



GENERAL COUNCIL

ANNUAL REPORT (2018)

The present report has been prepared in pursuance of the Procedures for an Annual Overview of WTO Activities and for Reporting under the WTO (WT/L/105).

Since its previous annual report¹, the General Council has held five meetings, on 7 March, 8 May, 26 July, 18 October and 12 December 2018. The minutes of these meetings, which remain in the record of the General Council's work, are contained in documents WT/GC/M/171, WT/GC/M/172, WT/GC/M/173, WT/GC/M/174 and WT/GC/M/175².

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1 REPORTS BY THE CHAIRMAN OF THE TRADE NEGOTIATIONS COMMITTEE AND REPORTS BY THE DIRECTOR-GENERAL (WT/GC/M/171; WT/GC/M/172; WT/GC/M/173; WT/GC/M/174 AND WT/GC/M/175)

1.1. Ministers at Doha established a Trade Negotiations Committee under the authority of the General Council to supervise the overall conduct of the negotiations (WT/MIN(01)/DEC/1). In accordance with the Principles and Practices endorsed by the Trade Negotiations Committee at its first meeting in 2002 (TN/C/M/1), the TNC reports to each regular meeting of the General Council.

1.2. At the General Council meetings in March, May, July, October, and December, the Director-General reported on each occasion on relevant activities since his previous report to the General Council including on Informal TNC Meetings and Informal Heads of Delegation Meetings he convened on the matter.³

1.3. At the March meeting, the representative of Burkina Faso (C-4) spoke. The General Council took note of the report of the Chairman of the TNC and of the Director-General's report, and of the statements delivered at the March General Council meeting and at the Informal TNC and Informal HODs meetings on 5 March.⁴

1.4. At the May meeting, the representative of Zambia spoke. The General Council took note of the report of the Chairman of the TNC and of the Director-General's report, and of the statements delivered at the May General Council meeting and at the Informal TNC and Informal HODs meetings on 7 May.⁵

1.5. At the July meeting, the representatives of Uganda, Haiti (CARICOM) and Malawi (ACP) spoke. The General Council took note of the report of the Chairman of the TNC and of the Director-General's report, and of the statements delivered at the July General Council meeting and at the Informal TNC and Informal HODs meetings on 24 July.⁶

³ The Director-General's reports and those of the Negotiating Group Chairs at the March, May, July, October and December Informal TNC and Informal HODs Meetings were incorporated in the minutes of the respective General Council meetings and were also circulated as JOB/GC/172, JOB/GC/186, JOB/GC/195, JOB/TNC/71 and JOB/TNC/72 respectively.

⁴ The statements at the 5 March Informal TNC and HODs Meetings by the following delegations are incorporated in the minutes of the March General Council meeting in WT/GC/M/171: Switzerland; Nigeria; New Zealand; Rwanda (African Group); Uruguay (Informal Working Group on MSMEs); European Union; Guyana (ACP); Turkey; Mexico; Colombia; Central African Republic (LDCs); China (FIFD); Uganda; Ecuador; Nepal; Japan; Singapore (ASEAN); Australia; Thailand; Plurinational State of Bolivia; Peru; Cuba; Republic of Korea; Brazil; South Africa; Indonesia (G-33); Norway; Pakistan; Russian Federation; Hong Kong, China; Trinidad and Tobago; Canada; Panama (Article XII Members); India; Papua New Guinea (Pacific Group); United States; Senegal; Zimbabwe; Bolivarian Republic of Venezuela; Argentina (Informal Group on Investment Facilitation); Sri Lanka; Ghana; Philippines; Kenya and Paraguay.

⁵ The statements at the 7 May Informal TNC and HODs Meetings by the following delegations are incorporated in the minutes of the May General Council meeting in WT/GC/M/172: Switzerland (on behalf of Argentina; Australia; Bangladesh; Benin; Brazil; Burkina Faso; Canada; Chile; Colombia; Costa Rica; Côte d'Ivoire; Dominican Republic; El Salvador; Guatemala; Hong Kong, China; Iceland; Kazakhstan; Kenya; Republic of Korea; Lao People's Democratic Republic; Liechtenstein; Malaysia; Mali; Mexico; Republic of Moldova; Myanmar; New Zealand; Nigeria; Norway; Pakistan; Panama; Paraguay; Peru; Qatar; Singapore; Switzerland; Thailand; the former Yugoslav Republic of Macedonia; Turkey; Ukraine; Uruguay and Viet Nam); South Africa (African Group); United States; Central African Republic (LDCs); Colombia (Informal Dialogue on Investment Facilitation for Development); Malawi (ACP); Australia (Joint Statement Initiative on E-Commerce); Kingdom of Saudi Arabia; Indonesia (G-33); China; Benin (C-4); Uruguay (Informal Working Group on MSMEs); European Union; Honduras (IGDC except Israel); Zimbabwe; Panama (Article XII Members); Singapore; Mexico; Trinidad and Tobago; Egypt; India; Ecuador; Norway; Russian Federation; Cuba; Canada; Brazil; Iceland; Hong Kong, China; Turkey; Peru; Ghana; Costa Rica; Plurinational State of Bolivia; Uganda; Tonga (Pacific Group); Republic of Moldova; Paraguay; Chinese Taipei; Haiti (CARICOM); Tanzania; Thailand; Nepal; Dominica (OECS); Chile; Japan; Jamaica; Kenya; New Zealand; Cambodia; Pakistan; Bolivarian Republic of Venezuela; Malaysia and Republic of Korea.

⁶ The statements at the 24 July Informal TNC and HODs Meetings by the following delegations are incorporated in the minutes of the July General Council meeting in WT/GC/M/173: Republic of Korea; Panama (Article XII Members); South Africa (African Group); Canada; Malawi (ACP); Australia (Joint Statement Initiative on E-Commerce); European Union; Colombia (Structured Discussions on Investment Facilitation for Development); Costa Rica; China; Chad (LDCs); India; Uruguay (Informal Working Group on MSMEs); United States; Indonesia (G-33); Brazil; Pakistan; Argentina; New Zealand; Chile; Zimbabwe; Russian Federation; Switzerland; Egypt; Norway; Turkey; Bangladesh; Hong Kong, China; Sri Lanka; Ecuador; Peru; Singapore;

1.6. At the October meeting, the General Council took note of the report of the Chairman of the TNC and of the Director-General's report, and of the statements delivered at the Informal TNC and Informal HODs meetings on 16 October.⁷

1.7. At the December meeting, the representatives of Paraguay, Barbados, the Republic of Moldova and El Salvador spoke. The General Council took note of the report of the Chairman of the TNC and of the Director-General's report, and of the statements delivered at the December General Council meeting and at the Informal TNC and Informal HODs meetings on 10 December.⁸

2 IMPLEMENTATION OF THE BALI, NAIROBI AND BUENOS AIRES OUTCOMES – STATEMENTS BY THE CHAIRMAN (WT/GC/M/171; WT/GC/M/172; WT/GC/M/173; WT/GC/M/174 AND WT/GC/M/175)

2.1. Since July 2014, the item on implementation of the Bali outcomes has been included on the General Council's agenda at the request of the Chairman, to provide an update on the work taking place in the regular bodies which were directly working on the various Bali Decisions. After the Tenth and Eleventh Sessions of the Ministerial Conference, reports on the implementation of the Nairobi and Buenos Aires outcomes were also provided under this item.

2.2. At the General Council meetings in March, May, July, October, and December, the Chairman reported on the work taking place in WTO regular bodies to fulfil the Bali, Nairobi and Buenos Aires Ministerial mandates.⁹

2.3. At the March meeting, the General Council took note of the Chairman's report.

2.4. At the May meeting, the representatives of South Africa (African Group) and the European Union spoke. The General Council took note of the Chairman's report and of the statements.

2.5. At the July meeting, the representatives of Chad (LDCs), Sierra Leone and Tanzania spoke. The General Council took note of the Chairman's report and of the statements.

2.6. At the October meeting, the representatives of the Central African Republic (LDCs), Malawi (ACP) and Chad spoke. The General Council took note of the Chairman's report and of the statements.

2.7. At the December meeting, the representatives of Vanuatu (ACP) and the Central African Republic (LDCs) spoke. The General Council took note of the Chairman's report and of the statements.

Paraguay; Nepal; Trinidad and Tobago; Qatar; Kenya; Mexico; Thailand; Vanuatu (Pacific Group); Japan; Bolivarian Republic of Venezuela; Dominica (OECS); Benin (C-4) and Cuba.

⁷ The statements at the 16 October Informal TNC and HODs Meetings by the following delegations are incorporated in the minutes of the October General Council meeting in WT/GC/M/174: Canada; South Africa (African Group); Bolivarian Republic of Venezuela; Norway; Malawi (ACP); United States; Ghana; Mexico; Qatar; Brazil; Morocco; Cuba; Turkey; Colombia (Structured Discussions on Investment Facilitation for Development); New Zealand; China; Senegal; European Union; Zimbabwe; Australia (Joint Statement Initiative on Electronic Commerce); India; Republic of Moldova; Uruguay (Informal Working Group on MSMEs); Costa Rica; Republic of Korea; Chinese Taipei; Indonesia (G-33); Switzerland; Benin (C-4); Argentina; Chad (LDCs); Paraguay; Vanuatu (Pacific Group); Jamaica; Russian Federation; Oman; Japan; Uganda; Angola; Nepal; Trinidad & Tobago; Cambodia; Hong Kong, China; Panama (Article XII Members); Kenya; Egypt; Plurinational State of Bolivia; Ecuador; Singapore; Pakistan; Haiti (CARICOM); Nigeria; Afghanistan; Cameroon and Sri Lanka.

⁸ The statements at the 10 December Informal TNC and HODs Meetings by the following delegations are incorporated in the minutes of the December General Council meeting in WT/GC/M/175: Canada; Central African Republic (LDCs); Iceland (Trade Impact Working Group); Singapore (ASEAN); Colombia (Structured Discussions on Investment Facilitation for Development); South Africa (African Group); Australia (Joint Statement Initiative on E-Commerce); Vanuatu (ACP); European Union; Uruguay (Informal Working Group on MSMEs); China; Benin (C-4); Panama (Article XII Members); Switzerland; Brazil; Sri Lanka; Angola; Russian Federation; Republic of Korea; Mexico; Japan; Indonesia (G-33); India; Argentina; Chinese Taipei; Uganda; Philippines; Jamaica; Senegal; Norway; Chile; Turkey; Peru; Kenya; Hong Kong, China; Nigeria; Cambodia; Thailand; Costa Rica; Pakistan; Trinidad and Tobago; Viet Nam; Haiti (CARICOM); Papua New Guinea (Pacific Group); St. Lucia (OECS) and Dominican Republic.

⁹ The Chairman's statements were subsequently circulated in JOB/GC/173, JOB/GC/187, JOB/GC/196, JOB/GC/202 and JOB/GC/210 respectively.

3 WORK PROGRAMME ON ELECTRONIC COMMERCE

3.1 Review of Progress (WT/GC/M/173 and WT/GC/M/175)

3.1. In line with the Declaration on Global Electronic Commerce adopted by Ministers at the second session of the Ministerial Conference (WT/MIN(98)/DEC/2), in September 1998, the General Council adopted a Work Programme on Electronic Commerce (WT/L/274). At MC11, Ministers adopted a Decision on the Work Programme on Electronic Commerce (WT/MIN(17)/65 – WT/L/1032) which instructed the General Council to hold periodic reviews in its sessions of July and December 2018 and July 2019 based on the reports that could be submitted by the WTO bodies entrusted with the implementation of the Work Programme.

3.2. At the July meeting, the Chairman drew attention to the reports submitted by the Chairs of the Council for Trade in Services (S/C/54) and of the Goods Council (G/C/60) to the General Council. The Chairs of the CTS, CTG, TRIPS Council and CTD then reported on developments under the work programme on e-commerce since the last periodic review in July 2017. The General Council took note of the statements of the Chairs of the CTS, CTG, TRIPS Council and CTD, and of the reports in S/C/54 and G/C/60.

3.3. At the December meeting, the Chairman reported¹⁰ on developments under the work programme on e-commerce since the last periodic review in July – including on his consultations with Members on how to move forward the discussion on the e-commerce moratorium, following the submission by South Africa and India, and on the informal open-ended meeting he convened on 27 November in this regard. He also drew attention to the reports submitted to the General Council by the Chairs of the Council for Trade in Services (S/C/56) and of the Goods Council (G/C/64). The representatives of the Central African Republic (LDCs), India, South Africa, Vanuatu (ACP), Nigeria and Japan spoke. The General Council took note of the Chairman's statement, of the reports in S/C/56 and G/C/64 and of the statements.

3.2 Information Sharing – Request from China (WT/GC/M/173)

3.4. At the July meeting, the representative of China informed Members about the two-week e-commerce workshop held in China and presented a video in this regard. The General Council took note of the statement.

3.3 Moratorium on Customs Duties on Electronic Transmissions: Need for a re-think – Communication from India and South Africa (WT/GC/M/173)

3.5. At the July meeting, the representatives of India and South Africa presented their communication in WT/GC/W/747. A discussion ensued afterwards under the three sub-items where the representatives of Benin (WAEMU); the United States; Cuba; Uganda; Tanzania; Chad; Chinese Taipei; Brazil; Pakistan; Costa Rica; Ecuador; the Russian Federation; Indonesia; Japan; Thailand; the Republic of Korea; Australia; the European Union; Norway; Canada; Kazakhstan; Sri Lanka; Singapore; Switzerland; Hong Kong, China; Turkey; Mexico and Chile spoke. The General Council took note of the statements.

4 WORK PROGRAMME ON SMALL ECONOMIES – REPORTS (WT/GC/M/171; WT/GC/M/172; WT/GC/M/173; WT/GC/M/174 AND WT/GC/M/175)

4.1. In 2002, the General Council took note of a framework and procedures for the conduct of the Work Programme on Small Economies, which had been agreed by Ministers at Doha (WT/MIN(01)/DEC/1, paragraph 35), under which this Work Programme would be a standing item on the General Council's agenda and which also provided that the Committee on Trade and Development (CTD) would report regularly to the General Council on the progress of work in its Dedicated Sessions on this subject. In December 2017, Ministers at MC11 adopted the Decision on the Work Programme on Small Economies (WT/MIN(17)/63 – WT/L/1030) which reaffirmed their commitment to the Work Programme and instructed the CTD to continue its work in Dedicated Sessions under the overall responsibility of the General Council.

¹⁰ The Chairman's report was subsequently circulated in WT/GC/W/756.

4.2. At the March meeting, the CTD Chairperson recalled the Buenos Aires Ministerial Decision on this matter and informed Members that the CTD Dedicated Discussion would continue to discuss how to take it forward. The representative of Guatemala (SVEs) and the Republic of Moldova spoke. The General Council took note of the report and of the statements.

4.3. At the May meeting, the CTD Chairperson reported that preparations were under way to hold another meeting in early June to discuss the challenges of the fuller integration of SVEs in the multilateral trading system and the reduction of trade costs posed to SVEs. The representative of Guatemala (SVEs) spoke. The General Council took note of the report and of the statement.

4.4. At the July meeting, the CTD Chairperson reported that the Dedicated Session had met in June to continue its mandated work. The discussion – which included presentations from the Secretariat, Panama and Sri Lanka – focused on the specific challenges derived from trade costs that SVEs faced and the most important sources of merchandise and services trade costs reported by them. The representative of Guatemala (SVEs) spoke. The General Council took note of the report and of the statement.

4.5. At the October meeting, the CTD Chairperson reported that the 37th Dedicated Session on Small Economies would be held on 1 November focusing on best practices and policy approaches for addressing the challenges identified in its previous meeting. The representative of Guatemala (SVEs) spoke. The General Council took note of the report and of the statement.

4.6. At the December meeting, the CTD Chairperson reported that the 37th Dedicated Session on Small Economies had focused on best practices and policy approaches for addressing the challenges identified in its previous session. The SVE Group was working on an outcome document based on the discussions held in 2018 in the Dedicated Session. The representatives of Guatemala (SVEs) and Mauritius spoke. The General Council took note of the report and of the statements.

5 AID FOR TRADE – REPORT (WT/GC/M/171)

5.1. At the March meeting, the CTD Chairperson reported that consultations on the latest work programme on Aid for Trade had been ongoing since early January. Although progress had been made, the CTD would need more time to deliberate on the matter and the General Council would again take up the item at a future meeting.¹¹ The representative of Chad (on behalf of the Central African Republic, coordinator of the LDCs) spoke. The General Council took note of the report and of the statement.

6 DEVELOPMENT ASSISTANCE ASPECTS OF COTTON – STATEMENT BY THE DIRECTOR-GENERAL (WT/GC/M/175)

6.1. In Paragraph 1.b of the 1 August 2004 Decision on the Doha Work Programme (WT/L/579), the General Council, inter alia, took note of the bilateral, multilateral, and regional efforts to make progress on the development assistance aspects of the Cotton Initiative, and instructed the Secretariat to continue to work with the development community and to provide the Council with periodic reports on relevant developments. The Council also instructed the Director-General to consult with relevant international organizations, including the Bretton Woods Institutions, the Food and Agriculture Organization and the International Trade Centre, to direct effectively existing programmes and any additional resources towards development of the economies where cotton had vital importance. The Bali and Nairobi Decisions reaffirmed this mandate, and invited the Director-General to continue to provide periodic reports.

6.2. At the December meeting, Deputy Director-General Alan Wolff, on behalf of the Director-General, reported that progress continued in that area and noted the increase in active cotton-specific development assistance and that the work of the Mechanism had become more methodical. He thanked Members of the development community, those who significantly contributed to the South-South Cooperation for Cotton Development Assistance and several multilateral institutions. The representatives of the Central African Republic (LDCs), the European Union, Mali (C-4) and

¹¹ At the May General Council meeting, the General Council Chairman reported under the agenda item on "Implementation of the Bali, Nairobi And Buenos Aires Outcomes" that, following intensive consultations by the CTD Chairperson, the 2018-2019 work programme had been agreed.

Turkey spoke. The General Council took note of the Deputy Director-General's statement and of the other statements.

7 ANNUAL REVIEW OF THE SPECIAL COMPULSORY LICENSING SYSTEM – PARAGRAPH 7 OF THE ANNEX TO THE AMENDED TRIPS AGREEMENT AND PARAGRAPH 8 OF THE DECISION ON THE IMPLEMENTATION OF PARAGRAPH 6 OF THE DOHA DECLARATION ON THE TRIPS AGREEMENT AND PUBLIC HEALTH – REPORT OF THE COUNCIL FOR TRIPS (WT/GC/M/175)

7.1. In August 2003, the General Council adopted a Decision on the Implementation of Paragraph 6 of the Doha Declaration on the TRIPS Agreement and Public Health. In addition, the General Council adopted in December 2005 a Protocol Amending the TRIPS Agreement which was submitted to Members for acceptance. In accordance with Article X:3 of the WTO Agreement, the Protocol entered into force on 23 January 2017, upon acceptance by two-thirds of the WTO Members who had accepted it on or before that date. Both the amended TRIPS Agreement and the 2003 Decision provided that the TRIPS Council should review annually the functioning of the system and should also report on its operation to the General Council.

7.2. At the December meeting, the Chairperson of the TRIPS Council introduced the report of the Council (IP/C/82) on its annual review of the Special Compulsory Licensing System. The General Council took note of the report of the TRIPS Council.

8 ACCESSION MATTERS

8.1 Chairmanship of Accession Working Parties (WT/GC/M/172; WT/GC/M/173 and WT/GC/M/175)

8.1. At the May¹² meeting, the Chairman said that consensus was reached in appointing Ambassador Luis Cancela (Uruguay) to serve as the Chairperson of the Working Party on the Accession of Algeria to the WTO and Mr. Andrew Staines (United Kingdom) to serve as the Chairperson of the Working Party on the Accession of the Bahamas to the WTO. The representatives of the Bahamas (as an Observer) and Algeria (as an Observer) spoke. The General Council took note of the statements.

8.2. At the July¹³ meeting, the Chairman said that consensus was reached in appointing Ambassador Elisabeth Tichy-Fisslberger (Austria) to serve as the Chairperson of the Working Party on the Accession of Bhutan to the WTO; and Ambassador Paik Ji-ah (Republic of Korea) to serve as the Chairperson of the Working Party on the Accession of Uzbekistan to the WTO. The representative of Bhutan (as an Observer) spoke. The General Council took note of the statements.

8.3. At the December¹⁴ meeting, the Chairman said that consensus was reached in appointing Ambassador Morten Jespersen (Denmark) to serve as the Chairperson of the Working Party on the Accession of Ethiopia to the WTO and Mr. Katsuro Nagai (Japan) to serve as the Chairperson of the Working Party on the Accession of Sudan to the WTO. The representative of Sudan (as an Observer) spoke. The General Council took note of the statement.

9 WAIVERS

9.1 Kimberley Process Certification Scheme for Rough Diamonds – Waiver Extension – Draft Decision (WT/GC/M/173)

9.1. At the July meeting, the General Council considered a draft decision in documents G/C/W/753, G/C/W/753/Add.1 and G/C/W/753/Add.2 which concerned the request for the extension of the waiver on the Kimberley Process Certification Scheme for Rough Diamonds. The Chairperson of the Council for Trade in Goods reported on the consideration of the draft decision by that Council. The representative of Sierra Leone spoke. The General Council took note of the report and of the

¹² This item was taken up under "Other Business" at the May meeting.

¹³ This item was taken up under "Other Business" at the July meeting.

¹⁴ This item was taken up under "Other Business" at the December meeting.

statement and, in accordance with the Decision-Making Procedures under Articles IX and XII of the WTO Agreement, adopted the draft decision which was subsequently circulated in WT/L/1039.

9.2 Introduction of Harmonized System 2002, 2007, 2012 and 2017 Changes into WTO Schedules of Tariff Concessions – Draft Decision (WT/GC/M/175)

9.2. At the December meeting, the General Council considered four draft waiver decisions, contained in G/C/W/756, G/C/W/757, G/C/W/758 and G/C/W/759/Rev.1 which concerned the Introduction of Harmonized System 2002, 2007, 2012 and 2017 Changes into WTO Schedules of Tariff Concessions, respectively. The Chairperson of the Council for Trade in Goods reported on the consideration of this matter by that Council. The General Council took note of the report and, in accordance with the Decision-Making Procedures under Articles IX and XII of the WTO Agreement agreed in November 1995 (WT/L/93), adopted the four draft Decisions which were subsequently circulated in WT/L/1048, WT/L/1049, WT/L/1050 and WT/L/1051.

9.3 Review of Waivers Pursuant to Article IX:4 of the WTO Agreement (WT/GC/M/173 and WT/GC/M/175)

9.3. Under Article IX:4 of the WTO Agreement, "[a]ny waiver granted for a period of more than one year shall be reviewed by the Ministerial Conference not later than one year after it is granted, and thereafter annually until the waiver terminates."

9.4. At the July meeting, the General Council considered the following waivers for review under Article IX:4:

- i. Least-Developed Country Members – Obligations under Article 70.8 and Article 70.9 of the TRIPS Agreement with respect to Pharmaceutical Products, granted on 30 November 2015 until 1 January 2033 (WT/L/971)
- ii. Preferential treatment for Least-developed Countries, granted on 27 May 2009 until 30 June 2019 (WT/L/759)
- iii. Canada – CARIBCAN, granted on 28 July 2015 until 31 December 2023 (WT/L/958, WT/L/1036)
- iv. United States – Caribbean Basin Economic Recovery Act, granted on 5 May 2015 until 31 December 2019 (WT/L/950, WT/L/1038)

9.5. In doing so, the General Council considered reports on implementation of the respective waivers in documents WT/L/1036 and WT/L/1038. The representatives of Haiti (CARICOM); Jamaica; the United States and Canada spoke. The General Council took note of the reports contained in documents WT/L/1036 and WT/L/1038 and of the statements, and agreed to revert to the review of multi-year waivers under Article IX.4 of the WTO Agreement at its last regular meeting in 2018.

9.6. At the December meeting, the General Council considered the following waivers for review under Article IX:4:

- i. Preferential treatment in favour of Services and Service Suppliers of Least Developed Countries, granted on 17 December 2011 until 31 December 2030 (WT/L/847, WT/L/982)
- ii. Cuba – Article XV:6 – Extension of waiver, granted on 7 December 2016 until 31 December 2021 (WT/L/1003, WT/L/1043)
- iii. European Union – Application of Autonomous Preferential Treatment to the Western Balkans, granted on 7 December 2016 until 31 December 2021 (WT/L/1002, WT/L/1044)
- iv. United States – African Growth and Opportunity Act, granted on 30 November 2015 until 30 September 2025 (WT/L/970, WT/L/1045 and WT/L/1045/Corr.1)

- v. United States – Former Trust Territory of the Pacific Islands, granted on 7 December 2016 until 31 December 2026 (WT/L/1000, WT/L/1046)
- vi. United States – Trade Preferences granted to Nepal, granted on 7 December 2016 until 31 December 2025 (WT/L/1001, WT/L/1047)

9.7. In doing so, the General Council considered reports on implementation of the respective waivers in documents WT/L/1043, WT/L/1044, WT/L/1045, WT/L/1045/Corr.1, WT/L/1046 and WT/L/1047. The representatives of Montenegro spoke. The General Council took note of the reports contained in documents WT/L/1043, WT/L/1044, WT/L/1045, WT/L/1045/Corr.1, WT/L/1046 and WT/L/1047, and of the statement.

10 TWELFTH SESSION OF THE MINISTERIAL CONFERENCE – DATE AND VENUE

10.1 Statement by the Chairman (WT/GC/M/172; WT/GC/M/173 and WT/GC/M/174)

10.1. At the May¹⁵ meeting, the Chairman announced that he would begin consultations on the Date and Venue of the Twelfth Session of the Ministerial Conference. The General Council took note of the Chairman's statement.

10.2. At the July meeting, further to the process of consultations conducted by the Chairman, the General Council agreed that the Twelfth Session of the WTO Ministerial Conference would take place in Astana, Kazakhstan in early June 2020 on the understanding that the 2019 deadline in the Buenos Aires Decision on Fisheries Subsidies was upheld and that the 2019 dates relating to the two moratoria on Electronic Commerce and on TRIPS non-violation and situation complaints were also maintained. The Chairman, the Director-General and the representative of Kazakhstan spoke. The General Council took note of the statements.

10.3. At the October meeting, the General Council agreed that MC12 would be held on 8-11 June 2020. The representative of Kazakhstan spoke. The General Council took note of the statement.

11 SELECTION OF NEW APPELLATE BODY MEMBERS – STATEMENT BY CHINA (WT/GC/M/172)

11.1. At the May meeting, the representative of China made a statement on the issues surrounding the selection of new Appellate Body members. The representatives of the European Union; Mexico; Cambodia; Zimbabwe; the Russian Federation; Honduras (IGDC except Israel); Uganda; Japan; the Plurinational State of Bolivia; Tanzania; Qatar; Benin; Guinea; Turkey; Norway; Hong Kong, China; Brazil; the Bolivarian Republic of Venezuela; Canada; Pakistan; the Maldives; Switzerland; Australia; Myanmar; Thailand; Liberia; Ecuador; Kazakhstan; India; Sri Lanka; Guatemala; the Republic of Korea; Egypt and the United States spoke. The General Council took note of the statements.

12 APPELLATE BODY APPOINTMENTS – AMENDMENTS OF THE DISPUTE SETTLEMENT UNDERSTANDING (WT/GC/M/175)

12.1 Statement by the European Union, China, Canada, Norway, New Zealand, Switzerland, Australia, Republic of Korea, Iceland, Singapore, Mexico, Costa Rica and Montenegro

12.2 Communication from the European Union, China, Canada, India, Norway, New Zealand, Switzerland, Australia, Republic of Korea, Iceland, Singapore, Mexico, Costa Rica and Montenegro

12.3 Communication from the European Union, China, India and Montenegro

12.1. At the December meeting, the representative of the European Union introduced a statement¹⁶ and the communications circulated in documents WT/GC/W/752/Rev.2 and WT/GC/W/753/Rev.1.

¹⁵ This item was taken up under "Other Business" at the May meeting.

¹⁶ Subsequently issued as WT/GC/197.

The representatives of the co-sponsors – China, Canada, India, Norway, New Zealand, Switzerland, Australia, the Republic of Korea, Iceland, Singapore, Mexico, Costa Rica and Montenegro – took the floor in turns and referred to the relevant sub-items.

12.2. In the discussion that followed, the representatives of the Philippines; Antigua and Barbuda; the Russian Federation; Thailand; Argentina (on behalf of Argentina, Brazil, Chile, Colombia, Mexico, Paraguay and Uruguay); Vanuatu (ACP); Ukraine; Brazil; Cambodia; the United States; Hong Kong, China; Tanzania; Japan; Afghanistan; Pakistan; Chad (LDCs); Ecuador; South Africa; Guatemala; Indonesia; Peru; Turkey; Uruguay; Nigeria; Chile; Honduras and the Dominican Republic took the floor. The representatives of China; the United States and the European Union intervened again. The Chairman said that there was a general view among delegations that the matter needed to be addressed very urgently and that more focused discussion was necessary. Therefore, he proposed that an informal process be set up under the auspices of the General Council to allow for focused discussions. He would consult with Members on the way forward and would then offer concrete suggestions about how to organize the informal process. The General Council took note of the statements.

13 TARGETED DISCUSSIONS ON DISPUTE SETTLEMENT ISSUES – COMMUNICATION FROM AUSTRALIA AND SINGAPORE (WT/GC/M/175)

13.1. At the December meeting, the representatives of Australia and the other co-sponsors – Singapore, Canada, Switzerland and Costa Rica – presented their communication circulated in WT/GC/W/754/Rev.2. The representatives of the United States, Brazil, Uganda and Japan spoke. The Chairman referred to his concluding remarks under the item on Appellate Body Appointments¹⁷ and reiterated that he would conduct consultations in this regard. The General Council took note of the statements.

14 UNITED STATES OF AMERICA – SECTION 232 INVESTIGATIONS AND MEASURES ON STEEL AND ALUMINIUM PRODUCTS – STATEMENT BY CHINA (WT/GC/M/171 AND WT/GC/M/172)

14.1. At the March¹⁸ meeting, the representative of China made a statement on the possible trade restrictive measures by a Member. The representatives of the European Union; Canada; Chinese Taipei; Turkey; the Russian Federation; Hong Kong, China; Australia; Norway; the Republic of Korea; Japan; Pakistan; Switzerland; Mexico; Uganda; India; Brazil and the Bolivarian Republic of Venezuela spoke. The General Council took note of the statements.

14.2. At the May meeting, the representative of China made a statement on Section 232 Investigations and Measures on Steel and Aluminium Products by the United States. The representative of the United States then provided a response. The representatives of South Africa; the Russian Federation; Brazil; Uganda; the Bolivarian Republic of Venezuela; Cuba; the Plurinational State of Bolivia; Japan; Qatar; Pakistan; Cambodia; the European Union; Turkey; Switzerland; Hong Kong, China; India and Norway spoke. Thereafter, the representative of China again took the floor. The General Council took note of the statements.

15 UNITED STATES OF AMERICA – INVESTIGATIONS AND MEASURES UNDER SECTION 301 OF THE TRADE ACT OF 1974 – STATEMENT BY CHINA (WT/GC/M/172)

15.1. At the May meeting, the representative of China made a statement on the Investigations and Measures under Section 301 of the Trade Act of 1974 of the United States. The representative of the United States then provided a response. The Russian Federation; the European Union; Japan; Pakistan; Tanzania; Cambodia; the Bolivarian Republic of Venezuela; Cuba; the Plurinational State of Bolivia and Brazil spoke. Thereafter, the representatives of China and the United States again took the floor. The General Council took note of the statements.

¹⁷ See para. 12.2.

¹⁸ This item was taken up under "Other Business" at the March meeting.

16 VIEWS ON CHINA'S TRADE-DISRUPTIVE ECONOMIC MODEL AND IMPLICATIONS FOR THE WTO – SUBMISSIONS FROM THE UNITED STATES (WT/GC/M/173)

16.1. At the July meeting, the representative of the United States made a statement on the US views on China's trade-disruptive economic model and implications for the WTO and presented the US submissions in WT/GC/W/745 and WT/GC/W/746. The representative of China then provided a response and also referred to China's communication in WT/GC/W/749. The representatives of Morocco; Japan; Pakistan; the Russian Federation; the European Union; Cuba; Chinese Taipei; the Bolivarian Republic of Venezuela; Australia; Brazil and Mexico spoke. Thereafter, the representatives of the United States and China again took the floor. The General Council took note of the statements.

17 MEASURES TO ALLOW GRADUATED LDCs, WITH GNP BELOW US\$1000, BENEFITS PURSUANT TO ANNEX VII(B) OF THE AGREEMENT ON SUBSIDIES AND COUNTERVAILING MEASURES – COMMUNICATION FROM THE CENTRAL AFRICAN REPUBLIC ON BEHALF OF THE LDC GROUP (WT/GC/M/173)

17.1. At the July meeting, the representative of Chad (on behalf of the Central African Republic, coordinator of the LDCs) presented the LDC's communication in WT/GC/W/742 which was also previously discussed at the Goods Council. The representatives of Nepal; Bangladesh; the United States; Vanuatu; India; Benin; Japan; Malawi; the European Union; New Zealand and Brazil spoke. The General Council took note of the statements.

18 WORKSHOP ON GENDER BASED ANALYSIS ON TRADE POLICY – STATEMENT BY CANADA (WT/GC/M/171)

18.1. At the March¹⁹ meeting, the representative of Canada recalled the Buenos Aires Declaration on Trade and Women's Economic Empowerment endorsed by 120 Members and Observers and invited delegations to a workshop on Gender-Based Analysis of Trade Policy to be held on 16 March at the WTO. The representatives of Montenegro and the European Union spoke. The General Council took note of the statements.

19 STATEMENTS OF GROUPS OF MEMBERS IN OFFICIAL WTO MEETINGS – STATEMENT BY THE UNITED STATES (WT/GC/M/173)

19.1. At the July²⁰ meeting, the United States recalled its request to the Informal Group of Developing Countries to make the list of all of its members publicly available for transparency purposes. The representatives of Argentina, the Bolivarian Republic of Venezuela and Cuba spoke on a different matter. The General Council took note of the statements.

20 CREATION OF A NEW INFORMAL GROUP OF MEMBERS TO DISCUSS TRADE AND ENVIRONMENT – STATEMENT BY COSTA RICA (WT/GC/M/173)

20.1. At the July²¹ meeting, the representative of Costa Rica announced the creation of a new informal group called "Friends Advancing Sustainable Trade (FAST)" which would discuss trade and environment issues. The representative of Norway spoke. The General Council took note of the statements.

21 HIGH-LEVEL CONFERENCE ON SUSTAINABLE BLUE ECONOMY AND AFRICA E-COMMERCE WEEK – STATEMENT BY KENYA (WT/GC/M/174)

21.1. At the October²² meeting, the representative of Kenya announced two events which would be taking place in Nairobi in the near future: a High-Level Conference on Blue Economy on 26-28 November and the Africa E-Commerce Week on 10-14 December. The General Council took note of the statement.

¹⁹ This item was taken up under "Other Business" at the March meeting.

²⁰ This item was taken up under "Other Business" at the July meeting.

²¹ This item was taken up under "Other Business" at the July meeting.

²² This item was taken up under "Other Business" at the October meeting.

22 G20 WORK ON TRADE AND INVESTMENT – STATEMENT BY ARGENTINA (WT/GC/M/175)

22.1. At the December²³ meeting, the representative of Argentina informed Members about the work of the Argentine Presidency of the G20 on Trade and Investment and referred to the Ministerial Statement at the G20 Trade and Investment Ministerial Meeting in Mar del Plata and the G20 Leaders' Declaration in Buenos Aires circulated in WT/L/1052 and WT/L/1053, respectively. The General Council took note of the statement.

23 COMMITTEE ON BUDGET, FINANCE AND ADMINISTRATION

23.1 Reports and Recommendations (WT/GC/M/172; WT/GC/M/173 and WT/GC/M/175)

23.1. At the May meeting, the General Council considered the report by the Committee on Budget, Finance and Administration on its meeting in March (WT/BFA/171). The representative of the Central African Republic spoke. The General Council took note of the statements, approved the Budget Committee's specific recommendations in paragraphs 4.7 and 5.2 of WT/BFA/171, and adopted the report.

23.2. At the July meeting, upon the adoption of the agenda, the General Council agreed to amend the proposed agenda in relation to the item "Committee on Budget, Finance and Administration – Report on Meetings of April and June 2018". The General Council considered only paragraphs 1.1 to 1.12 of WT/BFA/172 and attachment WT/BFA/W/448. The consideration of the full documents referred to in that item (WT/BFA/172 and WT/BFA/173) was deferred to a subsequent meeting. The General Council approved the Budget Committee's specific recommendation in paragraph 1.12 of WT/BFA/172.

23.3. At the December meeting, the General Council considered the reports by the Committee on Budget, Finance and Administration on its meetings in July (WT/BFA/174), September (WT/BFA/175) and November (WT/BFA/176). The General Council took note of the statement, approved the Budget Committee's specific recommendations in paragraphs 2.13, 3.14 to 3.16, and 4.18 of WT/BFA/176, and adopted the three reports.

24 WTO PENSION PLAN

24.1 Reports (WT/GC/M/173)

24.1. At the July meeting, the Chairperson of the Management Board of the WTO Pension Plan introduced the Annual Report of the Management Board for 2017 contained in document WT/L/1037, and the Report of the Independent External Auditor on the Audit of the Financial Statements of the WTOPP in document WT/L/1035. The General Council took note of the Annual Report of the Management Board for 2017, the Report of the Independent External Auditor on the Audit of the Financial Statements of the WTOPP, and the WTOPP Chairperson's statement.

24.2 Election of Chairperson, Members, and Alternates to the Management Board (WT/GC/M/172)

24.2. Article 4(a) of the Regulations of the WTO Pension Plan provides, inter alia, for the election by the General Council of a Chairperson, four members and four alternates to the Management Board of the Pension Plan, each for a three-year term.

24.3. At the May meeting, the Chairman recalled the process of consultations that had been undertaken regarding the two vacancies in the WTOPP Management Board announced through a communication sent to delegations in early April. On the basis of this process, he suggested that the candidates proposed in document WT/GC/W/743 be elected to the Management Board:

²³ This item was taken up under "Other Business" at the December meeting.

Ms. Darija Sinjeri (Croatia) as a Member and Ms. Paula Chiung-Fang Hsu (Chinese Taipei) as an Alternate. The General Council so agreed.²⁴

25 ADMINISTRATIVE MEASURES FOR MEMBERS IN ARREARS (WT/GC/M/171; WT/GC/M/172; WT/GC/M/173, WT/GC/M/174 AND WT/GC/M/175)

25.1. In October 2012, the General Council approved a recommendation from the Committee on Budget, Finance and Administration regarding revised Administrative Measures for Members in arrears, as contained in WT/BFA/132, Annex I. These new revised Measures entered into force on 1 January 2013. These Measures required that at the end of each meeting of the General Council, the Chairperson of the Committee on Budget, Finance and Administration should provide information with regard to which Members and Observers were under Administrative Measures; and, the General Council Chairperson would request Members and Observers in Categories II and III to inform the Secretariat as to when the payment of arrears might be expected.

25.2. At the General Council meetings in March, May, July, October, and December²⁵, the Chairperson of the Committee on Budget, Finance and Administration provided information with regard to which Members were under Administrative Measures and the Chairman made the said request to Members and Observers in Categories II and III. The General Council took note of the statements.

26 INTERNATIONAL TRADE CENTRE UNCTAD/WTO – REPORT OF THE JOINT ADVISORY GROUP ON ITS 52ND SESSION (WT/GC/M/175)

26.1. At the December meeting, the General Council considered a report of the Joint Advisory Group on the International Trade Centre UNCTAD/WTO on its Fifty-Second Session (ITC/AG(LII)/272), which had been considered initially by the Committee on Trade and Development at its meeting on 21 November where it had been presented by the Chairperson of the Joint Advisory Group, Ambassador Alvaro Cedeño Molinari (Costa Rica). The CTD Chairperson made a statement on the Committee's consideration of the report. The representative of the International Trade Centre (as an Observer) spoke. The General Council took note of the CTD Chairperson's statement and of the other statement, and adopted the report of the Joint Advisory Group.

27 REVIEW OF WTO ACTIVITIES (WT/GC/M/175)

27.1. At the December meeting, the General Council considered Annual Reports for 2018 from WTO bodies that had been drawn up in pursuance of the Decision concerning procedures for an annual overview of WTO activities and for reporting under the WTO in document WT/L/105.

27.2. The General Council took note of the Chairman's statement, adopted the report of the Committee on Trade and Development in document WT/COMTD/97 and took note of the reports of other WTO bodies, including the reports of the bodies under the Plurilateral Trade Agreements, in documents WT/DSB/76, WT/TPR/426, G/L/1282, S/C/55, IP/C/81, G/L/1283, G/L/1284, WT/CTE/25, WT/BOP/R/116, WT/BFA/177, WT/REG/29, WT/WGTDF/17, WT/WGTTT/20, GPA/AR/1, and WT/L/1041 – TCA/14.

27.3. The General Council then adopted the draft Annual Report for 2018 of the General Council (WT/GC/W/751), on the understanding that the Secretariat would make the necessary adjustments to include matters considered at that meeting.

28 APPOINTMENT OF OFFICERS TO WTO BODIES (WT/GC/M/171; WT/GC/M/173; WT/GC/M/174 AND WT/GC/M/175)

28.1. At the March meeting, the Chairman recalled that in accordance with the Guidelines for Appointment of Officers to WTO Bodies (WT/L/510), and the related practical steps to improve their implementation (JOB/GC/22), he, together with the serving Chairperson of the Dispute Settlement Body, Ambassador Ihara (Japan), and Ambassador Neple (Norway), former Chairman of the General

²⁴ The decision can be found in document WT/L/1034.

²⁵ This item was taken up under "Other Business" at the March, May, July, October and December meetings.

Council, had conducted consultations on a slate of names for the appointment of Chairpersons to WTO regular bodies listed in Groups 1, 2, 4 and 5 in the Annex to the Guidelines and on the appointment of new Chairpersons for the Committee on Agriculture in Special Session, the Council for Trade in Services in Special Session and the Negotiating Group on Rules. In that regard, he had convened an Informal General Council meeting on 2 March where he had provided a detailed report on the consultations that they had undertaken and had shared the slate of names for the regular bodies and two negotiating bodies on which there appeared to be consensus.²⁶

28.2. On the basis of the consultations, there was consensus on the following slate of names:

General Council	H.E. Mr. Junichi Ihara (Japan)
Dispute Settlement Body	H.E. Ms Sunanta Kangvulkij (Thailand)
Trade Policy Review Body	H.E. Mr. Eloi Laouru (Benin)
Council for Trade in Goods	H.E. Mr. Stephen De Boer (Canada)
Council for Trade in Services	H.E. Mr. Alfredo Suescum (Panama)
Council for TRIPS	H.E. Dr. Walter Werner (Germany)
Committee on Trade and Development	H.E. Mr. Diego Aulestia (Ecuador)
Committee on Balance-of-Payments Restrictions	H.E. Mr. Claudio de la Puente (Peru)
Committee on Budget, Finance and Administration	H.E. Mr. Juan Aguirre (Paraguay)
Committee on Trade and Environment	H.E. Mrs. Sondang Angraini (Indonesia)
Committee on Regional Trade Agreements	H.E. Mr. Julian Braithwaite (United Kingdom)
Working Group on Trade, Debt and Finance	H.E. Mr. Mohammad Haqjo (Afghanistan)
Working Group on Trade and Transfer of Technology	H.E. Mrs. Sabine Möller (Namibia)

28.3. Concerning the negotiating bodies, the consultations showed that there was consensus on the following appointments:

²⁶ The Chairman's statement at the Informal General Council meeting at the level of Heads of Delegation can be found in Annex 3 of the March General Council Minutes in WT/GC/M/171.

Council for Trade in Services in Special Session

H.E. Mrs. Zhanar Aitzhanova (**Kazakhstan**)

Negotiating Group on Rules

H.E. Mr. Roberto Zapata (**Mexico**)

28.4. The Chairman recalled that they had not finalized the process for the appointment of the Chairperson of the CoA SS. Consultations would need to continue for that particular appointment and he trusted that they could have a decision on that matter without undue delay.²⁷ He then recalled that appointments for the regular bodies would be for one year in keeping with the general rule in the Guidelines. All appointments would be made formally by the WTO bodies concerned at their subsequent meetings in 2018. The General Council took note of the consensus on the slate of names for the appointment of officers in the WTO bodies and of the Chairman's statement.

28.5. The Chairpersons of the CTG and CTS made statements on the consultations on the Chairmanships of their respective subsidiary bodies in accordance with the relevant guidelines. The representative of Chile spoke. The General Council took note of the statements.

28.6. At the July²⁸ meeting, the Chairman announced that he would begin consultations for the vacancies on the Chairmanships of the CTE and CTE SS. The General Council took note of the Chairman's statement.

28.7. At the October²⁹ meeting, the Chairman provided a brief update on the progress in his consultations for the vacancies on the Chairmanships of the CTE and CTE SS. The General Council took note of the Chairman's statement.

28.8. At the December meeting, the Chairman said that in accordance with the Guidelines for the Appointment of Officers to WTO bodies in document WT/L/510 and the practical steps to improve the implementation of the Guidelines (JOB/GC/22), he would be starting the selection process for the appointment of chairpersons to the WTO bodies in Groups 1, 2, 4 and 5 of the Annex to the Guidelines. He also said that the upcoming appointments cycle would include the vacancy in the Chairmanships of the CTE SS and of any other vacancy in the negotiating bodies that could arise and that it would take the vacancy in the Chairmanship of the CTE together with the Chairmanships of the rest of the regular bodies. In accordance with paragraph 7.1(b) of the Guidelines, he would be assisted in the selection process by the serving Chairperson of the Dispute Settlement Body, Ambassador Sunanta Kangvulkij (Thailand). The General Council took note of the statement which had been made pursuant to the Guidelines for the Appointment of Officers.

29 ELECTION OF CHAIRPERSON (WT/GC/M/171)

29.1. At the March meeting, the Chairman, as the outgoing presiding officer of the General Council, made a statement. The General Council then unanimously elected H.E. Ambassador Junichi Ihara (Japan) to the Chair.

29.2. The Director-General, the newly-elected Chairman, and the representatives of Honduras (IGDC), Kenya and Rwanda (African Group) spoke. The General Council took note of the statements.

²⁷ As a result of the consultations, the Chairman, Ambassador Junichi Ihara, subsequently sent a communication on 13 March to all Members informing them that it was his understanding that there was consensus among delegations on the appointment of Ambassador John Ronald Dipchandra Ford (Guyana) as CoA SS Chairperson, and had invited them to submit comments, if any, by 15 March. Since he had received no objections, he confirmed on 16 March that Ambassador Ford would be appointed as the CoA SS Chairman at the Committee's next formal meeting.

²⁸ This item was taken up under "Other Business" at the July meeting.

²⁹ This item was taken up under "Other Business" at the October meeting.