



Committee on Customs Valuation

**TWENTY-NINTH ANNUAL REVIEW OF THE IMPLEMENTATION AND OPERATION
OF THE AGREEMENT ON IMPLEMENTATION OF ARTICLE VII OF
THE GENERAL AGREEMENT ON TARIFFS AND TRADE 1994**

Article 23 of the Agreement provides that "the Committee shall review annually the implementation and operation of this Agreement taking into account the objectives thereof". The main objectives of the Agreement are those listed in the General Introductory Commentary. The annual review of the Committee should cover the implementation and operation of the Agreement in the light of its objectives and specific obligations.

At its meeting of 15 November 2023, the Committee on Customs Valuation conducted the 29th annual review of the implementation and operation of the Agreement.

The contents of this document are as follows:

	<u>Page</u>
I. MEMBERS' DELAYED APPLICATIONS, RESERVATIONS AND OBSERVER STATUS	2
(a) Delayed Application and Reservations	2
(i) <i>Article 20.1 (delayed application of the provisions of the Agreement)</i>	2
(ii) <i>Article 20.2 (delayed application of the computed value method)</i>	2
(iii) <i>Annex III, paragraph 1 (extension of the five-year delay period)</i>	3
(iv) <i>Annex III, paragraph 2 (reservation concerning minimum values)</i>	3
(v) <i>Annex III, paragraph 3 (reservation concerning reversal of sequential order of Articles 5 and 6) (53)</i>	3
(vi) <i>Annex III, paragraph 4 (reservation to apply Article 5.2 whether or not the importer so requests) (51)</i>	3
(b) Observer Governments (24)	3
(c) Observer International Organizations (6)	4
II. OFFICERS OF THE WTO COMMITTEE ON CUSTOMS VALUATION.....	4
III. MEETINGS OF THE COMMITTEE	4
IV. NATIONAL LEGISLATION AND OTHER NOTIFICATIONS PRESENTED	4
(a) Texts of national legislation	4
(b) Checklist of issues	4
(c) Information on the application of the Committee Decisions.....	5
V. TECHNICAL ASSISTANCE.....	5
VI. ISSUES RELATED TO IMPLEMENTATION OF THE AGREEMENT.....	5
VII. DISCUSSIONS ON IMPROVING THE FUNCTIONING OF THE COMMITTEE	5
VIII. PRESHIPMENT INSPECTION	5
IX. REPORTS BY THE TECHNICAL COMMITTEE ON CUSTOMS VALUATION	5
X. CONSULTATION AND DISPUTE SETTLEMENT	5
XI. ANNUAL REPORT TO THE COUNCIL FOR TRADE IN GOODS.....	6

I. MEMBERS' DELAYED APPLICATIONS, RESERVATIONS AND OBSERVER STATUS

(a) Delayed Application and Reservations

1.1. This section reflects the situation with respect to special and differential treatment provisions available for developing country Members. These provisions have been invoked as follows:

(i) Article 20.1 (delayed application of the provisions of the Agreement)

1.2. No Member maintains this special and differential treatment provision.

(ii) Article 20.2 (delayed application of the computed value method)

1.3. No Member maintains this special and differential treatment provision.

(iii) *Annex III, paragraph 1 (extension of the five-year delay period)*

1.4. No Member maintains this special and differential treatment provision.

(iv) *Annex III, paragraph 2 (reservation concerning minimum values)*

1.5. No Member maintains this special and differential treatment provision.

(v) *Annex III, paragraph 3 (reservation concerning reversal of sequential order of Articles 5 and 6) (53)*

Argentina ¹	Guatemala	Niger
Bahrain, Kingdom of	Guyana	Pakistan
Bangladesh	Haiti	Panama
Benin	Honduras	Peru ¹
Brazil ¹	India ¹	Philippines
Brunei Darussalam	Indonesia	Senegal
Burkina Faso	Israel	Sri Lanka
Cameroon	Jamaica	Thailand
Chile	Kenya	Togo
Colombia	Madagascar	Tunisia
Costa Rica	Malawi ¹	Türkiye ¹
Côte d'Ivoire	Malaysia	Uganda
Djibouti	Maldives	United Arab Emirates
Dominican Republic	Mali	Uruguay
Ecuador	Mexico ¹	Venezuela, Bol. Rep. of
Egypt	Morocco ¹	Zambia
El Salvador	Myanmar	Zimbabwe ¹
Gabon	Nicaragua	

(vi) *Annex III, paragraph 4 (reservation to apply Article 5.2 whether or not the importer so requests) (51)*

Argentina ¹	Dominican Republic	Kenya	Peru ¹
Bahrain, Kingdom of	Ecuador	Madagascar	Philippines
Bangladesh	Egypt	Malaysia	Senegal
Benin	El Salvador	Malawi	Sri Lanka
Brazil ¹	Gabon	Maldives	Thailand
Brunei Darussalam	Guatemala	Mali	Togo
Burkina Faso	Guyana	Mexico ¹	Tunisia
Cameroon	Haiti	Morocco ¹	Türkiye ¹
Chile	Honduras	Myanmar	Uruguay
Colombia	India ¹	Nicaragua	Venezuela, Bol. Rep. of
Costa Rica	Indonesia	Niger	Zambia
Côte d'Ivoire	Israel	Nigeria	Zimbabwe ¹
Djibouti	Jamaica	Pakistan	

(b) Observer Governments (24)

Algeria	Iran
Andorra	Iraq
Azerbaijan	Lebanese Republic
Bahamas	Libya
Belarus	Sao Tomé and Príncipe
Bhutan	Serbia
Bosnia and Herzegovina	Somalia
Comoros	Sudan
Curaçao	Syrian Arab Republic
Equatorial Guinea	Timor-Leste

¹ Members that maintain in the WTO the special and differential treatment provisions that had been invoked under the Tokyo Round Agreement through Decision WT/L/38.

Ethiopia
Holy See

Turkmenistan
Uzbekistan

(c) Observer International Organizations (6)²

African, Caribbean and Pacific Group of States (ACP)
Inter-American Development Bank (IADB)
International Monetary Fund (IMF)
United Nations Conference on Trade and Development (UNCTAD)
World Bank
World Customs Organization (WCO)

II. OFFICERS OF THE WTO COMMITTEE ON CUSTOMS VALUATION

- 2.1. Chairperson Mr Frank RITTNER (Germany) (elected on 30 May 2022)
Mr Omar CISSE (Senegal) (elected on 5 June 2023)

III. MEETINGS OF THE COMMITTEE

- 3.1. During the period under review, the Committee held two formal meetings: on 24 May 2023 ([G/VAL/M/75](#)), chaired by Mr Frank RITTNER (Germany) and on 15 November 2023 ([G/VAL/M/76](#))³, chaired by Mr Omar CISSE (Senegal).

IV. NATIONAL LEGISLATION AND OTHER NOTIFICATIONS PRESENTED

(a) Texts of national legislation

4.1. Article 22 of the Agreement requires each Member to inform the Committee of any changes in its laws and regulations relevant to the Agreement, and in the administration of such laws and regulations. At its first meeting, on 12 May 1995, the Committee agreed on procedures for the notification of national legislation ([G/VAL/M/1](#), paragraphs 29-35, 71 and 72). Paragraph (i) of the "Decision on Notification and circulation of national legislation in accordance with Article 22 of the Agreement"⁴ requires Members to submit the complete texts of their national legislation (laws, regulations, etc.) on customs valuation in one of the three official WTO languages.

4.2. The status of these notifications is contained in document [G/VAL/W/232/Rev.18](#). During the period under review, notifications pertaining to national customs legislation were received from the Plurinational State of Bolivia, Botswana, Colombia, Norway, the Philippines and the United Arab Emirates.

4.3. At the meeting of 15 November, the Committee agreed to revert at the next meeting to the examination of the legislations of the following 26 Members: Afghanistan; Belize; Benin; the Plurinational State of Bolivia; Botswana; Brazil; Burundi; Colombia; the Gambia; Guinea; Iceland; India; Malawi; Mongolia; Namibia; Nigeria; Norway; Paraguay; the Philippines; Russian Federation; Saint Kitts and Nevis; Solomon Islands; Sri Lanka; Togo; the United Arab Emirates; and Vanuatu.

(b) Checklist of issues

4.4. At its first meeting, on 12 May 1995, the Committee agreed on procedures for the submission of replies to a checklist of issues ([G/VAL/M/1](#), paragraphs 36-39). The checklist of issues is contained in [G/VAL/5](#).

4.5. The status of the checklist of issues notifications is contained in document [G/VAL/W/232/Rev.18](#). During the period under review checklists of issues were received from the Philippines and the United Arab Emirates.

² These organizations have official observer status following Agreement in the Committee ([G/VAL/M/5](#)) and Agreements between the World Bank and the IMF with the WTO ([WT/L/195](#)).

³ To be issued.

⁴ Section B.2 of document [G/VAL/5](#).

(c) Information on the application of the Committee Decisions

4.6. At its first meeting on 12 May 1995, the Committee adopted Decisions which had been previously adopted by the Tokyo Round Committee. These Decisions are reproduced in document [G/VAL/5](#). The Committee also adopted Decisions that were referred by the Ministers at Marrakesh to the Committee. The texts of the Decisions are contained in document [G/VAL/1](#).

4.7. Notifications on the application of the Decision on the Treatment of Interest Charges in the Customs Value of Imported Goods and of paragraph 2 of the Decision on the Valuation of Carrier Media Bearing Software for Data Processing Equipment ([G/VAL/5](#)) were summarized by the Secretariat in document [G/VAL/W/5/Rev.38](#). During the period under review, notifications pertaining to these decisions were received from the Philippines and Tonga.

V. TECHNICAL ASSISTANCE

5.1. During the period under review, the Committee took note that technical assistance in the area of customs valuation was incorporated into the WTO-wide technical assistance programme, and that the 2022-2023 biennial technical assistance plan ([WT/COMTD/W/260/Rev.1](#)) was currently being implemented.

5.2. During the period under review, the Committee took note of information compiled by the WCO Technical Committee on Customs Valuation in [G/VAL/8/Add.45](#) and [G/VAL/8/Add.46](#) concerning technical assistance activities carried out by the WCO and its Members.

VI. ISSUES RELATED TO IMPLEMENTATION OF THE AGREEMENT

6.1. There were no specific trade concerns raised during the period under review.

VII. DISCUSSIONS ON IMPROVING THE FUNCTIONING OF THE COMMITTEE

7.1 The Committee held discussions on the functioning of the Committee following a request from the Chairperson of the Council for Trade in Goods (CTG) ([JOB/CTG/24](#)) at its formal meeting on 24 May 2023 ([G/VAL/M/75](#)), and at informal meetings held on 30 January ([ICN/VAL/1](#)) and 20 September 2023 ([ICN/VAL/2](#)). A Report on Improvements in the Functioning of the Committee on Customs Valuation ([G/L/1513-G/VAL/80](#)) was approved at the 15 November 2023 meeting, reflecting the Committee's agreement to implement six changes with a view to improving its functioning regarding assistance to delegates, planning and organization of meetings, the introduction of an annotated agenda, and the use of the eAgenda platform.

VIII. PRESHPMENT INSPECTION

8.1. During the period under review, the Committee took note of information on the status of the notifications which had been received on preshipment inspection which is summarized in document [G/PSI/N/1/Rev.6](#). The Committee also took note of statements made under the agenda item of questions and responses relating to preshipment inspection notifications by China, Indonesia and Saint Lucia. The Committee took note of the latest report by the Testing, Inspection and Certification Industry Council (TIC Council) concerning countries that use preshipment inspection services which was circulated in documents [G/VAL/W/63/Rev.31](#). The Committee also launched the Sixth Triennial Review of the PSI Agreement.

IX. REPORTS BY THE TECHNICAL COMMITTEE ON CUSTOMS VALUATION

9.1. The representative of the WCO presented reports on the work of the Technical Committee on Customs Valuation (TCCV) at its 56th and 57th sessions, which took place from 3-5 May 2023 and 9-13 October 2023, respectively.

X. CONSULTATION AND DISPUTE SETTLEMENT

10.1. During the period under review, there were no requests for consultations involving either the Agreement on Implementation of Article VII of the General Agreement on Tariffs and Trade 1994 (Agreement on Customs Valuation) or the Agreement on Preshipment Inspection.

XI. ANNUAL REPORT TO THE COUNCIL FOR TRADE IN GOODS

11.1. The Annual Report to the Council for Trade in Goods was adopted by the Committee in accordance with the requirements of Article 23 of the Agreement ([G/L/1516](#)).
