



**THE COORDINATING COMMITTEE ON THE IMPLEMENTATION OF THE ATIGA  
SUBMISSION FORM FOR CASES OF THE 'MATRIX OF ACTUAL CASES'  
ON TRADE BARRIERS**

<b>CASE REFERENCE ID</b> <i>(For Secretariat's use)</i>	<b>REPORTING COUNTRY</b>	<b>INVOLVING COUNTRY</b>
C XXXX	Malaysia	Indonesia
<b>DATE OF REPORT SUBMISSION</b>	<b>HS CODE AND PRODUCT DESCRIPTION</b> <i>(where applicable)</i>	
9 November 2017	<p>7312.10.91- Pre-stressing Steel Strand</p> <p>7217.10.31- Pre-stressing Steel Wire (Jari-jari sepeda; kawat ban; reed wire; kawat baja beton pratekan; kawat baja free cutting)</p> <p>7312.10.10.00 - Non-rotating Rope (Locked Coil, flattened, strands dan non-rotating wire)</p> <p>7312.10.99.00 - Steel Wire Rope (Lain-lain)</p> <p>Hot-rolled - 7219.21, 7219.22, 7219.23, 7219.24, 7220.11, 7220.12 Stainless Steel: Flat-rolled products of a width of 600 mm or more</p> <p>Cold-rolled 7219.31, 7219.32, 7219.33, 7219.34, 7219.35, 7219.90, 7220.20, 7220.90 - Flat-rolled products of a width less than 600 mm</p> <p>7210.11.90 00, 7210.12.90 00 - Electrolytic Tinplate</p>	
<b>DESCRIPTION OF TRADE BARRIER FACED</b>		
<i>Please provide a description of the situation</i>		
<p>Implementation of a New Import-Quota Regulation on Various Steel Products</p> <p>Malaysia raised its concern on the new regulation: No.82/M-DAG/PER/12/2016 which is the consolidation of two previous regulations No.28/M-DAG/PER/6/2014 and No.113/M-DAG/PER/12/2015 as it limits the quantity of the goods that can be imported and increased the number of documents in the process. This has adversely affected Malaysia's export of iron, steel, alloy steel and its derivatives to Indonesia.</p>		
<b>REFERENCE TO ATIGA PROVISION</b>		
<i>Please provide a reference to the ATIGA provision to support your case, where applicable</i>		
<p align="center"><b>Article 41</b></p> <p align="center"><b>General Elimination of Quantitative Restrictions</b></p> <p>Each Member State undertakes not to adopt or maintain any prohibition or quantitative restriction on the importation of any goods of the other Member States or on the exportation of any goods destined</p>		

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for the territory of the other Member States, except in accordance with its WTO rights and obligations or other provisions in this Agreement. To this end, Article XI of GATT 1994, shall be incorporated into and form part of this Agreement, *mutatis mutandis*.

**LIST OF SUPPORTING DOCUMENTS PROVIDED** (*where applicable*)

### Guidelines for the Matrix of Actual Cases on NTMs/Trade Barriers

1. The cases lodged in the Matrix of actual cases will be classified into 3 categories:

Category	Description
<b>Category A: Resolved Cases</b>	<ul style="list-style-type: none"> <li>• Category A contains issues which have been resolved bilaterally/mutually by ASEAN Member States (AMSs).</li> <li>• Cases in other categories ( on-going or new cases) which have been resolved bilaterally/mutually will be classified as Category A.</li> <li>• Cases justified/verified/agreed as NTB-free will be removed from the Matrix for simplifying and making the Matrix user-friendly</li> </ul>
<b>Category B: On-going Cases</b>	<ul style="list-style-type: none"> <li>• Category B contains any previously raised cases that ASEAN Member States would like to discuss at CCA meetings.</li> </ul>
<b>Category C: New Cases</b>	<ul style="list-style-type: none"> <li>• Category C contains the newly lodged cases that ASEAN Member States wish to discuss at CCA meetings.</li> </ul>

2. Submission of Category C: New cases:

2.1 At CCA Meeting when ASEAN Member States raise new issues/case for discussions, such cases will be lodged into Category C: New cases.

2.2 Reporting country should inform the ASEAN Secretariat of these new issues by submission of the submission form and all relevant documents at least 4 weeks before each CCA Meeting in order to allow the responding country sufficient time to consult domestically. Should reporting country fail to raise a case within the time frame, such case will automatically be raised at the next CCA Meeting.

2.3 The responding country should provide the initial response at the CCA Meeting and should provide a written response to the reporting country, copied to other ASEAN Member States and the ASEAN Secretariat within 4 weeks after the CCA Meeting.

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2.4 After the new case is lodged into the Matrix under Category C: New cases, such case will be re-categorised into Category B: On-going cases at the next CCA meeting.

3. Addressing Category B: On-going cases:

3.1 Reporting and responding country may raise any on-going case for discussion at CCA Meetings.

3.2 On-going cases will be re-categorised into re-solved cases once mutually agreed upon by the reporting and responding country.

4. In case that the barrier element/NTBs effect is found in any case lodged, the CCA shall provide recommendations on how to address the issue to be submitted to the AFTA Council, through SEOM for endorsement. Should any case is justified/verified/agreed as NTB-free, it will be removed from the Matrix.

5. Recalling the decision of the 26<sup>th</sup> AFTA Council Meeting, to exercise the transparency and enhance the confidence of the private sectors on ASEAN process, the Matrix of actual cases will be uploaded onto the website of the ASEAN Secretariat within 1 month after each CCA Meeting. The information to be reflected in the Matrix of actual cases should be agreed upon by concerned parties (reporting and responding Member States). The specific information on the Matrix of actual cases should not contain specific details on which companies are involved in the cases to protect business confidentiality.

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