



GENERAL COUNCIL

ANNUAL REPORT (2017)

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 27-28 February and reconvened on 7 April, 10 and 18 May, 26 July, 26 October, and 30 November 2017. The minutes of these meetings, which remain in the record of the General Council's work, are contained in documents WT/GC/M/166, WT/GC/M/167, WT/GC/M/168, WT/GC/M/169 and WT/GC/M/170².

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1 REPORTS BY THE CHAIRMAN OF THE TRADE NEGOTIATIONS COMMITTEE AND REPORTS BY THE DIRECTOR-GENERAL (WT/GC/M/166; WT/GC/M/167; WT/GC/M/168; WT/GC/M/169 AND WT/GC/M/170)

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 February, May, July, October, and November, the Director-General reported on each occasion on relevant activities since his previous report to the General Council including on Formal and Informal TNC Meetings and Informal Heads of Delegation Meetings he convened on the matter.³

1.3. At the February meeting, the General Council took note of the Director-General's report and of the statements⁴ as delivered at the Informal Meeting at the level of Heads of Delegation on 23 February.

1.4. At the May meeting, the representatives of Cameroon and Uganda spoke. The General Council took note of the Director-General's and the Negotiating Group Chairs' Reports, of the statements⁵ as delivered at the Informal Meeting at the level of Heads of Delegation on 8 May and of the other statements.

³ The Director-General's reports at the General Council meeting and at the relevant Informal TNC and Informal HODs Meetings were subsequently circulated as JOB/GC/118 (February Informal Meeting), JOB/TNC/61 (July Informal TNC Meeting), JOB/GC/135 (July Informal HODs Meeting) and JOB/GC/145 (October Informal TNC and Informal HODs Meetings). The Director-General's report at the May Informal Meeting can be found in the minutes of the May GC meeting in WT/GC/M/167. The Director-General's report at the November Formal TNC and Informal HODs Meetings was subsequently circulated as JOB/TNC/66 and can also be found in the minutes of the November Formal TNC Meeting in TN/C/M/38 (to be issued).

⁴ The statements delivered at the 23 February Informal Meeting at the level of Heads of Delegation by the following delegations were incorporated in the minutes of the February meeting in WT/GC/M/166: Switzerland; Cambodia; Morocco (African Group); Ecuador; Paraguay; Uganda; Mexico; Argentina; Japan; Chile; Turkey; China; Brazil; Zimbabwe; Costa Rica; South Africa; Guyana (ACP); Nicaragua; Plurinational State of Bolivia; Gabon; Fiji (Pacific Group); Chinese Taipei (Article XII Members); Israel; Nepal; Kingdom of Saudi Arabia (Arab Group); United States; Republic of Korea; Cuba; Indonesia (G-33); Pakistan; Bolivarian Republic of Venezuela; Iceland; Colombia; Montenegro; Mali (C-4); Russian Federation; Senegal; European Union; Ghana; Benin; India; Jamaica; Cameroon; Republic of Moldova; Nigeria; Sri Lanka; Cote d'Ivoire; Mozambique; Dominican Republic and Zambia.

⁵ The statements delivered at the 8 May Informal Meeting at the level of Heads of Delegation by the following delegations were incorporated in the minutes of the May meeting in WT/GC/M/167: Cambodia (LDCs); Rwanda (African Group); Guyana (ACP); Nepal; Philippines (ASEAN); India; Costa Rica (FEDs – Friends of E-Commerce for Development); Japan; Ecuador; China; New Zealand; Cuba; European Union; Plurinational State of Bolivia; Montenegro; Chile; Uganda; Brazil; Republic of Korea; Mexico; Russian Federation; Hong Kong, China; Pakistan; Switzerland; Indonesia (G-33); Mali (C-4); Bangladesh; Bolivarian

1.5. At the July meeting, under the item on the "Report by the Chairman of the Trade Negotiations Committee", the General Council took note of the Director-General's Report (including the reports of the Negotiating Group Chairs) and of the statements⁶ (including the MC11 Chair's statement⁷) as delivered at the Informal TNC meeting on 25 July. Under the item on "Report by the Director-General on the Informal Heads of Delegation Meeting", the representatives of Cameroon, Uganda, Norway, New Zealand, Switzerland, Mexico, Kenya, the Dominican Republic, Pakistan, Jamaica, Nigeria, the Plurinational State of Bolivia, Montenegro, the Bolivarian Republic of Venezuela and Rwanda spoke. The General Council took note of the Director-General's Report, of the statements⁸ as delivered at the Informal HODs meeting on 25 July and of the other statements.

1.6. At the October meeting, the representatives of Dominica (OECS) and Cameroon spoke. The General Council took note of the Director-General's report (including the reports of the Negotiating Group Chairs), of the statements⁹ as delivered at the Informal TNC and Informal HODs Meetings on 24 October and of the other statements.

1.7. At the November meeting, the Chairman said that he would present in his oral statement to Ministers at the Opening Session of MC11 the Director-General's report at the 28 November TNC meeting (JOB/TNC/66) and the reports of the Chairs of the Negotiating Bodies (Special Session of the Committee on Agriculture – TN/AG/37; Special Session of the Committee on Trade and Development – TN/CTD/32; Special Session of the Dispute Settlement Body – TN/DS/30; Special Session of the Council for TRIPS – TN/IP/25; Negotiating Group on Market Access – TN/MA/31; Special Session of the Council for Trade in Services – TN/S/41; and, Special Session of the Committee on Trade and Environment – TN/TE/24) through the General Council's Annual Report, together with the reports of the regular bodies – in accordance with the reporting obligations as adopted by the General Council and contained in document WT/L/105. He noted that he would be informing the Ministerial Conference of the state-of-play of the discussions in the various areas of work and recalled that the Director-General and some Negotiating Group Chairs had noted that work was continuing in a number of areas, including after the General Council meeting, in an effort to make as much progress as possible on the matters that Ministers might wish to take up in Buenos Aires. The representatives of Ghana, Grenada (OECS), the Kingdom of Saudi Arabia, the Plurinational State of Bolivia, Rwanda, Philippines (ASEAN) and Qatar spoke. The General Council took note of the Director-General's report including the reports of the Negotiating Group Chairs¹⁰,

Republic of Venezuela; Zimbabwe; Solomon Islands; Tunisia; Paraguay; Fiji; South Africa; Morocco; United States; Cameroon; Colombia; Uruguay; Canada; Norway; Nigeria; Kingdom of Saudi Arabia (Arab Group) and Kenya.

⁶ The statements delivered at the 25 July Informal TNC Meeting by the following delegations were incorporated in the minutes of the July meeting in WT/GC/M/168: Rwanda (African Group); Israel; Philippines; Chinese Taipei (Article XII Members); European Union; Chile; Barbados (CARICOM); Cambodia (LDCs); Nigeria; Republic of Korea; Dominica (OECS); Benin (C-4); Pakistan; Paraguay; Morocco; Peru; Ecuador; Singapore; Mexico; Indonesia (G-33); Zimbabwe; India; Zambia; Bolivarian Republic of Venezuela; Russian Federation; Nepal; Plurinational State of Bolivia; Ukraine; Fiji (Pacific Group); Senegal; Norway; South Africa; Cameroon; Ghana; Republic of Moldova; Uganda; Jamaica; Hong Kong, China; Uruguay; Tanzania; China; Brazil; Switzerland; Montenegro; Thailand; Mozambique; United States; Kenya and Kingdom of Saudi Arabia.

⁷ The statement of the MC11 Chairperson at the July Informal TNC Meeting was subsequently circulated as JOB/TNC/62.

⁸ The statements delivered at the 25 July Informal HODs Meeting by the following delegations were incorporated in the minutes of the July meeting in WT/GC/M/168: Costa Rica (FEDs); Argentina; Switzerland; Dominican Republic (IGDC); Brazil (Friends of MSMEs); Australia; United States; Canada; Philippines (ASEAN); Colombia; Qatar; New Zealand; Japan; Norway; Pakistan; Chinese Taipei; Russian Federation and European Union.

⁹ The statements delivered at the 24 October Informal TNC and Informal HODs Meetings by the following delegations were incorporated in the minutes of the October meeting in WT/GC/M/169: Chile; Zambia; Bolivarian Republic of Venezuela; Japan; Argentina; Zimbabwe; United States; Paraguay; Switzerland; Peru; Brazil; Iceland; India; Rwanda (African Group); South Africa; Russian Federation; Turkey; European Union; Australia; Barbados (CARICOM); Republic of Korea; Mali (C-4); Pakistan; Uganda; Plurinational State of Bolivia; Swaziland; Guyana (ACP); Uruguay; Hong Kong, China; Israel; Cuba; Chinese Taipei; Indonesia (G-33); Cambodia (LDCs); Ecuador; China; Costa Rica; Tanzania; Canada; Colombia; Cameroon; Thailand; Mexico and Norway.

¹⁰ Apart from the written reports of the Negotiating Group Chairs above-mentioned, they also provided oral reports at the 28 November Formal TNC Meeting which were incorporated by reference in the minutes of the November meeting in WT/GC/M/170 and can be found in the minutes of the 28 November Formal TNC Meeting in TN/C/M/38 (to be issued).

of the statements¹¹ as delivered at the Formal TNC and Informal HODs Meetings on 28 November, of the Chairman's statement and of the other statements.

2 PROTOCOL AMENDING THE MARRAKESH AGREEMENT ESTABLISHING THE WORLD TRADE ORGANIZATION – AGREEMENT ON TRADE FACILITATION (WT/GC/M/166)

2.1. At the Ninth Ministerial Conference in Bali, Ministers concluded the negotiation of the Agreement on Trade Facilitation and established a Preparatory Committee on Trade Facilitation under the General Council to draw up a Protocol of Amendment to insert the Agreement into Annex 1A of the WTO Agreement. On 27 November 2014, the General Council adopted the Protocol and opened it for acceptance by Members. In line with this decision, the Protocol would enter into force upon acceptance of two-thirds of the Members.

2.2. At the February meeting, the Chairman noted that on 22 February, Rwanda, Oman, Chad and Jordan had deposited their instruments of acceptance of the Protocol with the Director-General. Therefore, with the deposit of the 4 new instruments, he understood, and took note of the fact that the entry into force conditions set out in Article X:3 of the WTO Agreement had been fulfilled, and that the Trade Facilitation Agreement Protocol had entered into force on 22 February 2017. The Director-General then made a statement on this matter, signed the official Depositary Notification of the entry into force of the Protocol amending the Marrakesh Agreement establishing the WTO concerning the Agreement on Trade Facilitation and formally presented to the Chairman the original signed text of the depositary notification on the entry into force of the TFA Protocol.

2.3. The General Council formally took note of the entry into force of the Agreement on Trade Facilitation.

2.4. The representatives of the Philippines (ASEAN); Japan; the European Union; the United States; Mexico; Cambodia (LDCs); Montenegro; Nigeria; Australia; Hong Kong, China; Brazil; Switzerland; the Republic of Korea; Norway; Uganda; China; Sri Lanka; the Republic of Moldova; Canada and Rwanda spoke. The General Council took note of the statements.

3 AMENDMENT OF THE TRADE POLICY REVIEW MECHANISM (WT/GC/M/168)

3.1. At the July meeting, the TPRB Chairperson recalled that one of the main results of the Sixth Appraisal of the Trade Policy Review Mechanism, which had been adopted in December 2016, was the consensus reached about the change in the TPR review cycles. Members had decided to launch the necessary procedures, pursuant to paragraph 8 of Article X of the Marrakesh Agreement in order to change the current review cycles from 2, 4 or 6 years to 3, 5 or 7 years, effective as of 1 January 2019. This resulted in a draft decision contained in WT/TPR/399. The Chairman and the representative of Hong Kong, China (as former TPRB Chairperson) spoke.

3.2. The General Council adopted¹² the draft decision on the Amendment of the Trade Policy Review Mechanism contained in document WT/TPR/399 and took note of the statements.

¹¹ The statements delivered at the 28 November Formal TNC and Informal HODs Meetings by the following delegations were incorporated by reference in the minutes of the November meeting in WT/GC/M/170 and can be found in the minutes of the 28 November Formal TNC meeting in TN/C/M/38 (to be issued): Nigeria; Rwanda (African Group); Guyana (ACP); Peru; Japan; Egypt (also on behalf of the NFIDCs); Plurinational State of Bolivia; South Africa; United States; Zimbabwe; Indonesia (also on behalf of the G-33); China; Bolivarian Republic of Venezuela; Switzerland; Uganda; Russian Federation; Cuba; Philippines (also on behalf of ASEAN); Republic of Korea; Benin (C-4); Bangladesh; Chinese Taipei; Solomon Islands (Pacific Group); Cambodia (LDCs); Norway; Uruguay; Brazil; Colombia; Chile (also on behalf of the Friends of MSMEs); Panama (also on behalf of the SVEs); Australia; Israel; Senegal; Pakistan; Sri Lanka; India; European Union; Paraguay; Mexico; Hong Kong, China; Costa Rica; Singapore; Kenya; Cameroon; Ecuador; Oman and Argentina (also on behalf of the Friends of Investment Facilitation for Development).

¹² The decision on the Amendment of the Trade Policy Review Mechanism was subsequently circulated in WT/L/1014.

4 IMPLEMENTATION OF THE BALI AND NAIROBI OUTCOMES – STATEMENTS BY THE CHAIRMAN (WT/GC/M/166; WT/GC/M/167; WT/GC/M/168; WT/GC/M/169 AND WT/GC/M/170)

4.1. 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 Ministerial Conference, reports on the implementation of the Nairobi outcomes were also provided under this item.

4.2. At the General Council meetings in February, May, July, October, and November, the Chairman reported on the work taking place in WTO regular bodies to fulfil the Bali and Nairobi Ministerial mandates.¹³

4.3. At the February meeting, the representative of Rwanda and Nigeria spoke. The General Council took note of the Chairman's report and of the statements.

4.4. At the May meeting, the Director-General and the representative of China spoke. The General Council took note of the Chairman's report, of the Director-General's statement and of the other statement.

4.5. At the July meeting, the General Council took note of the Chairman's report.

4.6. At the October meeting, the representatives of the Philippines and Cambodia (LDCs) spoke. The General Council took note of the Chairman's report and of the statements.

4.7. At the November meeting, the General Council took note of the Chairman's report.

5 WORK PROGRAMME ON ELECTRONIC COMMERCE

5.1 Review of Progress (WT/GC/M/168)

5.1. 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 MC10, Ministers adopted a Decision on the Work Programme on Electronic Commerce (WT/MIN(15)/42 – WT/L/977) which instructed the General Council to hold periodic reviews in its sessions of July and December 2016 and July 2017 based on the reports that could be submitted by the WTO bodies entrusted with the implementation of the Work Programme.

5.2. At the July meeting, the Chairman drew attention to the reports submitted by the Chairs of the Council for Trade in Services (S/C/52), of the Goods Council (G/C/59) and of the TRIPS Council (IP/C/77) 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 December. 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/52, G/C/59 and IP/C/77.

5.2 Communications from Japan, the Russian Federation, Australia, Canada, Colombia, Qatar and Singapore (WT/GC/M/168)

5.3. At the July meeting, the Chairman drew attention to the Communications from Japan (JOB/GC/130), the Russian Federation (JOB/GC/131), and Australia, Canada, Colombia, Qatar and Singapore (JOB/GC/132). The respective proponents presented their communications. The representatives of Japan; Russian Federation; Singapore (also on behalf of Australia; Brunei Darussalam; Canada; Colombia; Costa Rica; Hong Kong, China; the Republic of Korea; Lao PDR; Malaysia; the Republic of Moldova; Myanmar; New Zealand; Nigeria and Qatar); Qatar; Costa Rica (FEDs); the Republic of Moldova; Canada; Colombia; Chinese Taipei; New Zealand; Chile; Mexico; the United States; Australia; Hong Kong, China; the Republic of Korea; the Philippines (ASEAN);

¹³ The Chairman's statements were subsequently circulated in JOB/GC/119, JOB/GC/125, JOB/GC/134, JOB/GC/146 and JOB/GC/164 respectively.

the European Union; China; Pakistan; Norway; Switzerland; the Plurinational State of Bolivia; Rwanda (African Group); Barbados; Uganda; Brazil; Nigeria; Turkey; South Africa; India; the Bolivarian State of Venezuela; Cameroon and Chad spoke. The General Council took note of the statements.

6 WORK PROGRAMME ON SMALL ECONOMIES – REPORTS (WT/GC/M/166; WT/GC/M/167; WT/GC/M/168; WT/GC/M/169 AND WT/GC/M/170)

6.1. 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 2015, Ministers at MC10 adopted the Decision on the Work Programme on Small Economies (WT/MIN(15)/40 – WT/L/975) 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.

6.2. At the February meeting, the CTD Chairperson reported that the sectoral discussions and reviews of Global Value Chains had been completed and that the SVEs were currently working on an outcome document based on the discussions which had taken place during the meetings held in 2015 and 2016. On the Nairobi mandate, the Secretariat was currently carrying out its research and expected to have a report ready by the end of March. The representative of Guatemala (SVEs) spoke. The General Council took note of the report and of the statement.

6.3. At the May meeting, the CTD Chairperson reported that the sectoral discussions and reviews of Global Value Chains had been completed and that the SVEs had circulated an outcome document based on those discussions in WT/COMTD/SE/W/35. On the Nairobi mandate, the Secretariat presented its paper in WT/COMTD/SE/W/34 at the CTD Dedicated Session where the SVEs and the STDF also talked about their efforts to reduce trade costs. The representative of Guatemala (SVEs) spoke. The General Council took note of the report and of the statement.

6.4. At the July meeting, the CTD Chairperson reported that the sectoral discussions and reviews of Global Value Chains had been completed and that the SVEs had circulated an outcome document in WT/COMTD/SE/W/35 which was discussed at the CTD Dedicated Session. The Secretariat also presented at that meeting its paper in WT/COMTD/SE/W/34. The representative of Guatemala (SVEs) spoke. The General Council took note of the report and of the statement.

6.5. At the October meeting, the CTD Chairperson reported that Members agreed to continue discussions on the Challenges and Opportunities experienced by small economies to reduce trade costs, particularly in trade facilitation – to identify challenges and to provide possible solutions. The SVEs were also working on a draft Ministerial Decision on the Work Programme on Small Economies. The representatives of Guatemala (SVEs) and Fiji spoke. The General Council took note of the report and of the statements.

6.6. At the November meeting, Deputy Director-General Agah, on behalf of the CTD Chairperson, reported that the CTD in Dedicated Session had agreed to forward the draft decision contained in document WT/COMTD/SE/W/36/Rev.1 to the General Council for transmission to the Ministerial Conference. The draft decision was also reflected in the report of the CTD in Dedicated Session to the General Council in WT/COMTD/SE/10. The representatives of Guatemala (SVEs) and Tonga (also on behalf of the Pacific Group) spoke. The General Council took note of the report in WT/COMTD/SE/10 and of the statements and agreed to forward the draft decision in WT/COMTD/SE/W/36/Rev.1 to MC11 which was subsequently circulated in document WT/MIN(17)/W/2.

7 AID FOR TRADE – REPORT (WT/GC/M/168)

7.1. At the July meeting, the Director-General reported that the Sixth Global Review on Aid for Trade was a success. The issues covered in the review, discussed through the lens of capacity-building, included trade facilitation, connectivity infrastructure, e-commerce, gender, investment, LDCs, MSMEs, trade finance and the SDGs. The representatives of Sierra Leone; Japan; Cambodia

(LDCs); European Union; Australia; Brazil and the Kingdom of Saudi Arabia spoke. The General Council took note of the Director-General's report and of the statements¹⁴.

8 THE DEVELOPMENT ASSISTANCE ASPECTS OF COTTON - PERIODIC REPORT BY THE DIRECTOR-GENERAL (WT/GC/M/170)

8.1. In Paragraph 1.b of the 1 August 2004 Decision in 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 Nairobi Decision on Cotton (WT/MIN(15)/46 – WT/L/981) reaffirmed this mandate, and invited the Director-General to continue to provide periodic reports on this matter.

8.2. At the November meeting, the Director-General introduced the Eighth Periodic Report on the Developmental Assistance aspects of Cotton (WT/GC/187 – WT/CFMC/DG/8 – WT/MIN(17)/5). The representatives of Brazil, the European Union, Pakistan and India spoke. The General Council took note of the statements and of the Director-General's report, which would be before Ministers at the Eleventh Session of the Ministerial Conference.

9 TRIPS COUNCIL MATTERS

9.1 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/170); and,

9.2 Proposal for a Decision on an Extension of the Period for the Acceptance by Members of the Protocol Amending the TRIPS Agreement (WT/GC/M/170)

9.1. 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. Paragraph 8 of that Decision provided that the TRIPS Council should review annually the functioning of the system set out in the Decision with a view to ensuring its effective operation, and should annually report on its operation to the General Council. In addition, in keeping with the August 2003 Decision, 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. The same legal provision also stated that for each other Member, the Protocol would take effect upon acceptance by it. In this regard, the TRIPS Council at its meeting in October 2017 agreed to submit to the General Council a proposal for a decision on a sixth extension of the period for the acceptance by Members of this Protocol.

9.2. At the November meeting, the Chairperson of the TRIPS Council introduced the report of the Council (IP/C/79) on its annual review of the Decision on the Implementation of Paragraph 6 of the Doha Declaration on the TRIPS Agreement and Public Health, as well as a proposal for a Decision on a Sixth Extension of the Period for the Acceptance by Members of the Protocol Amending the TRIPS Agreement (IP/C/78).

9.3. The General Council took note of the report of the TRIPS Council in document IP/C/79, and adopted the draft decision extending the time period for acceptance by Members of the Protocol amending the TRIPS Agreement to 31 December 2019¹⁵.

¹⁴ At their request, the statement of Japan on the Closing Session of the Aid for Trade Global Review on 13 July and those of Pakistan and the United States under that item were incorporated in the minutes of the July meeting in WT/GC/M/168.

¹⁵ The decision was subsequently circulated in WT/L/1024.

10 ACCESSION MATTERS

10.1 Chairmanship of Accession Working Parties (WT/GC/M/169 and WT/GC/M/170)

10.1. At the October meeting, the Chairperson made an announcement recalling the appointment of Ambassador Carsten Staur (Denmark) as the Chairman of the Working Party on the Accession of Ethiopia and Ambassador Pedro Nuno Bártolo (Portugal) as the Chairperson of the Working Party on the Accession of Timor-Leste, and the ongoing process to fulfil the vacancies in the Working Parties on the accession of Algeria and Bosnia Herzegovina. The General Council took note of the Chairman's statement.

10.2. At the November meeting, the Chairman made a statement on the appointment of Ambassador Atanas Atanassov Paparizov (Bulgaria) as the Chairperson of the Working Party on the Accession of Bosnia Herzegovina. The General Council took note of the Chairman's statement.

10.2 2017 Annual Report by the Director-General (WT/GC/M/170)

10.3. At the November meeting, Deputy Director-General Wolff, on behalf of the Director-General, introduced the 2017 Annual Report on WTO Accessions (WT/ACC/31 – WT/GC/189 – WT/MIN(17)/6). The representatives of the Kingdom of Saudi Arabia, the Russian Federation, Yemen, Egypt, Oman, Cambodia (LDCs) and the Republic of Moldova spoke. The General Council took note of the statements and of the Director-General's report, which would be before Ministers at the Eleventh Session of the Ministerial Conference.

11 REVIEW OF THE EXEMPTION PROVIDED UNDER PARAGRAPH 3 OF THE GATT 1994 (WT/GC/M/166 AND WT/GC/M/170)

11.1. Paragraph 3(a) of GATT 1994 provides an exemption from Part II of GATT 1994 for measures under specific mandatory legislation – enacted by a Member before it became a Contracting Party to GATT 1947 – which prohibited the use, sale or lease of foreign-built or foreign-reconstructed vessels in commercial applications between points in national waters or waters of an exclusive economic zone. On 20 December 1994, the United States invoked the provisions of Paragraph 3(a) with respect to specific legislation that met the requirements of that paragraph. Paragraph 3(b) of GATT 1994 calls for a review of this exemption five years after the date of entry into force of the WTO Agreement – and thereafter every two years for as long as the exemption was in force – in order to examine whether the conditions which had created the need for the exemption still prevailed. The General Council last considered this matter at its meeting in November 2015 at which it had taken note that under the two-year cycle in Paragraph 3(b) of GATT 1994, the next review would be held in 2017.

11.2. At the February meeting, in relation to the conduct of the review in 2017, the Chairman proposed that the Council proceed in a manner similar to that in 2015, which had been based on a procedure agreed by the General Council in 2002. The statements, questions and responses from all interested delegations together with the annual statistical report provided by the US under Paragraph 3(c) of GATT 1994, would form the basis for the current year's review. This matter would be on the Agenda of subsequent General Council meetings in the course of 2017 as the Chair deemed appropriate, or at the request of any Member. The Council would consider this matter again at its last meeting for the year, and the subsequent review would normally be held in 2019. He also noted that, as provided in paragraph 3(e) of GATT 1994, the exemption was without prejudice to solutions concerning specific aspects of the legislation covered by this exemption negotiated in sectoral agreements or in other fora. The Chairman then drew attention to the annual report circulated by the United States in document WT/L/1005 and the United States presented that report to Members. The representatives of the European Union; Japan; Norway; Hong Kong, China; the Republic of Korea; Canada and Panama spoke. The General Council took note of the statements and agreed to revert to this item at a future meeting.

11.3. At the November meeting, the General Council again considered the exemption provided under paragraph 3 of GATT 1994 for review. The representatives of the United States; Norway; Japan; Canada; Hong Kong, China; China; Panama; the Republic of Korea; Australia; the European Union and Brazil spoke. The General Council took note of the statements and also took

note that the subsequent review under the two-yearly cycle provided in paragraph 3(b) of GATT 1994 would normally be held in 2019.

12 WAIVERS

12.1 Introduction of Harmonized System 2002, 2007, 2012 and 2017 Changes into WTO Schedules of Tariff Concessions – Draft Decision (WT/GC/M/170)

12.1. At the November meeting, the General Council considered four draft waiver decisions, contained in G/C/W/741, G/C/W/742, G/C/W/743 and G/C/W/744, G/C/W/744/Corr.1 and G/C/W/744/Corr.2 which concerned the Introduction of Harmonized System 2002, 2007, 2012 and 2017 Changes into WTO Schedules of Tariff Concessions, respectively. The Chairman, on behalf of the Chairperson of the Council for Trade in Goods, reported on the consideration of this matter by that Council. The representatives of Honduras, the Dominican Republic and the United States spoke. The Chairman said that he understood that the Dominican Republic and Honduras would be submitting a request to be covered by the HS 2017 waiver, in line with its provisions. The General Council took note of the report and the statements 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/1026, WT/L/1027, WT/L/1028 and WT/L/1029.

12.2 Review of Waivers Pursuant to Article IX:4 of the WTO Agreement (WT/GC/M/166; WT/GC/M/168 and WT/GC/M/170)

12.2. 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."

12.3. At the February meeting, the General Council considered the following waiver for review under Article IX:4:

- i. United States – African Growth and Opportunity Act (WT/L/1006)

12.4. In doing so, the General Council considered the report on the implementation of the waiver in document WT/L/1006. The representative of Morocco (African Group) spoke. The General Council took note of the report contained in document WT/L/1006 and of the statement.

12.5. 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/1013)
- iv. United States – Caribbean Basin Economic Recovery Act, granted on 5 May 2015 until 31 December 2019 (WT/L/950, WT/L/1012)

12.6. In doing so, the General Council considered reports on implementation of the respective waivers in documents WT/L/1012 and WT/L/1013. The representatives of Barbados (CARICOM) and Cambodia (LDCs) spoke. The General Council took note of the reports contained in documents WT/L/1012 and WT/L/1013 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 2017.

12.7. At the November 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. Kimberly Process Certification Scheme for Rough Diamonds, granted on 12 December 2012 until 31 December 2018 (WT/L/876)
- iii. Cuba – Article XV:6 – Extension of waiver, granted on 7 December 2016 until 31 December 2021 (WT/L/1003, WT/L/1023)
- iv. 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/1019)
- v. United States – African Growth and Opportunity Act, granted on 30 November 2015 until 30 September 2025 (WT/L/970, WT/L/1017)
- vi. United States – Former Trust Territory of the Pacific Islands, granted on 7 December 2016 until 31 December 2026 (WT/L/1000, WT/L/1018)
- vii. United States – Trade Preferences granted to Nepal, granted on 7 December 2016 until 31 December 2025 (WT/L/1001, WT/L/1021)

12.8. In doing so, the General Council considered reports on implementation of the respective waivers in documents WT/L/1017, WT/L/1018, WT/L/1019, WT/L/1021 and WT/L/1023. The representatives of Vanuatu and Montenegro spoke. The General Council took note of the reports contained in documents WT/L/1017, WT/L/1018, WT/L/1019, WT/L/1021 and WT/L/1023 and of the statements.

13 DERESTRICTION OF ADDITIONAL NEGOTIATING MATERIALS – DRAFT DECISION (WT/GC/M/170)

13.1. At the November meeting, the Chairman drew the Council's attention to the Draft Decision on the Derestriiction of Additional Negotiating Materials contained in document G/MA/W/131. He said that the decision was forwarded to the General Council by the Committee on Market Access through the Council for Trade in Goods. He proposed that the General Council adopt the draft. The General Council so agreed.¹⁶

14 ELEVENTH SESSION OF THE MINISTERIAL CONFERENCE

14.1 Statement by the Chairman (WT/GC/M/166; WT/GC/M/169 and WT/GC/M/170)

14.1. At the February meeting, the Chairman made a statement on the preparations for MC11 including on the administrative and organizational matters that the General Council would have to take a decision on in the first part of the year and on the LDC Trust Fund. The General Council took note of the Chairman's statement.

14.2. At the October meeting, the Chairman reported on the preparations for MC11 including his consultations on E-Commerce and announced that he would soon begin consultations on the organization of the Ministerial Conference and a possible outcome document. The General Council took note of the Chairman's statement.

14.3. At the November meeting, the Chairman made a statement on organizational matters including the MC11 programme and the MC11 items on the date and venue of MC12 and the election of officers; and on the MC11 item on Overview of WTO Activities. The Chairman also reported on his consultations on E-Commerce. His report was subsequently circulated in WT/GC/W/739. On the process of consultations on a possible MC11 outcome document, the Chairman recalled that he had suspended further work on the draft text and noted that the Host for MC11 had expressed an intention to continue work for a Ministerial Declaration. His statements at the Informal Open Ended meetings on this matter which took place on 10 November,

¹⁶ The decision was subsequently circulated in WT/L/1025.

17 November and 22 November 2017 had been circulated in JOB/GC/151, JOB/GC/154 and JOB/GC/157, respectively. The Chairman also noted that in the interest of transparency and inclusivity, and following some requests, he had circulated a draft text in a Room Document – RD/GC/6 – representing the extent of work in the representative drafting group as of 21 November. He wanted to make it clear that the text was not agreed. He had circulated it for the information of all Members so that everyone – in particular those Members who did not participate in the drafting groups – could be made aware of the text at the time of suspension of this work.

14.4. The representatives of Afghanistan, Grenada (OECS), the European Union, Japan, Barbados (CARICOM), Guyana (ACP) and the Dominican Republic spoke. The General Council took note of the Chairman's statement and of the other statements.

14.2 Election of officers (WT/GC/M/167; WT/GC/M/168 and WT/GC/M/169)

14.5. At the May meeting, the General Council agreed to elect H.E. Minister Susana Malcorra of Argentina to be the Chair for MC11.

14.6. At the July meeting, the General Council agreed to elect the following Vice-Chairs for MC11: H.E. Dr. Okechukwu Enelamah, Minister of Industry, Trade and Investment of Nigeria; H.E. Mr Todd McClay, Minister of Trade of New Zealand and Mr Edward Yau, Secretary for Commerce and Economic Development of Hong Kong, China.

14.7. At the October meeting, the Chairman said that due to a change of government in New Zealand, the new Trade Minister, Honourable David Parker, would be willing to fulfil the role of MC11 Vice-Chair that had been allocated to New Zealand. The representative of New Zealand spoke. The General Council took note of the Chairman's statement and of the other statement.

14.3 Attendance of observers from governments and international intergovernmental organizations (WT/GC/M/167; WT/GC/M/168 and WT/GC/M/169)

14.8. At the May meeting, the General Council agreed to repeat past practice with respect to the attendance of observer governments. On the participation of IGOs, the Chairman said he would consult with interested Members and invited them to approach the matter with a constructive spirit. The representative of the Kingdom of Saudi Arabia (Arab Group) spoke. The General Council took note of the statements.

14.9. At the July meeting, the Chairman said that while he was ready to continue consulting on that matter, including the recently received request from the League of Arab States, he was fully aware of the difficulties in resolving the issue. The General Council took note of the statement.

14.10. At the October meeting, the Chairman said that he had engaged with several delegations after the summer break to see if there had been any new developments and reported that there was still no consensus on that matter. His sense was that the situation was unlikely to change before MC11. The General Council took note of the statement.

14.4 Attendance of non-governmental organizations (WT/GC/M/167)

14.11. At the May meeting, the General Council agreed to repeat past practice with respect to the registration procedure for NGOs.

14.5 Launch of the logo of the Eleventh Session of the Ministerial Conference (WT/GC/M/167)

14.12. At the May meeting, the MC11 logo was launched. On the dates of MC11, the representative of Argentina requested that it be advanced by one day, i.e. from 10 to 13 December 2017. The Chairman said that he would provide an opportunity for Members to

consult and that a communication would be sent in due course.¹⁷ The General Council took note of the statements.

14.6 Trust fund in support of LDC Participation in MC11 (WT/GC/M/167)

14.13. At the May meeting, the Chairman and the CBFA Chairperson urged Members to contribute to the LDC Trust Fund. The representative of Benin (LDCs) spoke. The General Council took note of the statements.

14.7 Request for Observer Status by Palestine (WT/GC/M/168)

14.14. At the July meeting, the General Council agreed to grant Palestine Observer Status at MC11 on an ad hoc basis.

14.8 Request for Observer Status by the Republic of South Sudan (WT/GC/M/170)

14.15. At the November meeting, the General Council agreed to grant the Republic of South Sudan Observer Status at MC11 on an ad hoc basis.

15 MSMEs – STATEMENT BY THE PHILIPPINES (WT/GC/M/166)

15.1. At the February meeting, the Philippines (also on behalf of Brunei Darussalam, Lao PDR and Malaysia) provided an update on their MSMEs initiative, drew attention to its communication entitled "Towards a MSME Marketplace: Growing Global Micro, Small and Medium Enterprises (MSMEs) for Inclusive Development" circulated in WT/GC/W/731 and noted the UN resolution to celebrate Micro, Small and Medium Enterprise Day on 27 June each year. The representatives of Nigeria, Argentina and Switzerland spoke. The General Council took note of the statements.

16 INFORMAL DIALOGUE ON MICRO, SMALL AND MEDIUM ENTERPRISES (MSMEs) – STATEMENT BY ARGENTINA, BRAZIL, BRUNEI DARUSSALAM, CHILE, COLOMBIA, MALAYSIA, PARAGUAY, THE PHILIPPINES, SWITZERLAND, URUGUAY AND VIET NAM (WT/GC/M/167)

16.1. At the May meeting, Argentina (also on behalf of Brazil; Brunei Darussalam; Chile; Colombia; Costa Rica; the European Union; Guatemala; Malaysia; Mexico; Panama; Paraguay; Peru; the Philippines; the Russian Federation; Singapore; Switzerland; Uruguay and Viet Nam) highlighted some of the difficulties encountered by MSMEs in import/export activities and in this respect introduced their initiative to set up a process – "Friends of MSMEs" aimed at identifying possible ways forward on MSMEs in the WTO, based on concrete proposals and suggestions submitted by Members. The representatives of Chile; Paraguay; Pakistan; Switzerland; the European Union; Colombia (also on behalf of Panama); the Russian Federation; Japan; the Republic of Moldova; Canada; the Republic of Korea; Nigeria; Thailand; Chinese Taipei; Hong Kong, China; Singapore; the Philippines (ASEAN); Australia; New Zealand; South Africa; India; Nicaragua; the Plurinational State of Bolivia; Norway; Cuba; China; the Bolivarian Republic of Venezuela and Uruguay spoke. The General Council took note of the statements.

17 WORKSHOP ON MSMEs – STATEMENT BY CHILE (WT/GC/M/169)

17.1. At the October meeting, the representative of Chile invited Members to a MSMEs workshop entitled "How to Support MSMEs: Sharing of National, Regional and Multilateral Experiences" organized by the Friends of MSMEs on 31 October to 1 November at the WTO. The General Council took note of the statement.

18 MIKTA WORKSHOP ON TRADE AND INVESTMENT – STATEMENT BY AUSTRALIA (WT/GC/M/166)

18.1. At the February meeting, the representative of Australia invited delegations on a MIKTA Workshop on 20 March to exchange views on trade, investment and development; investment

¹⁷ The communication confirming the dates of 10 to 13 December 2017 was subsequently circulated in WT/GC/INF/21.

facilitation and the WTO's role in this endeavour. The representatives of Mexico; the Republic of Korea; China; the Russian Federation; Argentina; Nigeria; Pakistan; Hong Kong, China; Singapore; Brazil; Cote d'Ivoire; Turkey and Canada spoke. The General Council took note of the statements.

19 COMMUNICATIONS ON MIKTA WORKSHOP AND INFORMAL DIALOGUE ON INVESTMENT FACILITATION – COMMUNICATION FROM MEXICO, INDONESIA, KOREA, TURKEY AND AUSTRALIA – JOINT COMMUNICATION FROM THE FRIENDS OF INVESTMENT FACILITATION FOR DEVELOPMENT – COMMUNICATIONS FROM THE RUSSIAN FEDERATION, CHINA, ARGENTINA AND BRAZIL (WT/GC/M/167)

19.1. At the May meeting¹⁸, the representative of Australia (MIKTA) presented their communication in JOB/GC/121 on the results of the MIKTA Workshop on Trade and Investment held on 20 March. China (FIFD – Friends of Investment Facilitation for Development) presented their communication in JOB/GC/122 and Add.1 on a proposal for an informal dialogue on investment facilitation for development. China also presented its own communication in JOB/GC/123 on possible elements of investment facilitation. The Russian Federation presented its communication in JOB/GC/120 on an investment policy discussion group. Brazil (also on behalf of Argentina) presented their communication in JOB/GC/124 entitled "Possible Elements of a WTO Instrument on Investment Facilitation". The representatives of Nigeria; Cameroon; Mexico; Pakistan; Ecuador; South Africa; the European Union; Qatar; the Plurinational State of Bolivia; Turkey; Uganda; India; Chinese Taipei; Paraguay; Singapore; the Republic of Korea; the United States; New Zealand; Switzerland; Norway; Canada; Japan; the Kingdom of Bahrain; Cuba; the Kingdom of Saudi Arabia; Israel; Colombia; Hong Kong, China and the Bolivarian Republic of Venezuela spoke. The General Council took note of the statements.

20 REPORT ON THE 'HIGH-LEVEL POLICY AND PRIVATE SECTOR TRADE AND INVESTMENT FACILITATION PARTNERSHIP FORUM FOR DEVELOPMENT', HELD IN ABUJA, NIGERIA, FROM 2-3 NOVEMBER 2017 – STATEMENT BY NIGERIA (WT/GC/M/170)

20.1. At the November meeting, the representative of Nigeria provided a report on this forum and referred to Nigeria's communication circulated in WT/GC/186. The representative of Pakistan spoke. The General Council took note of the statements.

21 TRADE AND WOMEN'S ECONOMIC EMPOWERMENT – STATEMENT BY ICELAND (WT/GC/M/170)

21.1. At the November meeting, the representative of Iceland (also on behalf of Sierra Leone) made a statement on this matter and referred to their communication subsequently circulated in JOB/GC/161. The representative of Canada spoke. The General Council took note of the statements.

22 MIKTA AND SYRIA – STATEMENTS BY TURKEY (WT/GC/M/170)

22.1. At the November meeting, the representative of Turkey made statements on two matters – MIKTA and Syria. The General Council took note of the statement.

¹⁸ At the May meeting, before the adoption of the agenda on 10 May, the representative of India spoke. The representatives of China; Russian Federation; Nigeria; Pakistan; Norway; Mexico; Chile; European Union; Colombia; Republic of Korea; Uganda; Paraguay; Hong Kong, China; Australia; Turkey; Plurinational State of Bolivia; Switzerland; Singapore; Costa Rica; Ecuador; New Zealand; Uruguay; Japan; Chinese Taipei; United States; Canada; Kingdom of Saudi Arabia; Republic of Moldova and Indonesia subsequently took the floor. The Chairman suspended the meeting, requested Members to remain on call and announced that the General Council would reconvene as soon as possible and possibly at very short notice. The General Council reconvened on 18 May after a series of consultations were conducted by the Chairman and adopted the Agenda with the proposed amendments as the Chairman had spelled out in his statement in Paragraph 65 of WT/GC/M/167. The adopted agenda was subsequently circulated in WT/GC/W/732/Rev.1.

23 TRADE RESTRICTIVE MEASURES BY CERTAIN MEMBERS – STATEMENT BY QATAR (WT/GC/M/168)

23.1. At the July meeting, the representative of Qatar made a statement on this matter. The representative of the Kingdom of Saudi Arabia (also on behalf of the United Arab Emirates; the Kingdom of Bahrain and Egypt) spoke. The General Council took note of the statements.

24 TRADE RESTRICTIVE MEASURES ON THE BORDERS IMPOSED BY KAZAKHSTAN – STATEMENT BY THE KYRGYZ REPUBLIC (WT/GC/M/170)

24.1. At the November meeting, the representative of the Kyrgyz Republic made a statement on this matter. The representative of Kazakhstan spoke. The General Council took note of the statements.

25 COMMITTEE ON BUDGET, FINANCE AND ADMINISTRATION**25.1 Reports and Recommendations (WT/GC/M/167; WT/GC/M/168; WT/GC/M/169 AND WT/GC/M/170)**

25.1. 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/162). The General Council took note of the statement and adopted the report in WT/BFA/162.

25.2. At the July meeting, the General Council considered the report by the Committee on Budget, Finance and Administration on its meetings in February (WT/BFA/161), May (WT/BFA/163) and June (WT/BFA/164/Rev.1). The General Council took note of the statements, approved the Budget Committee's specific recommendations in paragraphs 7.6 and 8.2 of WT/BFA/161 and paragraph 4.14 of WT/BFA/164/Rev.1 and adopted the reports in WT/BFA/161, WT/BFA/163 and WT/BFA/164/Rev.1.

25.3. At the October meeting, the General Council considered the report by the Committee on Budget, Finance and Administration on its meeting in July (WT/BFA/165). The General Council took note of the statement and adopted the report in WT/BFA/165.

25.4. At the November meeting, the General Council considered the report by the Committee on Budget, Finance and Administration on its meetings in September (WT/BFA/166), October (WT/BFA/167) and November (WT/BFA/168 and WT/BFA/169). The General Council took note of the statements, approved the Budget Committee's specific recommendations in paragraph 1.12 of WT/BFA/168 and paragraphs 1.2, 2.11, and 3.1 and tables 1 to 5 of WT/BFA/169 and adopted the reports in WT/BFA/166, WT/BFA/167, WT/BFA/168 and WT/BFA/169.

26 COMMITTEE ON BALANCE OF PAYMENTS RESTRICTIONS**26.1 Consultations with Ecuador (WT/GC/M/169)**

26.1. At the October meeting, the BOP Committee Chairperson reported on the Consultations with Ecuador. The representative of Ecuador spoke. The General Council adopted the report in WT/BOP/R/114 and took note of the statement.

27 WTO PENSION PLAN**27.1 Reports (WT/GC/M/168)**

27.1. At the July meeting, the Chairperson of the Management Board of the WTO Pension Plan introduced the Annual Report of the Management Board for 2016 contained in document WT/L/1009, and the Report of the Independent External Auditor on the Audit of the Financial Statements of the WTOPP in document WT/L/1008. The General Council took note of the Annual Report of the Management Board for 2016, the Report of the Independent External Auditor on the Audit of the Financial Statements of the WTOPP, and the WTOPP Chairperson's statement made on behalf of the Outgoing Chair of the WTOPP.

27.2 Alignment of the WTO Pension Plan Regulations with the WTO's Policies Regarding the Definition of Spouse to Include Domestic Partnership (WT/GC/M/168)

27.2. At the July meeting, the General Council approved the WTOPP Management Board's specific recommendation in paragraph 5 of WT/L/1010.

27.3 Election of Chairperson, Members, and Alternates to the Management Board (WT/GC/M/168)

27.3. 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.

27.4. At the July meeting, the Chairman recalled the process of consultations that had been undertaken regarding the membership of the whole Management Board that had come up for renewal in May 2017. On the basis of this process, he proposed that the General Council elect Mr Robert Prochazka (Austria) to be the WTOPP Chairperson and Ms Alicia Goujon (Mexico), Ms Eleni Patibouli (Greece), Ms Claudia Hernández Vetsch (Dominican Republic), Mr Christopher Wilson (United States), Mr Jean-Marc van Dril (Switzerland), Mr Ian Medcalf (Canada), Mr Faisal Al Nabhani (Oman) and Mr Rodolfo Rivas (Israel) to serve as the four members and four alternates of the WTOPP Management Board, respectively. The representative of Turkey spoke. The General Council so agreed¹⁹ and took note of the statement.

28 ADMINISTRATIVE MEASURES FOR MEMBERS IN ARREARS (WT/GC/M/166; WT/GC/M/167; WT/GC/M/168; WT/GC/M/169 AND WT/GC/M/170)

28.1. 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 Chairman 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.

28.2. At the General Council meetings in February, May, July, October, and November, 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.

29 WTO YOUNG PROFESSIONALS PROGRAMME – STATEMENT BY THE DIRECTOR-GENERAL (WT/GC/M/169)

29.1. At the October meeting, the Director-General provided an update on the progress of the WTO Young Professionals Programme and informed Members that the 2018 process was already complete. Out of some 1,500 applications, 15 Young Professionals, all of whom came from Members that had no professional representation in the Secretariat, would join the organization in early January 2018. The General Council took note of the statement.

30 INTERNATIONAL TRADE CENTRE UNCTAD/WTO (WT/GC/M/170)

30.1. At the November meeting, the General Council considered a report of the Joint Advisory Group on the International Trade Centre UNCTAD/WTO on its Fifty-First Session (ITC/AG(LI)/268), which had been considered initially by the Committee on Trade and Development at its meeting on 15 November where it had been presented by the Chairperson of the Joint Advisory Group, Ambassador Frances Lisson (Australia). Deputy Director-General Agah, on behalf of the CTD Chairperson, made a statement on the Committee's consideration of the report. The representatives of Canada, Pakistan and Montenegro spoke. The General Council took note of the

¹⁹ The decision can be found in document WT/L/1015.

CTD Chairperson's statement and of the other statements, and adopted the report of the Joint Advisory Group.

31 REVIEW OF WTO ACTIVITIES (WT/GC/M/170)

31.1. At the November meeting, the General Council considered Annual Reports for 2017 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.

31.2. The General Council took note of the statement, adopted the report of the Committee on Trade and Development in document WT/COMTD/96 and WT/COMTD/96/Corr.1, took note of the reports of other WTO bodies, including the reports of the bodies under the Plurilateral Trade Agreements, in documents WT/DSB/74, WT/TPR/407, G/L/1204, S/C/53, IP/C/80, WT/CTE/24, WT/BOP/R/115, WT/BFA/170, WT/REG/27, WT/WGTDF/16, WT/WGTTT/19, GPA/145 and GPA/145/Corr.1, and agreed to forward the reports to the Eleventh Ministerial Conference.

31.3. The General Council then adopted the draft Annual Report for 2017 of the General Council (WT/GC/W/736), on the understanding that the Secretariat would make the necessary adjustments to it as to include matters considered at that meeting, and agreed to forward it to the Eleventh Ministerial Conference.

32 APPOINTMENT OF DIRECTOR-GENERAL (WT/GC/M/166)

32.1. In October 2016, the Chairman informed Members in a communication that in accordance with the Procedures for the Appointment of Directors-General adopted by the General Council in December 2002 (WT/L/509), the process for appointment of the Director-General would begin on 1 December 2016. Members would have until 31 December 2016 to nominate candidates. He also recalled the announcement made by the Director-General at the July 2016 meeting that he would be available for a second term if Members found it useful. Based on the Procedures, a decision on the appointment of a new Director-General would have to be taken not later than 31 May 2017.

32.2. At the February meeting, the Chairman recalled that in line with the Procedures for the Appointment of Directors-General (WT/L/509), the process for the appointment of the next Director-General had begun on 1 December 2016 with a notification from him as the General Council Chair to the Membership to the effect that Members had had until 31 December to nominate candidates. In keeping with the procedures, Members had therefore been informed in a communication from him in document JOB/GC/109 dated 3 November 2016 of the candidature of Mr Azevêdo, the current Director-General, who had formally notified him before the start of the process of his intention to seek reappointment for a further term. As announced in his communication in WT/GC/INF/20, by the close of the nomination period of 31 December 2016, he had not received any further candidatures. In his communication, he had also announced that he would consult with Members as to the next steps in the process. In his consultations, Members had expressed widespread support for Mr Azevêdo's appointment for a second term, and had indicated a willingness to expedite the process so that the appointment of the DG could take place without delay, to allow him and the whole of the Membership to fully focus on the preparatory process for MC11. Hence, he had sent a fax on 6 February clarifying his intention to take up the issue of appointment of the Director-General at the February formal meeting of the General Council. In the same communication, he had given Members the opportunity to present any reactions to him, if they so wished. On 27 February, Members had the opportunity to meet formally with Mr Azevêdo and to hear his presentation which was followed by a question and answer session²⁰. He believed it was clear that there remained widespread support for Mr Azevêdo's appointment for a second term.

32.3. Accordingly, the Chairman formally proposed that the General Council agree to appoint Mr Roberto Azevêdo as the Director-General of the WTO for a second term of four years, starting on 1 September 2017. The General Council so agreed.

²⁰ Mr Azevêdo's presentation, as well as the questions put and the answers provided, can be found annexed in the minutes of the February meeting in WT/GC/M/166.

32.4. The Chairman, on behalf of the General Council, congratulated Mr Azevêdo on his appointment for a second term. The Director-General and the representatives of Morocco (African Group); Cambodia (LDCs); the Kingdom of Saudi Arabia (Arab Group); Rwanda (ACP); Guatemala (SVEs); Brazil (GRULAC); the Philippines (ASEAN); the Dominican Republic (IGDC); Pakistan; India; Uganda; the Republic of Moldova; Montenegro; Sri Lanka; Kenya; Jamaica; Benin; Paraguay; the United States; Chad; China; Colombia; Chile; New Zealand; Argentina; the European Union; Nigeria; the Plurinational State of Bolivia and Nepal spoke. The General Council took note of the statements.

33 APPOINTMENT OF OFFICERS TO WTO BODIES (WT/GC/M/166; WT/GC/M/167; WT/GC/M/169 AND WT/GC/M/170)

33.1. At the February meeting, the Chairman reported that, in accordance with the Guidelines for Appointment of Officers to WTO Bodies approved by the General Council in 2002 in WT/L/510 and the related practical steps to improve their implementation in JOB/GC/22, he, together with the serving Chairperson of the Dispute Settlement Body – Ambassador Xavier Carim of South Africa and Ambassador Jonathan Fried of Canada – former Chair of the General 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. During the process and in light of the coincidence in time of the vacancies in two negotiating bodies, consultations had also been conducted on new Chairpersons for the Dispute Settlement Body in Special Session and the Committee in Agriculture in Special Session. He thanked Ambassador Carim and Ambassador Fried for their assistance.

33.2. The Chairman provided a report on the consultations he had conducted on the annual exercise for the appointment of officers to WTO regular bodies as well as for the two negotiating bodies whose chairmanship was vacant, i.e. the Committee on Agriculture in Special Session and the DSB in Special Session. In particular, he recalled the difficulties faced regarding the chairmanship of the CoA SS, which had led to an impasse not only in the CoA SS itself, but also in the slate of names for the regular bodies, with the exception of the General Council and the DSB. He highlighted the seriousness of the situation and urged Members to work urgently to find a solution. He then proceeded with the Chairs of the General Council and the DSB as followed: for the General Council – H.E. Mr Xavier Carim of South Africa and for the Dispute Settlement Body – H.E. Mr Junichi Ihara of Japan. The General Council took note of the slate of names for the Chairmanships of the General Council and the Dispute Settlement Body, suspended the consideration of the rest of the item and would reconvene the meeting to revert back to it at the appropriate time.

33.3. At the reconvened meeting on 7 April, the Chairman reported on his consultations²¹ and said that the feedback that he had received was that there was no opposition to the slate he had presented at an informal meeting that had just been concluded prior to reconvening the regular session. Members could therefore be in a position to accept the slate as it had been presented. Only the chairmanship of one of the Working Group on Trade, Debt and Finance remained unfilled. Additional time and consultations would be needed to fill that position.

33.4. On the basis of those consultations, there was consensus on the following slate of names for the two negotiating groups:

Committee on Agriculture in Special Session	H.E. Mr Stephen Ndungu Karau (Kenya)
Dispute Settlement Body in Special Session	H.E. Mr Coly Seck (Senegal)

33.5. On the basis of those consultations, there was consensus on the slate of names for the following regular bodies:

²¹ The report is reflected in Paragraph 8.37 of WT/GC/M/166.

Trade Policy Review Body	H.E. Mr Juan Carlos Gonzalez (Colombia)
Council for Trade in Goods	H.E. Mr Kyonglim Choi (Republic of Korea)
Council for Trade in Services	H.E. Mr Julian Braithwaite (United Kingdom)
Council for TRIPS	Ms Irene B.K. Young (Hong Kong, China)
Committee on Trade and Development	H.E. Mr Taonga Mushayavanhu (Zimbabwe)
Committee on Balance-of-Payments Restrictions	H.E. Mr Tudor Ulianoschi (Republic of Moldova)
Committee on Budget, Finance and Administration	H.E. Mr Peter Brño (Slovak Republic)
Committee on Trade and Environment	H.E. Mrs Zhanar Aitzhanova (Kazakhstan)
Committee on Regional Trade Agreements	H.E. Mr Walid Doudech (Tunisia)
Working Group on Trade and Transfer of Technology	H.E. Ms Zorica Marić-Djordjević (Montenegro)
Committee on Trade Facilitation	H.E. Mr Daniel Blockert (Sweden)

33.6. The Chairman formally invited the General Council to take note of his statement and of the consensus on the slate of names for the appointment of officers that he had just announced in the informal meeting – including the chairmanships of the Committee on Agriculture in Special Session and of the Dispute Settlement Body in Special Session. The General Council so agreed.

33.7. Appointments for the regular bodies would be for one year in keeping with the general rule in the Guidelines. Those appointments would be made formally by the WTO bodies concerned at their subsequent meetings in 2017. On the Committee on Trade Facilitation, as of the next appointment process, consultations on its chairmanship would be conducted at the level of the CTG given that the TF Committee had since become a subsidiary body of that Council upon entry into force of the TFA. On the consultations to fill the Chairmanship of the WGTDF, the Selection Committee would communicate the next steps with Members in due course. The Chairman also made a statement on the consultations on the Chairmanships of the subsidiary bodies of the CTG and CTS in accordance with the relevant guidelines to be led by the incoming CTG Chair and the outgoing CTS Chair. The representatives of Chinese Taipei and Zimbabwe spoke. The General Council took note of the statements.

33.8. At the May meeting, the Chairman updated Members on the consultations on the Chairmanship of the WGTDF. He said that one delegation had expressed an interest in chairing the group and the Selection Committee was in the process of consulting group coordinators on that

expression of interest. The Chairman would communicate with Members in due course. The General Council took note of the statement.²²

33.9. At the October meeting, the Chairman invited group coordinators to start consulting within their constituencies for the process of appointment of officers to WTO bodies in 2018. The General Council took note of the statement.

33.10. At the November 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. In accordance with paragraph 7.1(b) of the Guidelines, he would be assisted in the selection process by the serving Chairman of the Dispute Settlement Body, Ambassador Junichi Ihara (Japan) and Ambassador Harald Neple (Norway), former General Council Chairman. The General Council took note of the statement, which had been made pursuant to the Guidelines for the Appointment of Officers.

34 ELECTION OF CHAIRPERSON (WT/GC/M/166)

34.1. At the February meeting, the Chairman, as the outgoing presiding officer of the General Council, made a statement. The General Council then unanimously elected H.E. Mr Xavier Carim (South Africa) to the Chair.

34.2. The Director-General, the newly-elected Chairman, and the representatives of Morocco (African Group); Kingdom of Saudi Arabia (Arab Group); Rwanda; Brazil (GRULAC); Uganda; Kenya; Cameroon; Dominican Republic (IGDC); Cambodia (LDCs) and Iran (Observer) spoke. The General Council took note of the statements.

²² Following the Chairman's report, the Selection Committee continued its consultations. On 1 June, the Chairman sent a fax to all delegations informing them that in light of the consultations of the Selection Committee, it was their understanding that delegations could agree to the appointment of Mr Asi Yosef (Israel) as Chair of the Working Group on Trade, Debt and Finance. If he would not receive comments or objections to that understanding by 7 June close of business, he proposed for the WGTDF to appoint Mr Yosef at its next formal meeting. On 9 June, the Chairman sent another fax informing delegations that following further consultations, he was then in a position to indicate that Mr Asi Yosef (Israel) could be appointed as Chair of the Working Group on Trade, Debt and Finance at the Working Group's next meeting.