

THE GOVERNMENT OF THE REPUBLIC OF MOLDOVA

**Government Decision no. 1035 of October 16, 2000
Chisinau**

On the Implementation of the Commitments of Moldova to World Trade Organisation

Considering the necessity to take urgent measures in order to improve the situation in foreign trade and to integrate the national economy into the international trade system, and in conformity with the commitments to the World Trade Organisation (WTO), the Government of Moldova hereby DECIDES:

1. To approve a list of measures on the implementation of the commitments taken by Moldova to WTO (as attached hereto).
2. The responsibility for the implementation of the scheduled measures shall lie with ministers and general directors of departments.
To resolve that, should a minister or the general director of a department be withdrawn from office, the responsibility for the implementation of the above commitments is to pass to the person appointed to the relevant office.
3. To implement the measures, as above approved, the ministries and departments shall:
Develop and approve calendar plans to arrange for a comprehensive implementation of each clause;
Monthly submit to the Ministry of Economy and Reform information on the implementation of the actions they are responsible for.
4. The Ministry of Economy and Reform shall:
Summarize on the information submitted by the relevant ministries and departments, and report to the Government at the end of each month on the implementation of the scheduled measures;
Monthly submit an informational summary regarding the efficiency of the suggested actions, to be examined at a Government session.
5. The Ministry of Economy and Reform shall thebe appointed the coordinating body to coordinate the actions of the relevant ministries and departments in the issues of Moldova's accession to the WTO. All the documents developed for the purposes of official notification must be countersigned by the WTO Division issues in the relevant ministry.
6. Coordination of actions to provide technical assistance in the sphere of trade, implemented with support of the donor community, shall be made a function of the WTO Division within the Ministry of Economy and Reform.
7. Control over the implementation of this decision shall be the responsibility of the Prime-Minister of Moldova.

**Prime Minister of the
Republic of Moldova**

Dumitru Bragish

**Countersigned:
Vice-Prime-Minister,**

Minister of Economy and Reform

Andrei Cucu (Signature)

The list of the measures for fulfilling the commitments of Republic of Moldova towards WTO

No.	Measures	Timetable	Executors	Responsible
1.	Revision of legal and normative acts in force of the Republic of Moldova, proposals regarding their modification and completion according to the provisions of WTO agreements within the following fields: intellectual property, services, standards and certification, sanitary and phytosanitary measures, trade-related investment measures, rules for the valuation of goods at customs and rules of origins, import licensing, application of anti-dumping, countervailing and safeguard measures.	3 months; permanently	Ministries and Departments	Mr. A. Cucu
2	Institutions which according to the valid legislation are authorized to issue licenses, certificates, permissions of export and import of goods, will recalculate the payment obligations in order to adjust the level of these payments to the costs of the rendered services, submitting for this purpose to the Government the drafts of legal acts required for the modification and regulation of administrative procedures in accordance with the provisions of WTO Agreement on the import licensing procedures and General Agreement on Tariffs and Trade (GATT) 1994.	1 month, permanently	Ministries, departments and authorized institutions	Mr. A. Cucu

3	<ul style="list-style-type: none"> - Creation of Information Centers on the technical regulations and/or standards normative documents; - Obligatory information submission to WTO/TBT Informational Center regarding technical regulations that are in the elaboration and approval process ; - Proposals to WTO/TBT Informational Center regarding the technical regulations and their final versions, for their subsequent publication in “Standards Bulletin” - the official publication of Department of Technical Supervision Standardization and Metrology. 	6 months, permanently	Ministries and Departments	Mr. A.Cucu
4	<ul style="list-style-type: none"> - Creation of the National Expert Committee advising on the accession of Republic of Moldova to WTO and the coordination of its activity; - Elaboration of the terms of reference for the technical assistance projects for the activities that require external financial assistance. 	Permanently	Ministry of Economy and Reforms Ministries and Departments	Mr. A. Cucu
5.	<p>The elaboration and promotion of fiscal policy, will take into account the fact that :</p> <ul style="list-style-type: none"> - all laws, regulations and prescription with reference to sales, offers, purchase, transportation, distribution and the usage of imported goods on the domestic market shall 	Permanently	Finance Ministry, Ministries and Departments	Mr. M. Manoli

	not provide a less advantageous treatment compared to like national products. - imported goods shall not be subjected, directly or indirectly, to internal taxes or any other internal taxes higher than those applied, directly or indirectly, to domestic goods.			
6.	The obligatory notifications prepared according to the WTO Agreements will be submitted to the Ministry of Economy and Reforms with 10 days before the deadline set for WTO Secretariat notification. (The list of obligatory notifications was approved by Government Decision no. 933 from 11 October 1999 "on the commitments of Republic of Moldova within the accession to WTO")	Permanently	Ministries and Departments	Mr. A. Cucu
7.	Elaboration of guidelines on the implementation of WTO Agreements.	6 months	Ministries and Departments WTO Division	Mr. A. Cucu

II Specific commitments for certain Institutions

8.	Priority for financing the attendance of experts at the negotiations of Moldova's accession to WTO	permanently	Ministry of Finance	Mr. M. Manoli
9.	In the elaboration of legislation the Republic of Moldova: - will not introduce other taxes or payments on the import of goods and services than those existent (for	permanently	Ministry of Finance Ministries and Departments	Mr. M. Manoli Mr. A. Cucu

	<p>example: VAT, customs duty, excise and taxes for customs procedures) that could be contradictory to WTO rules,</p> <ul style="list-style-type: none"> - will not in accordance with WTO provisions grant exemptions from customs duties; - will not apply on a discriminatory basis the excise duties and VAT on imported goods into the territory of the Republic of Moldova, according to the principle of destination and WTO Agreements provisions. 			
10.	Elaboration of legislative acts for modification of legal and normative acts regulating the price control in order to reduce its impact on the national economy	3 months	Ministry of Economy and Reforms	Mr. A. Cucu
11	Elaboration and presentation of proposals on customs-duties to be applied in the next year taking into account the final and consolidated level of the commitments of Republic of Moldova in trade in goods	Annually, from the date of accession to WTO, but not later than 1 September	Ministry of Finance	Mr. M. Manoli
12.	Elaboration of normative and legal acts on the introduction and application of certain non-tariff measures such as: licensing, levying, limitation and other restrictions with similar effects in compliance with WTO Agreements.	permanently	Ministry of Economy and reforms, Department of Customs Control	Mr. A. Cucu Mr. A. Stratan
13.	The administration of any subvention program according to WTO Agreement on subventions and countervailing measures, WTO Agreement on agriculture and the commitments of the Republic of Moldova within agriculture, which limits the admitted level of subventions granted directly to producers.	Permanently, from the accession of the Republic of Moldova to WTO	Ministry of Agriculture and Processing Industry; Ministry of Finance; Ministry of Economy and Reforms	Mr. I. Russu Mr. M. Manoli Mr. A. Cucu
14.	Implementation of agriculture development programs	Permanently	Ministry of Agriculture	Mr. I. Russu

	according to the commitments of the Republic of Moldova within agriculture		and Processing Industry; Ministry of Economy and Reforms; Ministry of Finance	Mr. A. Cucu Mr. M. Manoli
15.	Administration of trade- related investment measures in accordance with future WTO Agreement on trade related investments measures.	Permanently	Ministry of Economy and Reforms National Agency for Investments Attraction	Mr. A. Cucu Mr. A. Oleinic
16.	The administration and functioning of Free Trade Zones set up on the territory of the Republic of Moldova, according to the commitments taken by the Republic of Moldova during the accession process to WTO. The goods produced in this zones, exempted under tariff and fiscal provisions from the payment of some taxes and customs duties, will be subjected to adequate customs procedures at the import into the territory of Republic of Moldova, including the application of current tariffs and customs valuation.	Permanently	Ministry of Economy and Reforms	Mr. A. Cucu
17.	Compliance of all free trade Agreements signed by Republic of Moldova with other states with the Memorandum to the Agreement on the interpretation of Article XXIV (Territorial application- Customs Traffic – Customs Union and free trade zones) of GATT 1994 and article V (“Economical Integration”) of GATS (General Agreement on Trade in Services).	Permanently from the date of accession to WTO	Ministry of Economy and Reforms and the Ministry of Foreign Affairs	Mr. A. Cucu Mr. N. Tabacaru
18.	Submission for notification and multiplication to WTO Committee on Regional Agreements of the free trade	6 months after accession of Moldova to WTO;	Ministry of Economy and Reforms	Mr. A. Cucu

	agreements signed with other states and the documents of accession to the customs unions to which Republic of Moldova is a party, as well as the guarantees of the notifications on future free trade agreements.	permanently		
19.	Writing annual reports on the privatisation programs and their submission to the Ministry of Economy and Reforms for the notification to WTO Secretariat	Annually	Department of Privatisation and State Property Administration	Mr. A. Cucu
20.	<ul style="list-style-type: none"> - Elaboration and completion of the data base on the notification made by the WTO member countries on the measures applied in light of the WTO Agreement on Technical Barriers to Trade and the Agreement on the Sanitary and Phytosanitary Measures (English and Romanian version); - Submission of the summary of these notifications to line institutions and interested parties, in Romanian language - Elaboration of the training program for the experts within ministries, departments and other institutions responsible for the elaboration and adoption of technical regulations on the methodology of their elaboration. 	Permanently; monthly	Department of Standards, Metrology and Technical Supervision; Ministry of Agriculture and Processing Industry	Mr. M. Raducan
21.	<ul style="list-style-type: none"> - Elaboration of the bibliographic data base on the standards, technical regulations and conformity evaluation procedures in Republic of Moldova; - Submission to WTO Secretariat of the information on the existent and proposed technical regulations and conferring at least 60 days for comments to WTO members; - Inform the interested parties on the new standards and 	Permanently	Department of Standards, Metrology and Technical Supervision;	Mr. M. Raducan

	technical regulations through the “Standardisation Bulletin”- the official publication of the Department of Standards, Metrology and Technical Supervision; providence of the accession to the standards, technical regulations and their drafts and the specification of the opportunities to comment and publish their final versions.			
22.	Ensuring the transparency within usual procedures for standards and technical regulations elaboration, as well as elaborating the procedures and requirements of conformity degree evaluation.	Permanently	Department of Standards, Metrology and Technical Supervision	Mr. M. Raducan
23.	Creation and providing the functioning of the informational centre responsible for the notification, according to the WTO Agreement on the application of the sanitary and phytosanitary measures, exchange of the information within the Ministry of Agriculture and Processing Industry. Informations regarding the approved and draft sanitary measures, including testing methods used for the certifying the hygiene with the informational centre WTO/TBT.	6 months; permanently	Ministry of Agriculture and Processing Industry; Ministry of Health	Mr. I. Russu Mr. V. Parasca
24.	Evaluation of the financial needs for harmonising the sanitary measures with the provisions of WTO Agreements.	3 months	Ministry of Health	Mr. V. Parasca
25.	Organising seminars for the institutions, organisations and interested enterprises on the implementation of the “WTO Agreement on the application of the sanitary and phytosanitary measures”.	Permanently	Ministry of Agriculture and Processing Industry; Ministry of Health; The State Inspectorate for Phytosanitary Quarantine	Mr. I. Russu, Mr. V. Parasca,

			Division of Veterinary Medicine with State Veterinary Inspectorate; Department of Standards, Metrology and Technical Supervision	Mr. N. Soia, Mr. I. Bahau, Mr. M. Raducan
26.	Analysing the possibilities for reducing the term of disputes settlement related to intellectual property, according to the WTO Agreement on TRIP's.	2 months	AGEPI	Mr. E. Stascov
27.	Elaboration and approval of internal regulations and instructions which provide the execution of the Customs Code provisions, targeting the special measures at customs in order to provide the compliance with the provisions of WTO Agreement on TRIPS. Together with interested institutions and persons, to create an informational system containing data upon the infringement of intellectual property rights at border, as well as the cases where the customs authorities have provided the necessary assistance to the intellectual property holder.	1 month Permanently	Customs Control Department	Mr. A. Stratan
28.	Elaboration of the instructions on dispute settlements regarding the: <ul style="list-style-type: none"> - Determination of the notoriety of the marks; - Calculation of the damage caused to the intellectual property holder. 	2 months	AGEPI	Mr. E. Stascov
29.	Waiving consular fees for the legalisation of the documentation related to the import of goods into	Permanently	The Ministry of Foreign Affairs	Mr. N. Tabacaru Mr. M. Manoli

	Republic of Moldova.			
30.	The annual elaboration of the Budget Law considering the financial needs of the institutions responsible for executing their duties under the present decision and the compliance with the commitments of Republic of Moldova within WTO.	Annual	Ministry of Finance	Mr. M. Manoli
III . Commitments related to the implementation of the WTO Agreements				
31.	<p>Compliance with the provisions and the full implementation of the following WTO Agreements:</p> <ul style="list-style-type: none"> - The Agreement on the application of the Article VII of GATT 1994. - Agreement on agriculture; - Agreement on the technical barriers to trade; - Agreement on the application of sanitary and phytosanitary measures; - The Agreement on application of article VI of GATT 1994; - Agreement on subsidies and countervailing measures and Agreement on safeguarding measures - Agreement on pre-shipment inspection; - Agreement on textile products and clothing; - Agreement on the import licensing procedures; - Agreement on TRIP'S . 	Permanently	<p>Customs Control Department;</p> <p>Ministry of Agriculture and Processing Industry; Department of Standards, Metrology and Technical Supervision; Ministry of Health; The State Inspectorate for Phytosanitary Quarantine Division of Veterinary Medicine with the State Veterinary Inspectorate; Ministry of Economy and Reforms; AGEPI;</p>	<p>Mr. A. Stratan, Mr. I. Russu,</p> <p>Mr. V. Parasca, Mr. N. Soia,</p> <p>Mr. I. Bahau,</p> <p>Mr. M. Raducan,</p> <p>Mr. A. Cucu,</p>

				Mr. E. Stascov
32.	Finalisation of the necessary documents required for obtaining the statute of observer with WTO Agreement on Public Procurement. The elaboration of the strategy and mechanism for accession to this Agreement, according to WTO provisions.	2 months from the moment of accession to WTO.	National Agency for Public Procurement	Mr. D. Cernei
33.	Elaboration and submission to the Ministry of Economy and Reforms of the action plan for fulfilling the provisions of the WTO Agreement on trade with civil aircraft.	2 months	Civil Aircraft State Administration	Mr. V. Topa
34.	Compliance with the provisions and the full integration of the General Agreement on Trade in Services within the following fields: business services, communication services, construction services and related engineering services, distribution services, training services, environment protection services, financial services, health and social assistance services, tourism and voyage services, entertainment, cultural and sport services, transport services and other services not included in other categories.	Permanently	Ministries and departments	Mr. A. Cucu