

**Committee on Sanitary and Phytosanitary Measures**

**PROPOSED PROCESS FOR THE THIRD REVIEW OF THE OPERATION AND  
IMPLEMENTATION OF THE AGREEMENT ON THE APPLICATION  
OF SANITARY AND PHYTOSANITARY MEASURES**

Note by the Secretariat<sup>1</sup>

At the Fourth Session of the Ministerial Conference, Ministers instructed the Committee to review the operation and implementation of the SPS Agreement at least once every four years, pursuant to the provisions of Article 12.7 of the Agreement.<sup>2</sup> The Second Review was concluded by the Committee in June 2005 (G/SPS/36). In order to facilitate an efficient review process, the Secretariat, in consultation with the Chairperson, is proposing that the Committee agree to the following procedure. The Committee will be invited to agree on this procedure at its meeting of 8-9 October 2008.

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1. The Review will initially be conducted through open-ended informal meetings of the Committee. The informal meetings will normally be scheduled back-to-back with the regular meetings of the Committee. If necessary, further informal and special meetings of the Committee may be scheduled.
  2. Members will be invited to identify issues for discussion as part of the Review. On the basis of the issues identified, the Chairperson will propose which issues will be considered at each informal meeting of the Committee. For each meeting, Members will be invited to submit papers on the issues proposed for consideration at least 15 days in advance of the meeting.
  3. An item relating to the Review will be included in the agenda of each regular meeting of the Committee during the Review period, at which the Chairperson will present orally a brief factual report on the informal Review process. Upon completion of the informal process, the Chairperson will submit a summary report to the Committee identifying issues discussed and conclusions reached. On the basis of this report, the SPS Committee will consider what further action may be appropriate.
  4. The Review process will be conducted on the basis of the following calendar, recognizing that some of the dates may need to be modified in light of other activities and resource constraints.

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<sup>1</sup> This document has been prepared under the Secretariat's own responsibility and is without prejudice to the positions of Members or to their rights or obligations under the WTO.

<sup>2</sup> Implementation-Related Issues and Concerns, Decision of 14 November 2001, WT/MIN(01)/17, paragraph 3.4.

***Informal and formal meetings of 7-9 October 2008***

- Adoption by the Committee of the procedure for the Third Review
- Initial identification by Members of issues they wish to be considered during the Review

***31 October 2008***

- Circulation by Secretariat of background document

***28 November 2008***

- Submission by Members of any written comments on the background paper prepared by the Secretariat and/or requests for background information on additional specific issues
- Identification by Members of any other issues they wish to be considered during the Review

***9 February 2009***

- Submission by Members of papers on the issues proposed for consideration
- Identification by Members of any further issues for consideration during the Review

***13 February 2009***

- Proposal by Chairperson of the order in which issues will be considered at the informal meeting, in light of the proposals and submissions received
- Circulation by Secretariat of updated background document

***Informal meeting of 23 or 24 February 2009***

- Initial discussions on issues identified

***27 March 2009***

- Submission by Members, in writing, of any further papers on issues proposed for consideration

***24 April 2009***

- Circulation by Secretariat of first draft report on the Third Review

***Informal meeting of 22 or 23 June 2009***

- Discussion of first draft of report
- Identification of issues for further work by the Committee

***25 July 2009***

- Submission of written comments by Members on the draft report of the Review

***25 September 2009***

- Circulation by Secretariat of revised draft report on the Review

***Informal meeting of 12 or 13 October 2009***

- Consideration and, if possible, finalization of the report on the Review

***Formal meeting of 14-15 October 2009***

- Adoption of the report on the Third Review
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