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**Committee on Trade and Development**  
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## IMPLEMENTATION OF URUGUAY ROUND PROVISIONS IN FAVOUR OF DEVELOPING COUNTRY MEMBERS

### Note by the Secretariat

This note compiles information on the implementation of the Uruguay Round results during 1997 provided by the Secretaries of the different WTO Bodies.<sup>1</sup> The information provided below does not cover all the legal instruments resulting from the Uruguay Round for two reasons: not all instruments contain provisions in favour of developing country Members and, second, the information received to date does not cover all relevant WTO Bodies.<sup>2</sup> Also, only those provisions which are action-oriented and are therefore relevant for the review have been included. Provisions contained in the Preamble of the various agreements as well as those in the *Decision on Measures in Favour of Least-Developing Countries* (LDCs) have not been included, as they do not provide for action *per se*, but rather describe the background against which action is to be taken.<sup>3</sup>

In the following, the left-hand column summarizes the action-oriented provisions in favour of LDCs. The right-hand column indicates the relevant information - that is, the extent to which the provision has been implemented. General observations appear as the first entry in the right-hand column (therefore there is no corresponding text in the left-hand column). In turn, if no comments were received with respect to specific provisions, then the right-hand column is blank. Finally, provisions relating to LDCs have been grouped at the end of the commentaries on each of the agreements.

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<sup>1</sup>Document WT/COMTD/W/16 and its two addenda contain information relating to 1996.

<sup>2</sup>Replies received at a later stage will be included in an Addendum to this document.

<sup>3</sup>One exception, however, is the Agreement on Agriculture. For a comprehensive description of all special provisions relating to developing countries see *A Description of the Provisions Relating to Developing Countries in the Uruguay Round Agreements, Legal Instruments and Ministerial Decisions*, COM.TD/W/510, 2 November 1994.

Provision	Implementation
<b>Understanding on Balance-of-Payments Provisions</b>	
Assisting in preparing documentation for the consultations (Para. 12).	During 1997, eight Members, including five developing countries, have held consultations in the Committee. One developing country (Turkey) eliminated BOP measures on 1 January 1997.
<u>For LDCs only</u> Simplified procedures for consultations (Para. 8).	Bangladesh held consultations under simplified procedures. It was determined that full consultations would be desirable and Bangladesh was invited to consider holding such consultations in the autumn of 1998 or, in any case, before May 1999.
<b>Agreement on Agriculture</b>	
	Developing countries are to make notifications on domestic support only every two years; LDCs are to notify annually but the Committee on Agriculture may, upon request, set aside parts of the notification requirements.
	Much technical assistance work with respect to the Agreement has taken place. The Secretariat has provided technical assistance in three main ways: (i) through contacts with delegations and capital-based representatives in Geneva (including in seminar format); (ii) through direct contacts with capital-based officials via telephone and fax, etc.; and (iii) through missions to capitals by staff from the Division. The first two categories, virtually a daily business, cover the broadest range of Members and issues and relate directly to a large variety of specific requests from Members, while the missions have frequently focused on improving the general understanding of the rules and commitments affecting trade in agricultural products and allow the Secretariat to also reach some developing countries and LDCs which are not represented in Geneva.
In implementing their commitments, developed country Members are to take into account the needs of the LDCs (Preamble).	Schedules of developed country Members show commitments of greater-than-average reductions in tariffs on products of interest to LDCs (e.g. average reduction in tropical agricultural products tariffs of 43%) and often their accelerated implementation.

Provision	Implementation
Exclusion of some domestic support policies from the reduction commitments (Art. 6:2).	All developing countries took account of the provision in the establishment of their Schedules. Of the 37 domestic support notifications received from developing countries relating to the 1995 and 1996 implementation years, 27 notifications show recourse to the provision.
Greater <i>de minimis</i> allowance on domestic support (Art. 6:4).	All developing countries took account of the provision in the establishment of their Schedules. Of the 37 domestic support notifications received from developing countries relating to the 1995 and 1996 implementation years, 12 notifications show recourse to the provision.
Lower export subsidy reduction commitments (Art. 9:2(b)(iv)).	
Exclusion of some export subsidies from the reduction commitments (Art. 9:4).	All developing countries took account of the provision in the establishment of their Schedules. Of the 51 export subsidy notifications received from developing countries relating to the 1995 and 1996 implementation years, 9 notifications show recourse to the provision.
The disciplines on export prohibition and restriction only apply to developing countries which are net-exporters of the concerned foodstuff (Art. 12:2).	No developing countries has notified the introduction of such a measure.
Special and differential (S&D) treatment in respect of commitments shall be applied in line with the Agreement and the Schedules (Art. 15).	The Schedules of developing countries and LDCs reflect the flexibility on ceiling bindings, longer implementation period and lower reduction commitments in tariffs, domestic support and export subsidies.
Actions for implementing, and monitoring of the implementation of the Decision on Net-Food Importing Developing Countries (Art. 16).	See pages 19 and 20 of this document.

Provision	Implementation
Consideration of S&D treatment in the negotiations on the continuation of the reform process in agricultural trade (Art. 20(c)).	Following the Singapore Ministerial Conference (SMC), a process of analysis and information exchange has been established as provided for in paragraph 12 of G/L/131 and as agreed by Ministers. <sup>4</sup> The process is being conducted in the form of open-ended informal meetings of the Committee on Agriculture, usually scheduled back-to-back with the formal meetings so as to minimize travel time and costs for capital-based representatives. It has involved all developing countries and many have participated actively in discussions. In September 1997, three developing countries (together) have introduced an informal paper into the process providing for detailed discussions on issues of interest to developing countries.
More flexible criteria and conditions to exempt some domestic support policies from the reduction commitments (Annex 2, paras. 3-4).	All developing countries took account of the provision in the establishment of the Schedules. Several notifications of domestic support measures reflect the use of the provision.
Developing countries have more flexible criteria for deferring tariffication for certain products, and the required market opening in such cases is substantially lower (Annex 5, Section B).	Two Schedules from developing countries reflect recourse to this provision.
<u>For LDCs only</u> No requirement to undertake reduction commitments (Art. 15:2).	Used by all LDCs in the establishment of Schedules.
<b>Agreement on Sanitary and Phytosanitary Measures (SPS)</b>	
A Member shall accept other Members' SPS measures as equivalent if the exporting Member demonstrates that its measures achieve the importing Member's appropriate level of SPS protection (Art. 4:1).	Several developing countries have reported to the SPS Committee that they have entered into consultations with other Members and achieved bilateral recognition of the equivalence of specific SPS measures. Explanation of the equivalency provision is featured in the technical assistance provided by the Secretariat.

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<sup>4</sup>WT/MIN(96)/DEC, paragraph 19.

<b>Provision</b>	<b>Implementation</b>
<p>Recognition of the concepts of pest- or disease-free areas and low pest or disease prevalence (Art. 6:1-3).</p>	<p>With the aim of having their territories (or parts thereof) recognized as pest- or disease-free areas or areas of low pest or disease prevalence, a number of developing countries initiated negotiations and risk assessment procedures with importing Members. Some of these negotiations have been successfully concluded and trade has therefore been facilitated between the Members concerned. The relevant standard-setting bodies have developed guidelines for the recognition of pest- or disease-free areas.</p>
<p>Facilitate the provisions of assistance to help developing countries in complying with trading partners' requirements (Art. 9:1).</p>	<p>Considerable technical assistance has been provided by the Secretariat, both at and from headquarters and in the form of missions to capitals. The Secretariat has organized various regional seminars in cooperation with other international organizations. The Secretariat has also substantially contributed to a number of seminars organized by Members or by other international organizations.</p>
<p>Providing assistance where substantial investments are required for complying with trading partners' requirements (Art. 9:2).</p>	<p>At each meeting of the SPS Committee, Members are invited to identify specific needs for technical assistance, or assistance which they can provide. The Secretariat reports on its recent and scheduled technical assistance, and the observer international organizations provide detailed information of their programmes. The FAO has numerous programmes focusing on meeting multilateral trade requirements, in particular regarding food safety and Codex standards. In the areas of animal and plant health, the relevant standard-setting organizations have also engaged in such technical assistance activities, though on a more limited scale.</p>
<p>Consideration of special needs in the preparation and application of SPS measures (Art. 10:1).</p>	<p>While the implementation of the transparency provisions has been identified as a serious problem for many developing countries, no developing countries has as yet requested any exceptions from the obligations of the Agreement. The Secretariat provides detailed information regarding the transparency provisions as part of its technical assistance, including on the proper completion of notification formats.</p>
<p>Longer time-frames for compliance with new SPS measures (Art. 10:2).</p>	
<p>Specified, time-limited exceptions in whole or in part from obligations under this Agreement may be granted upon request (Art. 10:3).</p>	

<b>Provision</b>	<b>Implementation</b>
Encourage and facilitate developing countries' active participation in international organizations related to SPS regulations (Art 10:4).	Efforts have been made to schedule SPS Committee meetings back-to-back with meetings of the relevant international organizations, to facilitate the participation of developing countries in both. The FAO (both Codex and IPPC) and the OIE regularly hold meetings in developing countries. Furthermore, FAO has sponsored the participation of developing countries in special workshops which are held in conjunction with Codex meetings.
Delayed implementation for some obligations for LDCs (5 years) and for developing countries (2 years) (Art. 14).	Although the transition period for developing countries elapsed at the end of 1996, no specific requests for S&D treatment have been made. Infrastructure shortages with regard to SPS services as well as deficient functioning of national regulatory bodies are among possible problem-causing areas.
Allow a reasonable interval between the publication and entry into force of a SPS regulation (Annex B, para. 2).	
The Secretariat is to draw the attention of developing countries to notifications relating to products of particular interest to them (Annex B, para. 9).	The Secretariat has done so on several occasions
<b>Agreement on Textiles and Clothing</b>	
More favourable growth factor for small exporters, new entrants and possibly LDCs (Art. 1:2, 2:18).	Under Article 2:18, the annual quota growth rates in the quota carried over from the former MFA were advanced by one stage for all exporters falling within the criteria set out in that Article. This covered 12 developing countries (of which 2 LDCs) in Canada, 2 developing countries in the EC and 18 developing countries (of which 1 LDC) in the US.
Some small exporters move ahead one stage in the growth process (Art. 2:18).	
Consideration of particular interests of cotton-producing exporting Members (Art.1:4).	No specific measure bearing reference to this provision has been notified, although some Members have provided notifications with comments on their approach to this provision.
A Member may autonomously eliminate any restrictions <sup>5</sup> (Art. 2:15).	Norway eliminated a number of restrictions as from 1.1.96 which benefit 12 developing country Members.

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<sup>5</sup>May benefit all Members, and not only developing countries/LDCs.

Provision	Implementation
More favourable treatment regarding the application of quota levels, growth rates and flexibility in the transitional safeguard for small suppliers, new entrants and possibly LDCs (Art. 1:2, 6:6(b)).	No information has been provided in notifications of safeguard actions on the extent to which recourse was made to this provision in setting the parameters of such actions.
Special consideration of the export needs of Members dependent on wool exports in the application of quota levels, growth rates and flexibility in the transitional safeguard (Art. 6:6(c)).	No safeguard action involving exports of this category of Member has been notified.
More favourable treatment regarding the transitional safeguard applied on some products exported by Members active in outward-processing trade (Art. 6:6(d))	The US has provided more favourable treatment to these products exported by 6 developing country Members.
No transitional safeguard to be applied on developing country Members' exports of handloom fabrics or certain handmade products of the cottage industry (Annex, para. 3).	No safeguard action involving exports of these categories of products has been notified.
<u>For LDCs only</u> Significantly more favourable treatment regarding the transitional safeguard (Art. 6:6(a)).	No safeguard action involving exports of LDCs has been notified.

**Agreement on Technical Barriers to Trade (TBT)**

Allow a reasonable interval between the publication and entry into force of a technical regulation and requirements concerning conformity assessment procedures (Art. 2:12, 5:9).

The Secretariat is to draw the attention to notifications relating to products of particular interest to developing countries (Art. 10:6).

<b>Provision</b>	<b>Implementation</b>
Advice on the preparation of technical regulations, upon request (Art. 11:1).	According to a formal decision by the TBT Committee, specific needs for technical assistance, as well as information that may be provided by potential donor Members on their technical assistance programmes, may be communicated to Members through the Secretariat and on an informal basis, if so agreed. Members will take into account the provisions of Article 11:8 of the TBT Agreement when considering requests for technical assistance from LDCs. Even if the information was multilateralized in this manner, technical assistance would continue to be provided on a bilateral basis. Technical assistance will remain an item of the agenda of the TBT
Advice and assistance for the establishment of national standardizing bodies and the participation in international standardizing bodies, upon request (Art. 11:2).	Committee on a permanent basis, and would be included in the agenda of a regular meeting of the Committee upon request.
Advice and assistance for the establishment of regulatory bodies or bodies for the assessment of conformity with technical regulations, and on the methods to best meet technical regulations, upon request (Art. 11:3).	Ensuring full implementation of the provisions of the TBT Agreement, especially those in favour of developing and least-developed country Members, is among the issues being examined by the TBT Committee for its first Triennial Review of the Implementation and Administration of the Agreement (Article 15:4). The Triennial Review will be carried out in November 1997.
Advice and assistance for the establishment of bodies for the assessment of conformity with standards, upon request (Art. 11:4).	
Advice and assistance on the steps to be taken to have access to systems for conformity assessment, upon request (Art. 11:5).	



<b>Provision</b>	<b>Implementation</b>
<p>Assistance in ensuring that preparation and application of technical regulations, standards and conformity assessment procedures do not create unnecessary obstacles to exports (Art. 12:7).</p>	<p>In November 1996, the Secretariat, jointly with the International Standards Organization and International Trade Centre, organized a seminar for the Southern African countries on the TBT Agreement and the Rôle of Standards in Trade Promotion. The goal of the seminar was threefold: to provide technical assistance to new Members, to help build human and institutional resources, and to help Member governments, as well as producers and exporters, particularly from developing countries, to benefit fully from the TBT Agreement. A similar seminar took place in August 1997 in Berlin to Eastern European countries. An additional seminar is scheduled for December in New Delhi involving Southern Asian countries.</p>
<p>Consideration of special needs of LDCs in the implementation and operation of the Agreement (Art. 12:2).</p>	<p>The Secretariat is also looking into the possibilities of coordinating its technical assistance activities with Members and other international and regional intergovernmental bodies which are planning to provide technical assistance. In September 1996, the Secretariat participated in a training seminar for ALADI countries on "Standards and the WTO Agreement on TBT, organized by the Organization of American States in September.</p>
<p>Consideration of special needs of LDCs in the preparation and application of technical regulations, standards and conformity assessment procedures (Art. 12:3, 12:9).</p>	
<p>Facilitation of participation of relevant bodies in LDCs in international standardizing bodies and international systems for conformity assessment (Art. 12:5).</p>	
<p>Examination by international standardizing bodies of the possibility of preparing international standards for products of special interest to LDCs, upon request (Art. 12:6).</p>	
<p>Periodical examination of the special and differential treatment provided to LDCs (Art. 12:10).</p>	<p>The TBT Committee has conducted this periodical examination at its meeting of 16 October 1996.</p>

<b>Provision</b>	<b>Implementation</b>
<b>Agreement on Trade Related Investment Measures (TRIMs)</b>	
Exceptions for LDCs from the prohibition of TRIMs contained in Article 2 (Art. 4).	This provision does not call for any action on the part of the TRIMs Committee.
Members are required to notify any existing TRIMs which are inconsistent with the Agreement within a period of ninety days after the entry into force of the WTO Agreement (Art. 5:1).	For states and separate customs territories eligible to become original Members of WTO that acceded to the WTO after the entry into force of the WTO Agreement, the General Council adopted, in April 1995, a recommendation stating that the 90 days period would start from the date of their acceptance of the WTO Agreement.
Transition period for the elimination of TRIMs inconsistent with the Agreement extended from 2 years (for developed country Members) to 5 years for developing country Members and to 7 years LDCs (Art. 5:2).	Out of the 25 Members who have made notifications of measures under Art. 5:1 - therefore being able to benefit from the transition periods - 22 are developing country Members and 1 is an LDC.
The Council for Trade in Goods may extend the transition periods upon request by a developing country Member or a LDC (Art. 5:3).	The issue of the possible extension of transition periods by the Council for Trade in Goods has not yet arisen.
<b>Agreement on Anti-Dumping</b>	
	The Ad Hoc Group on Implementation is addressing practical issues involved in anti-dumping investigations, and how different Members approach resolving those questions. This is likely to be of significant benefit in assisting Members, and particularly developing country Members and new users of anti-dumping measures, in understanding and implementing the Agreement.
	The Secretariat has an active programme of workshops and training. A number of Members have provided technical assistance and training in areas relevant to the operation of the Agreement. The Committee has expressed encouragement and support for these efforts.
Special regard to special situation of developing countries when considering the application of anti-dumping measures (Art. 15).	Some of the anti-dumping legislation and regulations reviewed by the Committee reflect this provision. In the context of the review of notifications of anti-dumping actions, no developing country has raised a question concerning the application of this provision.

Provision	Implementation
Exploring constructive remedies before applying anti-dumping duties (Art. 15).	Some of the anti-dumping legislation and regulations reviewed by the Committee reflect this provision. In the context of the review of notifications of anti-dumping actions, no developing country has raised a question concerning the application of this provision.
<b>Agreement on Customs Valuation</b>	
Delayed application of the provisions of the Agreement (Art. 20:1).	Invoked by 49 developing countries (of which 10 LDCs).
Delayed application of the computed value method (Art. 20:2).	Invoked by 44 developing countries (of which 8 LDCs).
Technical assistance in general, upon request (Art. 20:3).	The World Customs Organization (WCO) is conducting an extensive programme of technical assistance.
Reservation concerning minimum values (Annex III, para. 2).	Invoked by 28 developing countries (of which 6 LDCs).
Reservation concerning reversal of sequential order of Art. 5 and 6 (Annex III, para. 3).	Invoked by 44 developing countries (of which 8 LDCs).
Reservation concerning application of Art. 5:2 whether or not the importer so requests (Annex III, para. 4).	Invoked by 43 developing countries (of which 7 LDCs).
Upon request, preparation of a study on the problem regarding the non-inclusion in the customs value of special discounts and commissions obtained by sole agents, sole concessionaires and sole distributors, (Annex III, para. 5).	
Preparation by the WCO of studies in areas of potential concern to developing countries (Text 2 of the Decision relating to the Agreement).	The Technical Committee of the WCO finalized its consideration of a draft case study related to an importation by a sole distributor.
<b>Agreement on Import Licensing Procedures</b>	
Consideration of developing countries' economic development purposes and financial and trade needs to prevent trade distortions arising from an inappropriate operation of administrative procedures used to implement import licensing régimes (Art. 1:2).	
Upon invocation, delay by a maximum of two years of the implementation of some obligations related to automatic licensing (Art. 2:2 and Footnote 5).	24 developing countries (including 3 LDCs) have invoked this provision.

Provision	Implementation
<p>Better treatment in the allocation of quotas administered through an import licensing system when it concerns products originating in developing countries and in particular LDCs (Art. 3:5(j)).</p>	
<p><b>Agreement on Subsidies and Countervailing Measures</b></p>	
	<p>The Secretariat and a number of Members have provided technical assistance and training in areas relevant to the operation of the Agreement. The Committee has expressed encouragement and support for these efforts.</p>
<p>Developing country Members are entitled to transition periods or are exempted from the prohibition of export subsidies and subsidies contingent on the use of domestic over imported goods (Art. 27:2)</p>	<p>Numerous developing country Members have invoked this S&amp;D when notifying pursuant to Article 25.</p>
<p>When the GNP per capita of an Annex VII(b) country reaches US\$ 1,000 per annum, such Member becomes subject to the prohibition of granting export subsidies (Art. 27:2).</p>	<p>The Committee on Subsidies took note that the GNP per capita per annum of 3 developing countries listed in Annex VII(b) have exceeded this figure.</p>
<p>More favourable dispute resolution during the transition period (Art. 27:7).</p>	
<p>Developing country Members are not subject to the Article 6:1 presumption of serious prejudice. Rather, there must be a positive demonstration that Article 6:1 subsidies provided by a developing country Members are causing serious prejudice (Art. 27:8).</p>	
<p>Limitations on serious prejudice cases regarding developing country Members' subsidies (Art. 27:9).</p>	
<p>Application of defined threshold for classifying the volume of subsidized imports as negligible, and more favourable threshold for classifying the level of subsidization as <i>de minimis</i> (Art. 27:10, 27:11).</p>	<p>Some of the countervailing duty legislation and regulations reviewed by the Committee include provisions relating to such favourable treatment.</p>
<p>No actionability under multilateral rules of direct forgiveness of debt and certain other subsidies in the context of a privatization programme (Art. 27:13).</p>	<p>The Committee received and discussed one notification made pursuant to this provision.</p>
<p>Review of the consistency of a Member's countervailing measure with special and differential treatment, upon request (Art. 27:15).</p>	

<b>Provision</b>	<b>Implementation</b>
<b>Agreement on Safeguards</b>	
Developing countries' exports are to be exempted from safeguard measures provided they remain below a certain threshold (Art. 9:1).	The WTO Secretariat and a number of Members have provided technical assistance and training in areas relevant to the operation of the Agreement. The Committee on Safeguards has expressed encouragement and support for these efforts.
Developing countries may apply safeguard measures for longer time periods and re-impose them after shorter periods (Art. 9:2).	The following Members have applied safeguard measures pursuant to the Agreement: Brazil, Korea and the United States. Each of these Members has notified regarding the exemption of developing countries' exports which are below the specified threshold. Other Members' legislation and regulations reviewed by the Committee also reflect this provision.
<b>TRIPS Agreement</b>	
Transition period for developing countries (Art. 65:2 and 65:4) and for LDCs (Art. 66:1).	Because the safeguard measures which have been applied to date are in their initial period of application (where the Agreement provides no S&D treatment for developing countries) this provision remains unused for the time being. Some of the safeguard legislation and regulations reviewed by the Committee reflect this provision.
	While these transition periods apply automatically and no notification is required, some Members have indicated to the TRIPS Council their intentions with respect to the transition periods.

<b>Provision</b>	<b>Implementation</b>
<p>Developed country Members are to provide technical and financial cooperation in favour of developing countries and LDCs, upon request (Art. 67).</p>	<p>Technical cooperation has been a prominent issue in the TRIPS Council and on the agenda of all regular meetings of the Council. In order to ensure that information on available assistance is readily accessible and to facilitate the monitoring of compliance with the obligation of Article 67, developed country Members have agreed to present descriptions of their relevant technical and financial cooperation programmes and to update this annually. For the sake of transparency, intergovernmental organizations have also presented, on the invitation of the Council, information on their activities. In addition, the WTO Secretariat has provided information on its technical cooperation in the TRIPS area. (For the information provided in 1996, see documents IP/C/W/34-36 and addenda.) This year, the information will be updated in time for the Council's meeting in September, which is to have a special focus on technical cooperation. (The information will be circulated in IP/C/W/-series of documents.) Developing countries have been encouraged to indicate their technical cooperation needs to the Council. Developed country Members have agreed to notify contact points in their administrations for technical cooperation on TRIPS (see document IP/N/7, revisions and addenda). In addition, the Secretariat has organized, jointly with the International Bureau of WIPO, two workshops on specific aspects of technical cooperation. The purpose of these workshops, which were organized in conjunction with the sessions of the Council, was to enable an exchange of views on technical cooperation needs and experiences related to the implementation of the TRIPS Agreement. Furthermore, the Agreement between the WIPO and the WTO (in force since 1.1.96) provides for cooperation between the two organizations in the areas of legal-technical assistance and technical cooperation relating to the TRIPS Agreement, including the requirement that the International Bureau of WIPO make available to developing countries Members of the WTO, but not of WIPO, the same legal-technical assistance relating to the TRIPS Agreement as it makes available to Member States of WIPO which are developing countries (the WTO Secretariat is required to reciprocate). Pursuant to this, the two Secretariats cooperate regularly in their technical cooperation activities.</p>

Provision	Implementation
<p><u>For LDCs only</u> Incentives to enterprises and institutions in developed country Members territories for the purpose of promoting and encouraging technology transfer to LDCs(Art. 66:2).</p>	<p>Implementation of this provision has not yet been addressed in the TRIPS Council.</p>
<p><b>Dispute Settlement Understanding (DSU)</b></p>	
<p>Special attention to developing country Members' particular problems and interests during consultations (Art. 4:10).</p>	<p>The Secretariat is usually not involved in bilateral consultations between Members under the DSU and it has no specific information on how this provision has been implemented by Members. No LDCs have been involved in disputes as complainants or respondents, or as third parties in panel proceedings.</p>
<p>In disputes between a developing and a developed country Member, the inclusion , upon request, of at least one panellist from a developing country Member in the panel (Art. 8:10).</p>	<p>The Secretariat does not systematically keep records of such requests. The Secretariat knows of no case where a request for a developing-country panelist has not been satisfied. Out of the 12 disputes involving a developing country Member, 10 panels include a panelist from a developing country Member.</p>
<p>Possible extension of periods for consultations, agreed by parties or decided by Chairman of Dispute Settlement Body (DSB), in disputes involving a measure taken by a developing country Member (Art. 12:10).</p>	<p>The Chairman of the DSB has not formally acted under this provision. The Secretariat knows of no specific agreement between Members based on this provision. It should be noted, however, that most panel requests are made more than 60 days after the start of the consultation period.</p>
<p>In cases where the defendant party is a developing country Member, sufficient time is accorded to prepare and present argumentation before the panel (Art. 12:10).</p>	<p>The time periods for submission of material are normally agreed by consensus. This provision has been cited in discussing such time periods, but panels have not made specific rulings based on it.</p>
<p>In disputes where one or more Members is a developing country Member, explicit indication is made in the panel report of how S&amp;D provisions raised were considered (Art. 12:11).</p>	<p>To date, no panel report has cited this provision in either the "Findings" section or in the description of the parties' arguments.</p>
<p>In cases of matters affecting the interests of developing country Members, particular attention is paid in the surveillance of the implementation of recommendations or rulings (Art. 21:2).</p>	<p>To the knowledge of the Secretariat this provision has not been cited by developing country Members. Only one adopted panel report involving developing country Members has not yet been implemented.</p>
<p>In cases brought by developing country Members, consideration of what further action might be taken (Art. 21:7 and 21:8).</p>	<p>To the knowledge of the Secretariat this provision has not been cited by developing country Members. Only one adopted panel report involving developing country Members has not yet been implemented.</p>

<b>Provision</b>	<b>Implementation</b>
<p>In disputes involving a measure taken by a LDC, particular consideration is given to the special situation of the LDC at all stages of the dispute (Art. 24:1).</p>	<p>LDCs have not been involved in dispute settlement proceedings to date.</p>
<p>In disputes involving a measure taken by a LDC, due restraint is exercised in using the dispute settlement mechanism (Art. 24:1).</p>	<p>The Secretariat is usually not involved in bilateral consultations between Members under the DSU and it has no specific information on how this provision has been implemented by Members. No LDCs have been involved in disputes as complainants or respondents, or as third parties in panel proceedings.</p>
<p>The WTO Secretariat is to provide qualified legal advice and assistance to developing country Members in the event of a dispute (Art. 27:2).</p>	<p>The Technical Cooperation and Training Division employs two consultants, who are each available one day a week and who provide such advice. Occasionally, others are hired to provide advice in a specific dispute.</p>
<p><b>Trade Policy Review Mechanism</b></p>	<p>Reviews of seven developing countries, including one least developed country (LDC) are being held during 1997. By end-1997, reviews will have been held for 61 Members (counting the EU as one), including 41 developing countries of which 4 are LDCs (Benin, Bangladesh, Uganda and Zambia); 17 Members have been reviewed twice or more.</p>
<p>Some flexibility might be needed by LDCs in compiling their reports (Section D).</p>	<p>The 1998 programme will add 11 Members which have not previously been reviewed, including 6 LDCs (Burkina Faso, Guinea, Lesotho, Mali, Solomon Islands and Togo). On present WTO membership, 46 Members, including 19 LDCs, will then remain to be reviewed.</p>
<p>Assistance in the compilation of national reports, upon request (Section D).</p>	<p>The Secretariat continues to provide technical assistance on request for Members under review.</p>
<p><b>Decision on Measures in Favour of LDCs</b></p>	<p>Extended time period to present Schedules of Concessions and Commitments (Para. 1).</p> <p>Regular reviews for ensuring expeditious implementation of all special and differential measures (Para. 2(i)).</p> <p>This document has been prepared as part of such an exercise.</p>



Provision	Implementation
Autonomous implementation, in advance and without staging, of Uruguay Round concessions on tariffs and non-tariff measures (Para. 2(ii)).	At the occasion of the High-Level Meeting on Integrated Initiatives for Least-Developed Countries' Trade Development held on 27-28 October 1997, Canada offered the acceleration to 1998 of most of its Uruguay Round tariff reductions currently scheduled for implementation on 1 January 1999.
Consideration of improving preferential treatment (Para. 2(ii)).	At the occasion of the High-Level Meeting (mentioned above), a number of Members, both developed and developing, made announcements of new or additional preferential market access measures for least-developed countries taken or proposed to be taken soon.
Special consideration of export interests when applying import restrictions (Para.2(iv)).	
Increased technical assistance in developing, strengthening and diversifying production and export bases including those of services (Para. 2(v)).	The High Level Meeting (mentioned above) endorsed the "Integrated Framework for Trade-related Technical Assistance, including for Human and Institutional Capacity-Building, to Support Least-developed Countries in Their Trade and Trade-related Activities" (WT/LDC/HL/1/Rev.1). The Framework seeks to increase the benefits that least-developed countries derive from the trade-related technical assistance available to them from the six organizations involved in designing this Framework: ITC, IMF, UNCTAD, UNDP, World Bank and WTO, as well as from other multilateral, regional and bilateral sources.

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Provision	Implementation
<p>The problems of the LDCs shall be kept under continuous review and continuous efforts shall be made to adopt positive measures which facilitate the expansion of their trading opportunities (paragraph 3).</p>	<p>Pursuant to the mandate received from the WTO Ministerial Conference in Singapore, the High-Level Meeting on Integrated Initiatives for Least-developed Countries' Trade Development took place on 27 and 28 October in WTO. It was being organized with the support and active participation of the Secretariats of UNCTAD, ITC and UNDP, and the staff of the IMF and the World Bank. The main objectives of this Meeting were to enable Members to announce improved market access for least-developed countries, and to endorse the Integrated Framework for Trade-Related Technical assistance, (both mentioned above). The Meeting encouraged all WTO members to keep under active review all options for improving market access for least-developed countries presented in the Comprehensive and Integrated WTO Plan of Actions for Least-developed Countries and to monitor the implementation of the commitments made in this regard. The Meeting also recommended to the WTO that a full report on the outcome and follow-up of the Meeting and announcements of implementation of autonomous market access measures and commitments in favour of least developed countries be prepared by the Director-General of the WTO and submitted to the WTO Ministerial Conference in May 1998.</p>

Provision	Implementation
<b>Decision Relating to LDCs and Net Food-Importing Developing Countries (NFICs)</b>	
	<p>The follow-up of the Decision has represented an important part of the work of the Committee on Agriculture. Agreement was found on a number of elements related to the Decision. That is, (i) an annual review (November) of the implementation of the Decision; (ii) notification requirements, notably for developed country Members, for actions taken under the Decision; (iii) the establishment of a WTO list of NFICs, which comprises currently the 48 LDCs as defined by the United Nations and 18 LDC Members. In addition to the annual reviews of the Decision in the Committee on Agriculture which were undertaken, <i>inter alia</i>, on the basis of some 20 notifications received from Members on the subject, the Committee made specific recommendations to the Singapore Ministerial Conference (SMC) which were adopted. The recommendations, which are set out below, have been followed-up in the relevant bodies and monitored within the Committee on Agriculture.</p>
<p>Periodical review of the level of food aid (Para. 3(i)).</p>	<p>The SMC agreed that, in anticipation of the expiry of the current Food Aid Convention (FAC) in June 1998 and in preparation for the renegotiation of the FAC, action be initiated in 1997 within the framework of the FAC, under arrangements for participation by all interested countries and by relevant international organizations as appropriate, to develop recommendations with a view towards establishing a level of food aid commitments, covering as wide a range of donors and donable foodstuffs as possible, which is sufficient to meet the legitimate needs of developing countries during the reform programme. In response, several meetings have taken place within the framework of the FAC. The process is ongoing. The Committee on Agriculture continues its monitoring role.</p>
<p>Adoption of guidelines to ensure that an increasing proportion of basic foodstuffs is provided (Para. 3(ii)).</p>	<p>It was agreed that the recommendations referred to above should include guidelines to ensure that an increasing proportion of food aid is provided to least-developed and net food-importing developing countries in fully grant form and/or on appropriate concessional terms in line with Article IV of the current FAC, as well as means to improve the effectiveness and positive impact of food aid.</p>

<b>Provision</b>	<b>Implementation</b>
Consideration to requests for the provision of technical and financial assistance to improve agricultural productivity and infrastructure (Para. 3(iii)).	Ministers also called on developed country WTO Members to continue to give full consideration in the context of their aid programmes to requests for the provision of technical and financial assistance in this light.
Ensuring that any agreement relating to agricultural export credits makes appropriate provision for differential treatment (Para. 4).	Ministers reaffirmed the commitment at the SMC.
Possibility of drawing on the resources of international financial institutions in cases of short-term difficulties in financing normal levels of commercial imports (Para. 5).	At the SMC it was agreed that WTO Members, in their individual capacity as members of relevant international financial institutions, take appropriate steps to encourage the institutions concerned, through their respective governing bodies, to further consider the scope for establishing new facilities or enhancing existing facilities for developing countries experiencing Uruguay Round-related difficulties in financing normal levels of commercial imports of basic foodstuffs.
<p><u>For LDCs only</u> Establishing a level of food aid commitments sufficient to meet legitimate needs during the reform programme (Para. 3(i)).</p>	
<b>Decision on Notification Procedures</b>	
Some developing countries may need technical assistance in meeting their notification (Part III).	The WTO Secretariat has prepared a practical handbook on notification obligations.