

WORLD TRADE ORGANIZATION

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Negotiating Group on Market Access

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MARKET ACCESS FOR NON-AGRICULTURAL PRODUCTS

Negotiating Text on Liberalizing Trade in Remanufactured Goods

Communication from Japan, Switzerland, and the United States

Revision

The following communication, dated 7, September 2009, is being circulated at the request of the delegation of Japan, Switzerland and the United States.

Ministerial Decision on Trade in Remanufactured Goods

Members,

Recalling that pursuant to paragraph 16 of the Doha Ministerial Declaration, Members agreed to negotiations aimed at reducing or as appropriate eliminating tariffs and non-tariff barriers on non-agricultural products;

Recognizing the objectives of protecting and preserving the environment, promoting sustainable development by preventing unnecessary waste and conserving energy and raw materials, raising standards of living, and expanding the production of and trade in goods;

Noting the development of remanufacturing as an important new field in manufacturing;

Noting that business enterprises are using remanufacturing across an expanding range of products, such as earthmoving equipment, automotive parts, medical devices, information and communication technology products, industrial machinery, precision instruments, and office equipment;

Considering the benefits to the environment and to consumers of the production of and trade in remanufactured goods;

Recognizing that remanufacturing takes place in developed and developing countries alike, creating jobs and facilitating economic growth;

Desiring to enhance opportunities for trade in remanufactured products by reducing or, as appropriate, eliminating non-tariff barriers in respect of those goods;

Mindful of Members' right to adopt measures for the protection of human, animal or plant life or health, or of the environment, consistent with the WTO Agreement;

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Decide as follows:

1. Each Member's trade regime should evolve in a manner that enhances market access opportunities for remanufactured goods.¹
2. Members should review their non-tariff measures with a view to ensuring that they do not impose prohibitions or restrictions on the importation of remanufactured goods that are proscribed by the Multilateral Agreements on Trade in Goods.
3. Members shall meet every six months under the auspices of the Council on Trade in Goods to discuss Members' progress in reducing or, as appropriate, eliminating non-tariff barriers in respect of remanufactured goods. The discussions shall be conducted using procedures that take fully into account the special needs and interests of developing and least-developed country participants.
4. Members shall afford sympathetic consideration to any request for consultation from other Members concerning their non-tariff measures affecting remanufactured goods. Such consultations shall be without prejudice to a Member's rights and obligations under the WTO Agreement.
5. For purposes of this Decision, *remanufactured good* means [a non-agricultural good that (1) is entirely or partially comprised of parts (i) that have been obtained from the disassembly of used goods; and (ii) that have been processed, cleaned, inspected, or tested to the extent necessary to ensure they are in original working condition; and (2) has a warranty.]

[NB: Definition subject to further discussion.]

¹ This paragraph does not require a Member to reduce or eliminate tariffs on remanufactured goods.