

WORLD TRADE ORGANIZATION

G/SCM/23
30 July 1999

(99-3233)

Committee on Subsidies and Countervailing Measures

NOTE BY THE SECRETARIAT

Background and technical explanation

This paper has been prepared in response to the Committee's request at the 14 June 1999 informal consultations for a factual report on compliance with the annual notification obligations under Article 25 of the Agreement.

The attached table shows, by notifying Member, the dates of submission¹ of each notification due (two new and full notifications and three updates) since the entry into force of the WTO Agreements. Nil notifications are identified as such.

Where a single notification covers more than one period, and thus carries multiple document symbols, the date of submission appears in the table only once, and a range of symbols is used to indicate all of the periods covered by that notification. These symbols are explained in a series of notes at the end of the table. The symbol "NS" indicates that no notification has been submitted by the Member for the relevant period. Only those Members that have made at least one subsidy notification to date are included in the table.

The following Members have not made any subsidy notifications: **Angola, Bangladesh, Barbados, Belize, Burundi, Central African Republic, Chad, Congo, Democratic Republic of Congo, Djibouti, El Salvador, Gabon, Grenada (22.02.96), Guinea Bissau, Republic of Guinea, Guyana, Haiti, Jamaica, Kenya, Kuwait, Kyrgyz Republic (20.12.98), Lesotho, Madagascar, Malawi, Maldives, Mali, Malta, Mauritania, Mongolia (29.01.97), Mozambique, Myanmar, Niger, Papua New Guinea (09.06.96), Rwanda, St. Lucia, St Vincent and Grenadines, Sierra Leone, Solomon Islands (26.07.96), Tanzania, Togo.** For those Members that are not original WTO Members, the dates of entry into force are indicated in parentheses.

Analysis

A number of conclusions can be drawn from the table, regarding compliance with both the new and full notification obligations and the updating notification obligations.

New and full notifications

- Compliance with the triennial obligation to provide a new and full subsidy notification is low, in terms of both the number of Members submitting notifications and the timeliness of those notifications.

¹ In the few cases where the date of submission does not appear in the notification, the date of circulation is shown instead.

- For 1995, only 70 of 119 Members (counting the EC as a single Member) have submitted a new and full notification.
- Of these 70 notifications, 58 were submitted after the 30 June 1995 due date.² The tardiness of these notifications ranged from two weeks to 48 months, with an average tardiness of 14 months.
- For the 1998 new and full notifications, the submission rate was halved, with just 35 notifications submitted, or fewer than one-third of those due.
- Thirty-two of these notifications were submitted after the 30 June 1998 due date.³ The tardiness of these notifications ranged from a few days to 18 months, with an average tardiness of 5 months.

Updating notifications

- Compliance for updating notifications is considerably lower than for the new and full notifications. The number of Members submitting such notifications has consistently been far less than the number submitting new and full notifications, and has declined significantly in each update period. The vast majority of such notifications have been submitted after the due date.
- In addition, updating notifications very frequently are in combined notifications covering more than one period. Thus, in practice these notifications do not provide up-to-date information, on an annual basis, regarding changes since the most recent new and full notification, as envisioned in the Agreement.
- Only 50 updating notifications for 1996 were received, only two of which were submitted by 30 June 1996.⁴
- Only 37 updating notifications for 1997 were received, only four of which were submitted by 30 June 1997.
- Only 10 updating notifications for 1999 have been received to date, eight of which were submitted by 30 June 1999.
- Thus, only 97 of the approximately 357 updating notifications⁵ due to date have been submitted, slightly more than 25 per cent compliance. Of these 97, only 15 were submitted by the respective 30 June deadlines.
- Of the 97 updating notifications, 50 have been in combined notifications covering more than one period, and thus have been submitted much less frequently than the required annual basis.

² One Member submitting a 1995 new and full notification became a Member after 30 June 1995. This notification has not been included in the calculation of average tardiness.

³ One Member submitting a 1998 new and full notification became a Member after 30 June 1998. This notification has not been included in the calculation of average tardiness.

⁴ One Member submitting a 1996 updating notification became a Member after 30 June 1996.

⁵ Based on an assumed constant WTO membership of 119 (counting the EC as a single Member) since 30 June 1996, when the first updating notification was due.

Annual Notifications
Under Article 25 of the Agreement on Subsidies and Countervailing Measures
30 June 1995-30 June 1998

(by notifying Member and date submitted)

Notifying Member (dates of entry into force for non-original Members ¹)	1995 New and Full (due 30 June 1995) G/SCM/N/3/...	1996 Updating (due 30 June 1996) G/SCM/N/16/...	1997 Updating (due 30 June 1997) G/SCM/N/25/...	1998 New and Full (due 30 June 1998) G/SCM/N/38/...	1999 Updating (due 30 June 1999) G/SCM/N/48/...
Antigua and Barbuda	09.05.97 Nil NF(95)+U(96)	*	NS	NS	NS
Argentina	26.02.96 Suppl.1: 16.07.97	NS	NS	27.10.98	25.06.99
Australia	07.08.95	10.07.96	02.07.97	NS	NS
Bahrain	07.07.97 NF(95)+U(96)+U(97)	*	*	NS	NS
Benin	NS	NS	NS	09.09.98 Nil	NS

Notifying Member (dates of entry into force for non-original Members ¹)	1995 New and Full (due 30 June 1995) G/SCM/N/3/...	1996 Updating (due 30 June 1996) G/SCM/N/16/...	1997 Updating (due 30 June 1997) G/SCM/N/25/...	1998 New and Full (due 30 June 1998) G/SCM/N/38/...	1999 Updating (due 30 June 1999) G/SCM/N/48/...
Bolivia	09.11.95 Nil	***	23.03.98 Nil U(96)+U(97)	NS	NS
Botswana	20.11.95 Nil	NS	NS	NS	NS
Brazil	22.02.96	30.06.96 Suppl.1: 17.01.97	NS	NS	NS
Brunei Darussalam	14.11.96 Nil NF(95)+U(96)	*	NS	NS	NS
Bulgaria (01.12.96)	20.03.97 NF(95)+U(96)	*	NS	NS	NS
Burkina Faso	08.09.97 Nil NF(95)+U(96)+U(97)	*	*	NS	NS
Cameroon	18.11.96 NF(95)+U(96)	*	NS	NS	NS
Canada	02.05.95 Rev.1: 23.01.96	18.04.97	22.10.97	30.04.99	NS

Notifying Member (dates of entry into force for non-original Members ¹)	1995 New and Full (due 30 June 1995) G/SCM/N/3/...	1996 Updating (due 30 June 1996) G/SCM/N/16/...	1997 Updating (due 30 June 1997) G/SCM/N/25/...	1998 New and Full (due 30 June 1998) G/SCM/N/38/...	1999 Updating (due 30 June 1999) G/SCM/N/48/...
Chile	21.10.96 Corr.1: 22.11.96 NF(95)+U(96)	*	05.09.97	29.07.98	NS
Colombia	30.06.95 Suppl.1: 09.08.95 Suppl.2: 10.07.97 Corr.1: 10.07.97	10.07.97 Suppl.1: 10.07.97	10.07.97 Suppl.1: 10.07.97	NS	NS
Costa Rica	18.08.95	17.03.98	17.03.98	25.02.99	NS
Côte d'Ivoire	23.07.96 Nil	***	03.06.97 U(96)+U(97)	NS	NS
Cuba	05.05.97 Nil NF(95)+U(96)	*	24.09.97 Nil	NS	NS
Cyprus	01.11. 96 NF(95)+U(96)	*	NS	NS	NS
Czech Republic	28.11.95	22.07.97	NS	NS	NS
Dominica	NS	NS	NS	28.10.98 Nil	NS

Notifying Member (dates of entry into force for non-original Members ¹)	1995 New and Full (due 30 June 1995) G/SCM/N/3/...	1996 Updating (due 30 June 1996) G/SCM/N/16/...	1997 Updating (due 30 June 1997) G/SCM/N/25/...	1998 New and Full (due 30 June 1998) G/SCM/N/38/...	1999 Updating (due 30 June 1999) G/SCM/N/48/...
Dominican Republic	08.03.96 Nil	NS	NS	NS	NS
Ecuador (21.01.96)	NS	NS	NS	29.03.99 Nil	NS
Egypt	NS	NS	NS	29.04.99	NS
European Communities	18.11.95	23.10.96 Suppl.1: 23.10.96 Suppl.2: 05.05.97	18.09.97 Corr.1: 20.03.98 Suppl.1: 22.10.98	08.07.98 Add.1 to 15: 28.12.98 Add.12/Rev.1: 08.01.99	NS
Fiji	14.02.97 NF(95)+U(96)	*	NS	NS	NS
Gambia	31.10.97 NF(95)+U(96)+U(97)	*	*	24.02.99 NF(98)+U(99)	**
Ghana	16.09.96 Nil	NS	NS	28.04.99 Nil	NS
Guatemala	21.12.98 Nil NF(95)+U(96)+U(97)+ NF(98)	*	*	*	30.06.99 Nil
Honduras	20.12.95 Nil	NS	NS	NS	NS

Notifying Member (dates of entry into force for non-original Members ¹)	1995 New and Full (due 30 June 1995) G/SCM/N/3/...	1996 Updating (due 30 June 1996) G/SCM/N/16/...	1997 Updating (due 30 June 1997) G/SCM/N/25/...	1998 New and Full (due 30 June 1998) G/SCM/N/38/...	1999 Updating (due 30 June 1999) G/SCM/N/48/...
Hong Kong, China	09.10.95 Nil	05.06.96 Nil	30.06.97 Nil	26.05.98 Nil	22.03.99 Nil
Hungary	30.06.95 Suppl.1: 07.06.96	NS	NS	NS	NS
Iceland	22.10.96 NF(95)+U(96)	*	**	19.11.98 NF(98)+U(97)	14.06.99
India	30.06.95 Suppl.1: 14.09.95 Suppl.2: 19.11.96	NS	NS	06.05.99	NS
Indonesia	30.06.95	28.10.96 Suppl.1: 25.02.98	NS	NS	NS
Israel	26.10.96 Corr.1: 11.02.97 NF(95)+U(96)	*	NS	NS	NS
Japan	17.07.95 Rev.1: 11.08.95 Rev.1/Corr.1: 23.08.95 Rev.1/Suppl.1: 09.04.96	28.08.96 Suppl.1: 30.04.97	07.10.97 Suppl.1: 24.11.97	29.07.98 Suppl.1: 09.09.98	NS
Korea	30.06.95 Rev.1: 25.04.96	12.11.96	10.06.97	30.06.98	12.07.99

Notifying Member (dates of entry into force for non-original Members ¹)	1995 New and Full (due 30 June 1995) G/SCM/N/3/...	1996 Updating (due 30 June 1996) G/SCM/N/16/...	1997 Updating (due 30 June 1997) G/SCM/N/25/...	1998 New and Full (due 30 June 1998) G/SCM/N/38/...	1999 Updating (due 30 June 1999) G/SCM/N/48/...
Latvia (10.02.99)	NS	NS	NS	04.03.99	NS
Liechtenstein	05.12.95 Nil	01.11.96 Nil	11.07.97 Nil	02.07.98 Nil	26.07.99 Nil
Macau	16.06.98 Nil NF(95)+U(96)+U(97)	*	*	NS	NS
Malaysia	30.06.95	NS	NS	NS	NS
Mauritius	20.03.95 Nil	NS	NS	NS	NS
Mexico	18.10.96	**	**	19.10.98 NF(98)+U(96)+U(97)	NS
Morocco	01.05.96 Nil	NS	NS	NS	NS
Namibia	11.06.99 NF(95)+U(96)+U(97) + NF(98)+U(99)	*	*	*	*
New Zealand	30.06.95 Nil	27.08.96 Nil	30.06.97 Nil	20.10.98 Nil	NS

Notifying Member (dates of entry into force for non-original Members ¹)	1995 New and Full (due 30 June 1995) G/SCM/N/3/...	1996 Updating (due 30 June 1996) G/SCM/N/16/...	1997 Updating (due 30 June 1997) G/SCM/N/25/...	1998 New and Full (due 30 June 1998) G/SCM/N/38/...	1999 Updating (due 30 June 1999) G/SCM/N/48/...
Nicaragua	30.06.95 Nil	NS	NS	NS	NS
Nigeria	17.07.96	16.02.98	NS	NS	NS
Norway	11.07.95 Corr.1: 25.09.95	15.10.96	17.10.97	10.08.98	NS
Pakistan	14.10.96	NS	NS	NS	NS
Panama (06.09.97)	NS	NS	NS	29.10.98	NS
Paraguay	NS	NS	NS	26.05.98 Nil	NS
Peru	28.06.96 Nil	NS	NS	NS	NS
Philippines	04.04.96	***	09.09.97 Nil U(96)+U(97)	NS	NS
Poland	26.11.96 NF(95)+U(96)	*	26.02.98	30.04.99	NS

Notifying Member (dates of entry into force for non-original Members ¹)	1995 New and Full (due 30 June 1995) G/SCM/N/3/...	1996 Updating (due 30 June 1996) G/SCM/N/16/...	1997 Updating (due 30 June 1997) G/SCM/N/25/...	1998 New and Full (due 30 June 1998) G/SCM/N/38/...	1999 Updating (due 30 June 1999) G/SCM/N/48/...
Qatar (13.01.96)	NS	NS	NS	11.03.99 Nil	NS
Romania	14.10.96	14.10.96 Suppl.1: 23.12.96	NS	NS	NS
St. Kitts and Nevis (21.02.96)	NS	NS	NS	17.07.98 Nil	NS
Senegal	20.01.97 Suppl.1: 22.10.97 NF(95)+U(96)	*	22.10.97	NS	NS
Singapore	01.12.95 Rev.1: 26.01.96 Nil	28.10.96 Nil	03.07.97 Nil	09.11.98 Nil	29.06.99 Nil
Slovak Republic	18.12.95 Suppl.1: 04.06.96	NS	NS	NS	NS
Slovenia	14.10.96	***	18.07.97 U(96)+U(97)	18.12.98	NS
South Africa	18.06.97 NF(95)+U(96)+U(97)	*	*	NS	NS
Sri Lanka	22.10.96 Corr.1: 18.02.97	NS	NS	NS	NS

Notifying Member (dates of entry into force for non-original Members ¹)	1995 New and Full (due 30 June 1995) G/SCM/N/3/...	1996 Updating (due 30 June 1996) G/SCM/N/16/...	1997 Updating (due 30 June 1997) G/SCM/N/25/...	1998 New and Full (due 30 June 1998) G/SCM/N/38/...	1999 Updating (due 30 June 1999) G/SCM/N/48/...
Suriname	19.09.95 Nil	NS	NS	NS	NS
Swaziland	19.01.96 Nil	NS	NS	NS	NS
Switzerland	25.09.95 Suppl.1: 09.09.96	***	16.09.97 U(96)+U(97)	02.07.98 Corr.1: 01.09.98	30.06.99
Thailand	30.06.95	15.07.96	17.03.98	13.04.99	NS
Trinidad and Tobago	23.11.95 Nil	NS	NS	NS	NS
Tunisia	20.10.97 NF(95)+U(96)+U(97)	*	*	NS	NS
Turkey	12.07.95 Corr.1: 06.11.95 Corr.2: 18.12.95	***	09.07.98 U(96)+U(97)	09.07.98 Suppl.1: 26.08.98 Suppl.1/Rev.1: 24.02.99	NS
Uganda	16.08.96 Nil	NS	NS	NS	NS
United Arab Emirates (10.04.96)	11.08.97 Nil NF(95)+U(96)+U(97)	*	*	NS	NS

Notifying Member (dates of entry into force for non-original Members ¹)	1995 New and Full (due 30 June 1995) G/SCM/N/3/...	1996 Updating (due 30 June 1996) G/SCM/N/16/...	1997 Updating (due 30 June 1997) G/SCM/N/25/...	1998 New and Full (due 30 June 1998) G/SCM/N/38/...	1999 Updating (due 30 June 1999) G/SCM/N/48/...
United States	07.03.96 Corr.1: 07.06.96 Suppl.1: 02.11.98	17.09.97 Suppl.1: 02.11.98	29.04.98 Suppl.1: 02.11.98	02.11.98	NS
Uruguay	03.12.96 Suppl.1: 24.02.97 NF(95)+U(96)	*	24.02.98	NS	NS
Venezuela	20.03.95 Suppl.1: 30.10.96	NS	NS	NS	NS
Zambia	21.03.96 Nil	21.11.96 Nil	NS	NS	NS
Zimbabwe	08.04.98 Nil NF(95)+U(96)+U(97)	*	*	21.09.98 Nil	NS

NS – Not submitted.

NF(year)+U(year), U(year)+U(year), etc.: Notification consists of a single, multiple-symbolled document covering the new and full notification(s) for the year(s) indicated and/or update(s) for the year(s) indicated. Where the same date is indicated for more than one notification by a Member (see, e.g., Costa Rica's 1996 and 1997 updating notifications), this means that those notifications were submitted as separate documents, on the same date.

* Included in the 1995 new and full notification (G/SCM/N/3/...)

** Included in the 1998 new and full notification (G/SCM/N/38/...)

*** Included in the following year's updating notification.

Note: No notifications have been received from the following Members (date of entry into force is indicated in parentheses for new WTO Members that joined through the accession process and for GATT 1947 contracting parties that became WTO Members through accession protocols): Angola, Bangladesh, Barbados, Belize, Burundi, Central African Republic, Chad, Congo, Democratic Republic of Congo, Djibouti, El Salvador, Gabon, Grenada (22.02.96), Guinea Bissau, Republic of Guinea, Guyana, Haiti, Jamaica, Kenya, Kuwait, Kyrgyz Republic (20.12.98), Lesotho, Madagascar, Malawi, Maldives, Mali, Malta, Mauritania, Mongolia (29.01.97), Mozambique, Myanmar, Niger, Papua New Guinea (09.06.96), Rwanda, St. Lucia, St Vincent and Grenadines, Sierra Leone, Solomon Islands (26.07.96), Tanzania, Togo.

¹ New WTO Members that joined through the accession process, and GATT 1947 contracting parties that became WTO Members through accession protocols.