

**Committee on Regional Trade Agreements**

**FURTHER WORK ON SYSTEMIC ISSUES**

Chairman's Guidelines

1. The Terms of Reference of the Committee on Regional Trade Agreements include the task of considering "the systemic implications of such agreements and regional initiatives for the multilateral trading system and the relationship between them, and make appropriate recommendations to the General Council".<sup>1</sup>

2. At its 13<sup>th</sup> Session (September 1997), the Committee agreed to deal with systemic issues under a three-pronged approach, encompassing (i) legal analyses of relevant WTO provisions; (ii) horizontal comparisons of RTAs; and (iii) a debate on the context and economic aspects of RTAs.

3. A recollection of the work performed by the Committee under that mandate is contained in the Secretariat's *Synopsis of "Systemic" Issues Related to Regional Trade Agreements*.<sup>2</sup> In sum, it consisted of the following:

- Consideration of "systemic issues" arising from WTO rules on regional trade agreements (RTAs), with particular emphasis on legal analyses. This has advanced significantly, though some points identified by delegations as requiring scrutiny in this context are still to be thoroughly debated.
- Preliminary consideration, during the 17<sup>th</sup> Session (May 1998),<sup>3</sup> of thematic, horizontal comparisons of RTA provisions, based on the Secretariat's *Inventory of Non-Tariff Provisions in Regional Trade Agreements*.<sup>4</sup>

4. There has scarcely been any exchange of views within the Committee so far on the context and economic aspects of RTAs.

5. In the light of the above, it is proposed that further consideration of systemic issues within the Committee proceed at this stage on the basis of:

- Written submissions by interested delegations under any of the three areas; and
- Background papers by the Secretariat providing the Committee with basic material for a detailed horizontal exploration of the treatment of various policy provisions or measures in RTAs.

---

<sup>1</sup> Document WT/L/127, paragraph 1(d).

<sup>2</sup> Document WT/REG/W/37 (2 March 2000).

<sup>3</sup> Document WT/REG/M/17 (12 June 1998)

<sup>4</sup> Document WT/REG/W/26 (5 May 1998).

6. The Secretariat's papers would consist of thematic surveys of RTA provisions, based on available information, so as to enable the Committee to identify patterns and, whenever appropriate, to compare RTA provisions across the RTA universe and *vis-à-vis* the relevant multilateral disciplines.

7. The Committee will establish priorities for themes to be treated by the Secretariat in its background papers. An illustrative list of possible themes is shown in the Annex.

---

## ANNEX

### Illustrative list of themes for surveys of RTA provisions

The themes below apply to RTAs in both the goods area and the services area, except when specifically noted: (\*) only applicable to RTAs in the area of goods; and (\*\*) only applicable to RTAs in the area of services.

#### **1. Internal trade liberalization**

- i. Coverage and exceptions
- ii. Rules of origin regime (\*)
- iii. Denial-of-benefit rules (\*\*)
- iv. Liberalization process and transitional provisions

#### **2. Trade-regulatory provisions**

- i. Anti-dumping (\*)
- ii. Countervailing duties (\*)
- iii. Technical barriers to trade (\*)
- iv. Sanitary and phytosanitary regulations (\*)
- v. Safeguards (global and intra-RTA)
- vi. Subsidies and state aid

#### **3. Other provisions**

- i. Government procurement
- ii. Intellectual property
- iii. Competition policy
- iv. Investment
- v. Development

#### **4. Institutional framework**

- i. Decision-making
  - ii. Accession
  - iii. Dispute settlement provisions
-