

WORLD TRADE ORGANIZATION

RESTRICTED

WT/ACC/SPEC/MOL/4/Rev.3/Add.1¹
8 June 2000

(00-2261)

**Working Party on the
Accession of Moldova**

DRAFT REPORT OF THE WORKING PARTY ON THE ACCESSION OF MOLDOVA

Addendum

For the purposes of the accession of the Republic of Moldova to the WTO, the Ministry of Economy and Reforms of the Republic of Moldova has provided the following Summary of the Commitments of the Republic of Moldova, contained in the draft Report of the Working Party (WT/ACC/SPEC/MOL/4/Rev.3) and the progress in implementing those commitments as of 15 May 2000.

¹ In English and French only.

No.	WP Report para. [*]	Commitment action and time frame	Action to date	Action remaining and timeframe
1.	17	Some members of the Working Party requested information on the basic provisions regulating investment and any restrictions or registration measures affecting foreign investment.	Law "On Foreign Investments" plus amendments and Government Decision "On Improving the Mechanism of Regulating Foreign Trade" plus amendments were sent to the WP Members;	Action completed
2.	28	The Government of Moldova would provide annual reports on other issues related to its economic reform as relevant to its obligations under the WTO.	Reports on privatization were presented till year 1999.	Report on privatization for 1999 to be elaborated and submitted Timeframe: By May 2000
3.	31	The Government of Moldova would review the current legislation and would reduce the incidence of price controls in its economy	A draft Law on prices is being prepared. Amendments to the Government Decision in force are being prepared focused on the reduction of the incidence of price controls. The draft Law will be presented to the Government for approval in April 2000.	As stipulated in par. 30 of WPR, the reduction of incidence of price control is part of future plans of Moldova. The draft Law referred to will be adopted later this year.
4.	34	Request for information on the manner in which Moldova's Law "On Monopoly Activities Limitation and the Development of Competition" dealt with vertical and horizontal restraint arrangements, and the recourse foreign firms had if opportunities were impaired by such arrangements.	The text of the Law and additional information were provided to the WP.	Action completed
5.	46	All fiscal, financial and budgetary activities performed by local governments would be in compliance with Article III of the GATT 1994	The laws in force or being prepared contain no provisions granting local governments autonomous authority over issues of subsidies, taxation, trade policy or any other measures covered by WTO	All fiscal, financial and budgetary activities carried out by local authorities under the authority of the central government will be in compliance with Article III of GATT 1994.
6.	49	Request for information on "activity licensing" requirements.	The text of the Law "On licensing of certain types of activities" and additional information were provided to the WP.	Action completed
7.	52	The Budget Law (BL) 2000 brings all internal taxes and other internal charges, in particular those applied in relation to the licensing of the activity of storage or wholesale of imported alcoholic beverages, into conformity with WTO requirements.	The BL 2000 brings all internal taxes and other charges were brought into conformity with WTO requirements. The Budget Law for 2000 was adopted in April 2000.	Action completed

^{*} This column identifies the relevant paragraph in WT/ACC/SPEC/MOL/4/Rev.3.

No.	WP Report para.	Commitment action and time frame	Action to date	Action remaining and timeframe
8.	53	The representative of Moldova confirmed that after ratification of the Accession Protocol by the Moldovan Parliament, the Moldovan Government would set the custom tariffs within the agreed ceiling levels.	The BL 2000 establishes applied customs duties within the agreed ceiling levels contained in Moldova's schedule of tariff bindings. The Budget Law for 2000 was adopted in April 2000.	Action completed
9.	58	Moldova committed that import duty exemptions would only be granted to third countries in accordance with WTO provisions.	Moldova is presently in full compliance as regards import duty exemptions granted to third countries.	None
10.	59	Moldova agreed to bind at zero other duties and charges in its Schedule of Tariff Concessions.	The BL 2000 does not establish any duties or charges other than ordinary customs duties	Action completed
11.	61	Moldova would modify its customs system to remove the 0.25 per cent customs user fee and would introduce a flat fee reflecting the approximate cost of processing a customs declaration.	The BL 2000 establishes a flat customs user fee as was also presented in Table 8 of the WPR	Action completed
12.	63	Moldova was to eliminate the surcharge, and did so as of 1 May 2000.	The BL 2000 eliminates the surcharge	Action completed
13.	64	After accession all duties and charges applied on imports other than ordinary customs duties and charges for services rendered would be in accordance with the WTO provisions. The representative of Moldova stated that from the date of accession Moldova would ensure that all charges applied to imports were applied in a manner consistent with the requirements of the Understanding on Balance-of-Payments Provisions of the GATT 1994, as well as Article XII of the GATT 1994.	The BL 2000 does not establish any duties or charges other than ordinary customs duties	Action completed Any future action will be fully consistent with the commitments.
14.	67	The exemption from VAT of products from crop farming and animal husbandry in unprocessed form and on a live-weight basis during year 2000 did not extend to imports of similar products. The representative of Moldova stated that this practice would be discontinued and subsequently the Budget Law 2000 eliminated this exemption. .	According to Article 26 of the BL 2000 products from crop farming and animal husbandry in unprocessed form and on a live-weight basis are no longer exempt from VAT.	Action completed
15.	68 and 71	Member countries asked the excise tax regime be brought into conformity with the WTO provisions as Moldova recognized that the previous excise tax regime treated some domestic and imported goods differently.	Annex 5 of the BL 2000 establishes uniform excise taxes for domestic and imported products subject to excise tax.	Action completed
16.	73	Moldova confirmed that, from the date of accession, it would	BL 2000 changes the internal tax regime in a	Action completed

No.	WP Report para.	Commitment action and time frame	Action to date	Action remaining and timeframe
		apply its domestic taxes, including those on products listed in paragraphs 70-75 in strict compliance with Article III of the GATT 1994 and in a non-discriminatory manner to imports regardless of country of origin.	manner to comply with the provisions of Article I and Article III of GATT 94. The law was adopted in April 2000.	
17.	77	The Republic of Moldova would not introduce or apply quantitative restrictions on imports and other restrictions having equivalent effect that could not be justified under the provisions of the WTO Agreements	Moldova has not established any quantitative restrictions on imports and other restrictions having equivalent effect and has no plans to do so.	None
18.	82	Moldova confirmed that from the date of accession, it would not introduce, re-introduce or apply other non-tariff measures such as licensing, quotas, prohibitions, bans and other restrictions having equivalent effect that could not be justified under the provisions of the WTO Agreements. If balance-of-payment measures were ever necessary in the future, Moldova would impose them in a manner consistent with the relevant WTO provisions, including Article XII of the GATT 1994 and the Understanding on Balance-of-Payments Provisions of the GATT 1994.	Moldova has not introduced non-tariff measures such as licensing, quotas, prohibitions, bans or other restrictions on imports, nor has it reintroduced balance-of-payments measures and has no plans to do so.	None
19.	83 to 89	Moldova confirmed that, from the date of accession, it would apply fully the WTO provisions concerning customs valuation, including in addition to the Agreement on the Implementation of Article VII of the GATT 1994, the provisions on the Treatment of Interest Charges in Customs Value of Imported Goods and for the Valuation of Carrier Media Bearing Software for Data Processing Equipment. In accordance with these latter provisions, only the cost of the carrier medium itself would be accounted for in the customs value. He added that, as an international agreement, the provisions of the WTO Agreement on the Implementation of Article VII of the GATT 1994 would supersede domestic law.	The amendments to the Customs Tariff Law and the new draft Customs Code bring Moldovan Customs legislation into conformity with WTO provisions. The draft Customs Code passed its first reading in the Parliament.	Amendments to the Law on Customs Tariff were scheduled to be approved by the Government in June 2000 and then approved by the Parliament by the end July. The draft Customs Code is expected to be passed by the Parliament by the end of July 2000.
20.	92 and 93	Moldova would adopt legal provisions for rules of origin that comply fully with the requirements of the WTO Agreement on Rules of Origin. The representative of Moldova confirmed that from the date of accession Moldova's preferential and non-preferential rules of origin would comply fully with the WTO Agreement on Rules of Origin, and that the requirements of	The drafts amendments to the Customs Tariff Law bring Moldova's rules of origin into conformity with WTO provisions.	The amendments to the Law on Customs Tariff are scheduled to be approved by the Government in June 2000 and by the Parliament by end July 2000.

No.	WP Report para.	Commitment action and time frame	Action to date	Action remaining and timeframe
		Article 2(h) and Annex II, paragraph 3(d) of the Agreement, which require provision upon request of an assessment of the origin of the import and outline the terms under which it will be provided, would be established in Moldova's legal framework prior to accession.		
21.	95	In utilizing pre-shipment inspection service providers, Moldova would ensure that the requirements of the Agreement on Pre-shipment inspection were implemented in full.	The Governmental Decision nr. 747 and the Draft Agreement between Moldova and PSI Company follow the PSI Agreement.	The Government will exercise constant surveillance over the PSI company
22.	96	In the elaboration of any legislation concerning anti-dumping, countervailing and safeguard measures Moldova would insure their full conformity with relevant WTO provisions.	The draft Law "On anti-dumping, countervailing and safeguard measures" is fully compliant with the WTO provisions and has had its second reading by Parliament.	Action will be completed when the Law will be approved by Parliament.
23.	99	Moldova was to abolish the license fee of 0.1 pre cent on exports, and has done so.	The BL 2000 introduces a flat fee system on exports. The law was adopted in April 2000.	Action completed
24.	104	Moldova stated that from the date of accession it would not maintain any subsidies, including export subsidies, which met a definition of a prohibited subsidy within the meaning of Article 3 of the Agreement on Subsidies and Countervailing Measures, and would not introduce such prohibited subsidies from the day of accession.	Moldova has no subsidy measures prohibited by the Agreement on Subsidies and Countervailing Measures and will not introduce such measures	None
25.	108	Moldova stated that any subsidy programs provided by its Government after accession would be administered in conformity with the Agreement on Subsidies and Countervailing Measures and that all necessary information on noticeable programs would be notified to the Committee on Subsidies and Countervailing Measures according to Article 25 of the Agreement upon entry into force of Moldova's Protocol of Accession	Moldova has not established subsidy measures covered by the Agreement on Subsidies and Countervailing Measures	None
26.	109 to 119	TBT Implementation as described in Table 14 of the WPR:		
27.		a. Draft Law on standardization	Was adopted by the Government for submission to the Parliament.	It will be approved by the Parliament by end July 2000
28.		b. Draft Law on certification	Was passed by Parliament and published in "Monitorul Oficial" on 3 rd of February 2000.	Action completed
29.		c. Draft Law on TBT	Was adopted by the Government and passed by the Parliament.	It will be enacted by end June 2000

No.	WP Report para.	Commitment action and time frame	Action to date	Action remaining and timeframe
30.		d. Draft Law on protection of consumer rights	The Law passed the normal procedure of elaboration and has been sent to the Government to be approved for submission to the Parliament	It will be approved by the Parliament by end July 2000
31.		e. Setting up the inquiry point	People are being trained to operate within the inquiry point. Moldova has contracted technical assistance from donor community to provide equipment in this respect.	It is expected that the inquiry point will be fully operational within the period of March – July 2000
32.		f. Implementation of the Code of Good Practice	The Department of Standards has elaborated a Checklist for the implementation the Code of Good Practice in the national legislation. Some of the items of the checklist already are accomplished. A translated copy of the Checklist will be submitted shortly.	January 2001
33.		g. Implementation of the Plan on development of voluntary standards	Technical assistance has been secured to help identify areas requiring technical regulations and in the drafting of technical regulations, schedule is presently being elaborated.	On the base of foreign experts report a strategy for elaboration of technical requirements and conversion of mandatory standards into voluntary standards is being elaborated. Timeframe: years 2000 - 2002
34.	120 to 129	SPS implementation as described in Table 16 of the WPR:		
35.		a. Amendments to Governmental Decision no. 967 establishing the Statute of the State Phytosanitary Quarantine Service	The Government adopted the amendments in April 2000	Action completed.
36.		b. Amendments to Governmental Decision no. 816 “On sanitary – epidemiological state supervision rules”	The Government adopted the amendments in May 2000.	Action completed.
37.		c. Amendments to Governmental Decision nr. 378 establishing the Statute of the State Veterinary Service	The draft Governmental Decision is being elaborated jointly by the Ministry of Economy and Reforms and Veterinary Service	It has to be circulated for comments to public institutions and sent to the Government for approval. It is expected it will be approved by end of June 2000.
38.		d. Ratification of the Plant Protection Convention	The Parliament Decision was elaborated by the Phytosanitary Quarantine Service and circulated to other interested parties for comments and sent to the Parliament for	It is expected that the Convention will be ratified before December 2000.

No.	WP Report para.	Commitment action and time frame	Action to date	Action remaining and timeframe
			ratification	
39.	130	The Government of Moldova would ensure that any trade related investment measures introduced in the future would be fully in conformity with the requirements of the WTO Agreement on TRIMs.	Moldova submitted the Law "On foreign investments", including amendments, to Members of the Working Party.	None. Any future activities will be fully consistent with this commitment.
40.	135	Moldova stated that if it were to introduce state trading as defined by the Understanding on Interpretation of Article XVII of the GATT 1994, it would ensure that all relevant regulations were in conformity with the requirements of Article XVII of the GATT 1994 and the Understanding on Interpretation of Article XVII of the GATT 1994, including those provisions requiring the application of "commercial considerations" in the sale and purchase of state traded commodities. He confirmed that Moldova would observe the provisions of Article XVII of the GATT 1994, the WTO Understanding on that Article, and Article VIII of the GATS regarding State trading.	Moldova has not introduced state trading as defined by the understanding on Article XVII, and has no plans to do so.	None
41.	139	Moldova confirmed that in the administration of the free zones established within its territory, the free zones would be fully subject to the coverage of Moldova's commitments taken in its Protocol of Accession to the WTO Agreement, and that Moldova would ensure enforcement of its WTO obligations in those free zones. In addition, goods produced in the free zones under tax and tariff provisions that exempted imports and imported inputs from tariffs and certain taxes would be subject to normal customs formalities when entering the rest of Moldova, including the application of tariffs and taxes.	According to the Law no. 1415 of 25 May 1993, goods imported from FEZ to the rest of the territory, or exported from the rest of the territory to FEZ are subject to normal customs formalities, including the application of tariff and taxes.	None
42.	143	Moldova confirmed that it would become an observer to the Agreement on Government Procurement upon accession and would begin negotiations for membership in the Agreement.	None	The Government will initiate negotiations for membership immediately after acceding to WTO
43.	145	Moldova stated that its Governments would consider the issue of joining the Plurilateral Trade Agreement on Trade in Civil Aircraft upon accession.	None	The Government will initiate negotiations for membership immediately after acceding to WTO
44.	208	The representative of Moldova stated that Moldova would comply with all the provisions of the Agreement on Trade-	A list of specific legislation required was presented to the Government. The list is spelled	The action will be completed within the timeframes indicated

No.	WP Report para.	Commitment action and time frame	Action to date	Action remaining and timeframe
		Related Aspects of Intellectual Property Rights from the date of accession to the WTO without recourse to any transitional period. The Working Party took note of this commitment. A detailed program of specific legislation required to be implemented is presented below.	out in a) to g), below	below.
45.		a. Draft Law “On modification of various laws in the field of industrial protection”.	The Draft Law was approved by the Government and submitted to the Parliament in March 2000.	It is expected to be approved by the Parliament by end July 2000.
46.		b. Draft Law on Protection of Topographies of Integrated Circuits.	The Law was passed by the Parliament and is in force since 6 th of January 2000	Action completed
47.		c. Draft Law “On modification and completion of the Law on Copyrights and neighboring rights”.	The Draft Law is being reviewed by the Government.	It was approved by the Government and submitted to the Parliament. Adoption is expected by end – July 2000l.
48.		d. Draft Parliament Decision “On accession of the Republic of Moldova to the Convention on protection of phonograms producers against illicit reproduction of their phonograms”.” (Geneva, October 29, 1971)	The Convention was ratified by the Parliament on 10 of February 2000 through Parliament Decision no. 1452.	Action completed
49.		e. Draft Governmental Decision “On authors’ remuneration for use of their copyrights”.	The draft Governmental Decision has been submitted to the Government.	Will be approved by the Government by end-June 2000.
50.		f. Draft Governmental Decision “On approval of the Rules of the State Agency for Copyrights of the Republic of Moldova”.	The draft Governmental Decision has been submitted to the Government.	Will be approved by the Government by end June 2000.
51.		g. Draft Governmental Decision “On state registration of works protected by copyrights and neighboring rights”.	The draft Governmental Decision has been submitted to the Government.	Will be approved by the Government by end-June 2000.
52.	214	The representative of Moldova stated that Moldova would comply with all the provisions of the Agreement on Trade-Related Aspects of Intellectual Property Rights from the date of accession to the WTO without recourse to any transitional period. The Working Party took note of this commitment.	Presently Moldova is bringing TRIPS related legal framework into full conformity with WTO provisions	The action will be completed within the timeframes indicated above.
53.	218	The representative of Moldova said that Moldova would observe all WTO provisions, including those of Article XXIV of the GATT 1994 and Article V of the GATS in the trade agreements, and would ensure that the provisions of these WTO Agreements for notification, consultation and other requirements concerning free trade areas and customs unions of which Moldova was a member were met from the date of	The Government is preparing the information on FTAs in the standard format of WTO.	Moldova will address properly all commitments included in this paragraph

No.	WP Report para.	Commitment action and time frame	Action to date	Action remaining and timeframe
		accession. He confirmed that Moldova would, within 6 months after accession, submit notifications and copies of its Free Trade Area and Customs Union Agreements to the Committee on Regional Trade Agreements (CRTA). He further confirmed that these Agreements would be consistent with the provisions of the WTO and would, in any case, be notified to the CRTA during its examination of the same. The Working Party took note of this commitment		
54.	222	The representative of Moldova stated that a schedule on notifications required by Agreements constituting part of the WTO Agreement had been submitted in document WT/ACC/SPEC/MOL/6 with information about deadlines of all notifications required upon accession and immediately after accession. Any regulations subsequently enacted by Moldova which gave effect to the laws enacted to implement any Agreement constituting part of the WTO Agreement would also conform to the requirements of that Agreement. The Working Party took note of this commitment	Moldova is preparing to meet the notification requirements contained in the document WT/ACC/SPEC/MOL/6. Regulations to give effect to laws enacted to implement WTO obligations are being drafted and will be fully consistent with those obligations.	Regulations to give effect to laws enacted to implement WTO obligations are being drafted and will be fully consistent with those obligations.