

# WORLD TRADE ORGANIZATION

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Negotiating Group on Market Access

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## MARKET ACCESS FOR NON-AGRICULTURAL PRODUCTS

### Liberalisation of Trade in Fish and Fish Products

*Communication from Canada; Hong Kong, China; Iceland;  
New Zealand; Norway; Oman; Singapore; Thailand and Uruguay*

### Addendum

The following communication, dated 4 April 2008 is being circulated at the request of the Delegations of Canada; Hong Kong, China; Iceland; New Zealand; Norway; Oman; Singapore; Thailand and Uruguay

## DRAFT MODALITIES FOR THE LIBERALIZATION OF TARIFFS ON FISH AND FISH PRODUCTS

1. In accordance with paragraph [12(a)] of the NAMA modalities, this document sets out modalities for the reduction and elimination of tariffs on fish and fish products as part of a non-mandatory fish and fish products sectoral initiative.

### **Procedures/Process**

2 Participants in the fish and fish products sectoral initiative are expected to fulfil the commitments described in these modalities if 'critical mass' is reached, that is if WTO Members representing at least [90] percent of world trade in fish and fish products have indicated their intention to participate in the fish and fish products sectoral.

3 Members are encouraged to notify proponents and the WTO Secretariat of their participation in accordance with paragraph [12(b)] of the NAMA modalities, and in any event no later than two months after the establishment of NAMA modalities. In accordance with paragraph [12(c)] of the NAMA modalities, when submitting its initial draft tariff schedule each participant shall record its commitments on a conditional basis relating to fish and fish products in conformity with these modalities<sup>1</sup>.

4 Participants should meet no later than one month after the submission of draft schedules to review the state of participation and decide how to proceed.

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<sup>1</sup> Those Members having their schedule prepared by the Secretariat will notify their participation to the Secretariat.

### Principal Sectoral Modality

5 Participants will eliminate tariffs on the products identified in paragraph 8 on 1 January of the year following entry into force of the DDA result.

#### Special and Differential Treatment<sup>2</sup>

6 As an exception to paragraph 5 above, developing country participants may:

- (a) Implement their tariff reductions in [four] equal rate reductions. The first reduction will be implemented on 1 January of the year following entry into force of the DDA results and each successive reduction will be made effective on 1 January of each of the following years.
- (b) Choose up to [15] percent of their fish and fish product national tariff lines to bind at not more than [5] percent.
- (c) Choose one 6 digit sub-heading to bind at not more than [10] percent.

7 In any year in which an affected tariff would be reduced further by commitments resulting from agreed NAMA modalities other than by these sectoral modalities, the lower of the resulting tariffs will be applied to the affected tariff line.

### Product Coverage

8 The products in the following HS chapters, headings or parts thereof are covered by these sectoral modalities:

HS Code	Description
HS 03	Fish and crustaceans, molluscs and other aquatic invertebrates
HS 0509	Natural sponges of animal origin
HS 0511.91	Animal products not elsewhere specified or included; dead animals of chapter 1 or 3, unfit for human consumption
HS 1504.10	Fish-liver oils and their fractions
HS 1504.20	Fats and oils and their fractions, of fish, other than liver oils
HS 1603 ex	Extracts and juices of fish or crustaceans, molluscs or other aquatic invertebrates
HS 1604	Prepared or preserved fish; caviar and caviar substitutes prepared from fish eggs
HS 1605	Crustaceans, molluscs and other aquatic invertebrates, prepared and preserved
HS 2301.20	Flours, meals and pellets, of fish or crustaceans, molluscs or other aquatic invertebrates

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<sup>2</sup> Participants recognise the challenges that may be faced by non-reciprocal preference beneficiaries as a result of MFN liberalisation. Participants are willing to consider ways of adjusting the modalities for the sectoral on fish and fish products to address specific issues in relation to the tariff lines identified in Annex 2 of the NAMA modalities.