. **We notice that one Member has requested dispute consultations with India. We are also considering this option. We hope that India can offer reasonable explanations and solutions at this meeting.**

Thank you, Chair.

## 附件7: 中國大陸調高多元件積體電路(MCO)產品關稅發言參考資料

1. 我方關切中國大陸 2017 年新版進出口稅則所訂之 4 個稅目的多元件積體電路(multi-component integrated circuits, MCOs)產品稅率，高於中國大陸現行 WTO 關稅減讓承諾表<sup>3</sup>所承諾之稅率，已違反 GATT 第 2 條（關稅拘束義務）規定。

Thank you, Chair.

We would also like to raise our concern on four tariff lines in China's tariff schedule in HS 2017 nomenclature, which are 85423119、85423210、85423310、85423910. We are concerned that, since January 1, 2017, China has imposed tariffs on the MCO products classified under the above-mentioned tariff lines, which were previously subject to duty-free tariffs in its Schedule of Concessions under the WTO.

2. 依 WTO 總理事會決議，WTO 會員於轉換 HS Code 時，有義務維持其關稅承諾水平不變，中國大陸應立即將其進出口稅則 8542 節項下之 MCO 產品關稅降回零，我方敦促中國大陸立即取消對該等 MCO 產品之關稅，以解決會員關切。

Based on the General Council decision of December 7, 2016, the scope of the concessions and other commitments shall remain unchanged when a Member is preparing the HS 2017 transposition. Hence, China's HS 2017 transposition amendment to its national tariff nomenclature shall not change the scope of its tariff concessions under the WTO. We would like to urge China to

---

<sup>3</sup> WT/Let/1239



immediately eliminate the tariffs on those MCO products at issue,  
so as to resolve members' concerns.

Thank you, Chair.

## 附件8: 香港提案-促進貨品貿易理事會與轄下委員會運作

### UNOFFICIAL ROOM DOCUMENT<sup>4</sup>

#### BETTER FUNCTIONING OF CTG AND SUBSIDIARY COMMITTEES COUNCIL FOR TRADE IN GOODS – 11 APRIL 2019

*Communication from Hong Kong, China*

---

### Conseil du commerce des marchandises

#### DOCUMENT DE SÉANCE NON OFFICIEL<sup>1</sup>

#### BETTER FUNCTIONING OF CTG AND SUBSIDIARY COMMITTEES COUNCIL FOR TRADE IN GOODS – 11 APRIL 2019

*Communication from Hong Kong, China*

---

### Consejo del Comercio de Mercancías

#### DOCUMENTO DE SALA NO OFICIAL<sup>1</sup>

#### BETTER FUNCTIONING OF CTG AND SUBSIDIARY COMMITTEES COUNCIL FOR TRADE IN GOODS – 11 APRIL 2019

*Communication from Hong Kong, China*

---

#### BETTER FUNCTIONING OF CTG AND SUBSIDIARY COMMITTEES COUNCIL FOR TRADE IN GOODS – 11 APRIL 2019

---

\* In Original language only/En langue originale seulement/En el idioma original solamente.

<sup>4</sup> Documents issued in the RD series are not official WTO documents. They usually appear in their language of submission and will not be translated systematically into the working languages of the WTO. They are intended for use in WTO meeting rooms and are attributed an unofficial symbol for archiving purposes only.

Les documents de la série RD ne sont pas des documents officiels de l'OMC. Ils ne paraissent généralement que dans la langue dans laquelle ils ont été communiqués et ne seront pas systématiquement traduits dans les langues de travail de l'OMC. Ils sont destinés aux salles de réunion de l'OMC et une cote non officielle leur est attribuée à des fins d'archivage.

Los documentos de la serie RD no son documentos oficiales de la OMC. Por lo general se distribuyen en el idioma en que han sido presentados y no se traducen sistemáticamente a los idiomas de trabajo de la Organización. Se distribuyen para su uso en las salas de reunión de la OMC y se les asigna una signatura no oficial a efectos de archivo únicamente.

*Communication from Hong Kong, China*

1. In late 2018 the CTG Chair invited Members to reflect on how the work of CTG could be improved. This is indeed a very important and timely issue – a well-functioning CTG and its subsidiary committees, with an efficient framework for them to work together in a vibrant and results-oriented manner, are crucial to the WTO in meeting challenges of the evolving trade environment, and ensuring its continued relevancy.

2. At the Chair's informal consultations on 4 March 2019, we heard ideas, and behind these ideas, Members' interests in enhancing the functioning of CTG. Such ideas include:

- Earlier circulation of agendas and with more information provided (e.g. annotated agendas);
- Better preparations for discussion at meeting (e.g. making use of bilateral meetings and informal consultations between formal meetings);
- For items previously raised, to focus on new development since last meeting;
- Tools such as database to facilitate access to information on items raised at different WTO bodies;
- A stronger linkage among CTG and subsidiary bodies for working towards common goals (e.g. meeting of Chairpersons/secretaries to share best practices of committees).

3. Within the existing framework, there appear to be possible steps which could be taken quickly to make a difference in the WTO bodies. We encourage all Members to work together for concrete and continuous improvements to be seen at CTG meetings. We also look forward to the Chair's leadership in the informal process to encourage creative ideas, and translation of ideas into practical steps.