



## GENERAL COUNCIL

### ANNUAL REPORT (2019)

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 report<sup>1</sup>, the General Council has held five meetings, on 28 February, 7 May, 23-24 July, 15-16 October and 9-10 December 2019, and a special meeting on 10 May. The minutes of these meetings, which remain in the record of the General Council's work, are contained in documents WT/GC/M/176, WT/GC/M/177, WT/GC/M/178, WT/GC/M/179, WT/GC/M/180 and WT/GC/M/181<sup>2</sup>.

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## **1 REPORTS BY THE CHAIRMAN OF THE TRADE NEGOTIATIONS COMMITTEE AND REPORTS BY THE DIRECTOR-GENERAL (WT/GC/M/176; WT/GC/M/177; WT/GC/M/179; WT/GC/M/180 AND WT/GC/M/181)**

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 December, the Chair recalled that the Director-General had convened Informal TNC and Informal Heads of Delegation meetings where he had reported on each occasion on relevant activities since his previous report and noted that, as per established practice, the Director-General's report, the reports of the Chairs of negotiating bodies, and the statements delivered by delegations would be included in the minutes of the respective General Council meetings.<sup>3</sup>

1.3. At the February meeting, the representative of Barbados spoke. The General Council took note of the report of the Chairman of the TNC and of the Director-General's report, and of the statements delivered at the Informal TNC and Informal HODs meetings on 27 February<sup>4</sup> and by the representative of Barbados at the February General Council meeting.

1.4. At the May meeting, the General Council took note of the report of the Chairman of the TNC and of the Director-General's report, and of the statements delivered at the Informal TNC and Informal HODs meetings on 3 May.<sup>5</sup>

<sup>3</sup> The Director-General's reports and those of the Negotiating Group Chairs at the February, May, July, October and December Informal TNC and Informal HODs Meetings were incorporated in the minutes of the respective General Council meetings and were also circulated in JOB/TNC/73, JOB/TNC/74, JOB/TNC/75, JOB/TNC/76 and JOB/TNC/77, respectively.

<sup>4</sup> The statements at the 27 February Informal TNC and Informal HODs Meetings by the following delegations are incorporated in the minutes of the February General Council meeting in WT/GC/M/176: Benin (African Group); Switzerland; Haiti (CARICOM); Canada; Malawi (ACP); Australia (Joint Statement Initiative on E-Commerce); Central African Republic (LDCs); Indonesia; European Union; Colombia (Structured Discussions on Investment Facilitation for Development); Norway; China; Uruguay (Informal Working Group on MSMEs); Thailand; Mexico; United States; Singapore; Brazil; New Zealand; Republic of Korea; India; Vanuatu (Pacific Group); Russian Federation; Nepal; Turkey; Chinese Taipei; Japan; Ukraine; South Africa; Sri Lanka; Egypt; Kenya; Malaysia; Jamaica; Cambodia; Argentina; Panama (Article XII Members); Ghana; Uganda; Chile; Trinidad and Tobago; Costa Rica; Montenegro; Mali (C-4); St. Lucia; Nigeria; Paraguay; Hong Kong, China; Zimbabwe; Pakistan and Plurinational State of Bolivia.

<sup>5</sup> The statements at the 3 May Informal TNC and Informal HODs Meetings by the following delegations are incorporated in the minutes of the May General Council meeting in WT/GC/M/177: Canada (Ottawa Group); Jamaica (ACP); Panama (Article XII Members); Australia (Joint Statement Initiative on E-Commerce); Trinidad and Tobago (CARICOM); Japan; Mexico; Angola; European Union; Colombia (Structured Discussions on Investment Facilitation for Development); China; Ghana; Cuba; Singapore; India; Peru (including Lima Group); Argentina; United States; Egypt; Chinese Taipei; Barbados; Chad (LDCs); Brazil; Chile; New Zealand; Thailand

1.5. At the July meeting, the General Council took note of the report of the Chairman of the TNC and of the Director-General's report, and of the statements delivered at the Informal TNC and Informal HODs meetings on 19 July.<sup>6</sup>

1.6. At the October meeting, the General Council took note of the report of the Chairman of the TNC and of the Director-General's report, and of the statements delivered at the Informal TNC and Informal HODs meetings on 14 October<sup>7</sup> as well as of the statements delivered at the General Council meeting by H.E. Abdulrahman Al-Harbi, Governor of the General Authority of Foreign Trade of the Kingdom of Saudi Arabia and by H.E. Maria Luisa Hayden, Minister of Economy of El Salvador.

1.7. At the December meeting, the General Council took note of the report of the Chairman of the TNC and of the Director-General's report on 6 December and of the statement at the General Council meeting, of the report of the Chair of the Negotiating Group on Rules in TN/RL/32, and of the statements delivered at the Informal TNC and Informal HODs meetings on 6 December<sup>8</sup> as well as those delivered by the representatives of Barbados, the Russian Federation, the Philippines, Haiti and Montenegro at the General Council meeting.

## **2 IMPLEMENTATION OF THE BALI, NAIROBI AND BUENOS AIRES OUTCOMES – STATEMENTS BY THE CHAIR (WT/GC/M/176; WT/GC/M/177; WT/GC/M/179; WT/GC/M/180 AND WT/GC/M/181)**

2.1. 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 Chair, 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 and Eleventh Sessions of the Ministerial Conference, reports on the implementation of the Nairobi and Buenos Aires outcomes were also provided under this item.

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(ASEAN); Russian Federation; Republic of Korea; Paraguay; Norway; Pakistan; Turkey; Uruguay (Informal Working Group on MSMEs); Plurinational State of Bolivia; Switzerland; Benin (African Group and C-4); Sri Lanka; South Africa; Indonesia; Solomon Islands (Pacific Group); St. Lucia (OECS); Nigeria; Hong Kong, China; Malaysia; Bolivarian Republic of Venezuela and Nepal.

<sup>6</sup> The statements at the 19 July Informal TNC and Informal HODs Meetings by the following delegations are incorporated in the minutes of the July General Council meeting in WT/GC/M/179: Paraguay; Singapore; Chad (LDCs); Republic of Korea; Chile; Benin (African Group and C-4); Panama (Article XII Members); European Union; Nepal; Australia (Joint Statement Initiative on E-Commerce); India; Thailand (ASEAN); China; Kazakhstan; Mexico; Sri Lanka; Colombia (Structured Discussions on Investment Facilitation for Development); Switzerland; Kingdom of Saudi Arabia; Japan; New Zealand; United States; South Africa; Brazil; Jamaica (ACP); Canada (Ottawa Group); Uruguay (Informal Working Group on MSMEs); Turkey; Indonesia; Trinidad and Tobago (CARICOM); Egypt; Montenegro; Russian Federation; Malaysia; Norway; Uganda; Ecuador; Afghanistan; Hong Kong, China; Argentina; Nigeria; Chinese Taipei; Pakistan; Bolivarian Republic of Venezuela; Haiti; Viet Nam; Peru (Lima Group) and Philippines.

<sup>7</sup> The statements at the 14 October Informal TNC and Informal HODs Meetings by the following delegations are incorporated in the minutes of the October General Council meeting in WT/GC/M/180: Singapore; Costa Rica (Joint Initiative on Services Domestic Regulation); Chad (LDCs); Cuba; Australia (Joint Statement Initiative on Electronic Commerce); Panama (Article XII Members); Benin (African Group and C-4); China; New Zealand; Chile (Structured Discussions on Investment Facilitation for Development); Switzerland; Brazil; Japan; Pakistan; European Union; Trinidad and Tobago (CARICOM); Argentina; Malaysia; Russian Federation; South Africa; United States; Ecuador (GRULAC); India; Uruguay (Informal Working Group on MSMEs); Jamaica (ACP); Turkey; Thailand (ASEAN); Nigeria; Canada (Ottawa Group); Indonesia; Hong Kong, China; Iceland; Chinese Taipei; Egypt; Senegal; Mexico; Norway; Uganda; Republic of Korea; Colombia; Plurinational State of Bolivia; Peru; Montenegro; St. Vincent and the Grenadines (OECS); Viet Nam; Nepal; Paraguay; Bolivarian Republic of Venezuela; Sri Lanka; Ghana; Cambodia and Morocco.

<sup>8</sup> The statements at the 6 December Informal TNC and Informal HODs Meetings by the following delegations are incorporated in the minutes of the December General Council meeting in WT/GC/M/181: Argentina; Japan; Benin (African Group); Paraguay; Costa Rica (Joint Initiative on Services Domestic Regulation); Republic of Korea; Turkey; Australia (Joint Statement Initiative on Electronic Commerce); Thailand (ASEAN); Russian Federation; Chad (LDCs); India; Vanuatu (ACP); European Union; Pakistan; United States; Egypt; Norway; China; Uruguay (Informal Working Group on MSMEs); Canada (Ottawa Group); Brazil; Singapore; Peru; Switzerland; South Africa; Mexico; Chinese Taipei; Indonesia; Iceland; Bolivarian Republic of Venezuela; Hong Kong, China; Nigeria; Solomon Islands (Pacific Group); Chile (Structured Discussions on Investment Facilitation for Development); Kazakhstan; Panama (Article XII Members); Israel; Malaysia; Trinidad and Tobago; Colombia; St. Lucia (OECS); Nepal; Cambodia and Viet Nam.

2.2. At the General Council meetings in February, May, July, October and December, the Chair reported on the work taking place in WTO regular bodies to fulfil the Bali, Nairobi and Buenos Aires Ministerial mandates.<sup>9</sup>

2.3. At the February meeting, the representative of the Central African Republic (LDCs) spoke. The General Council took note of the Chair's report and of the statement.

2.4. At the May meeting, the representatives of Benin (African Group), Chad (LDCs) and Angola spoke. The General Council took note of the Chair's report and of the statements.

2.5. At the July meeting, the representatives of Benin (African Group) and Chad (LDCs) spoke. The General Council took note of the Chair's report and of the statements.

2.6. At the October meeting, the representatives of Chad (LDCs) Benin (African Group) and Tajikistan spoke. The General Council took note of the Chair's report and of the statements.

2.7. At the December meeting, the Chairman of the Committee on Trade Facilitation and the representatives of Chad (LDCs) and Benin (African Group) spoke. The General Council took note of the Chair's report and of the statements.

### **3 INFORMAL PROCESS ON MATTERS RELATED TO THE FUNCTIONING OF THE APPELLATE BODY**

#### **3.1 Statement by the Chair (WT/GC/M/176)**

3.1. At the February meeting, the Chair recalled that, following the discussions on matters related to the functioning of the Appellate Body that had taken place at the December 2018 General Council meeting, he conducted consultations and subsequently held an Informal General Council meeting in January, where he had kicked off an Informal Process on Matters related to the Functioning of the Appellate Body and appointed Ambassador Walker (New Zealand) to facilitate it.

3.2. Ambassador Walker, as the Facilitator of the Informal Process, then reported on the developments in this regard. His report can be found in JOB/GC/215. The representatives of Brazil; the European Union; Benin (African Group); Canada; Barbados; Ghana; India; China; Uganda; Australia; Uruguay; Switzerland; Japan; Ecuador; Mexico; Singapore; Norway; Egypt; Pakistan; Turkey; the Republic of Moldova; Thailand; Morocco; Argentina; Colombia and Guyana spoke. At the end of the discussion, the Chair proposed that the Informal Process led by Ambassador Walker as Facilitator continue under the auspices of the General Council and that another stock-taking take place at the May GC meeting. The General Council took note of the Chair's statement, of the Facilitator's report and of the other statements.

#### **3.2 Report by the Facilitator (WT/GC/M/177; WT/GC/M/179 and WT/GC/M/180)**

3.3. At the May meeting, the Chair noted that since the February General Council meeting, Ambassador Walker had continued his consultations on the Informal Process on Matters related to the Functioning of the Appellate Body under the auspices of the General Council, and had provided an additional report to all delegations in an Informal Open-ended meeting on 9 April. Ambassador Walker, the Facilitator of the Informal Process, reported on the developments in the Informal process. His report can be found in JOB/GC/217.

3.4. The representatives of the Republic of Korea; the European Union; Mexico; Canada; Switzerland; Ukraine; Singapore; Colombia; Nigeria; Jamaica (ACP); the Philippines; Argentina; Benin; Guyana; India; Egypt; China; Chad (LDCs); Malaysia; Peru; Indonesia; Viet Nam; the Plurinational State of Bolivia; Turkey; Honduras and the United States spoke. At the end of the discussion, the Chair said that Members needed to continue exploring possible compromise solutions ahead of the next General Council meeting in July and appealed to all delegations to engage in that

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<sup>9</sup> The Chair's statements were subsequently circulated in JOB/GC/214, JOB/GC/216, JOB/GC/219, JOB/GC/221 and JOB/GC/224 respectively.

conversation. The General Council took note of the Chair's statement, of the report of the Facilitator and of the other statements.

3.5. At the July meeting, Ambassador Walker (New Zealand), the Facilitator of the Informal Process on Matters related to the Functioning of the Appellate Body, reported on the developments in this regard. His report can be found in JOB/GC/220.

3.6. The representatives of Chile; Pakistan; Norway; Turkey; South Africa; Thailand; Colombia; India; Japan; Ecuador; China; Australia; Singapore; Canada; the European Union; Brazil; the Russian Federation; the Philippines; Switzerland; Jamaica (ACP); the United States; Costa Rica; Indonesia; Uruguay (Argentina, Brazil, Colombia, Chile, Mexico, Paraguay, Peru and Uruguay); Guyana; Qatar; Zambia; Mexico; Egypt and Uganda spoke. The representative of China again took the floor. At the end of the discussion, the Chair said that Members would need to decide on the format and vehicle for the next stage of the informal process in the second half of the year. She asked Ambassador Walker, as Facilitator, to continue consulting with delegations on this very important matter immediately after the summer break. The General Council took note of the Chair's statement, of the Facilitator's report and of the other statements.

3.7. At the October meeting, Ambassador Walker (New Zealand), the Facilitator of the Informal Process on Matters related to the Functioning of the Appellate Body, reported on the developments in this regard. His full report, including the draft instrument presented, can be found in JOB/GC/222.

3.8. The representatives of Brazil; Uruguay; Guatemala; China; Trinidad and Tobago (CARICOM); Australia; Chile; Chinese Taipei; Japan; Ecuador; Benin (African Group); the United States; Chad (LDCs); Thailand; Turkey; Mexico; Norway; the European Union; the Republic of Korea; South Africa; Singapore; Iceland; Indonesia; the Russian Federation; Switzerland; India; Qatar; Jamaica (ACP); Guyana; Argentina; Barbados; Colombia; Pakistan; Nigeria and the Dominican Republic spoke. At the end of the discussion, the Chair said that she and the Facilitator hoped that Members would give due consideration to the draft instrument that had been presented and asked the Facilitator to continue to work with Members in the urgent task of restoring the necessary trust and confidence to implement any such instrument in the future. The General Council took note of the Chair's statement, of the Facilitator's report and of the other statements.

### **3.2.1 Report by the Facilitator and Draft Decision on the Functioning of the Appellate Body (WT/GC/M/181)**

3.9. At the December meeting, Ambassador Walker (New Zealand), the Facilitator of the Informal Process, reported on the developments in this regard. His full report, including the draft decision presented (WT/GC/W/791), can be found in JOB/GC/225.

3.10. The representatives of Japan; Chile (Argentina, Brazil, Colombia, Costa Rica, Guatemala, Mexico, Panama, Paraguay, Peru, Uruguay and Chile); Argentina; Ecuador; Nigeria; Chinese Taipei; the Republic of Korea; Chad (LDCs); Barbados; Benin (African Group); Zambia; Ukraine; Trinidad and Tobago (CARICOM); South Africa; Uruguay; Pakistan; the Plurinational State of Bolivia; India; Egypt; the United States; Jamaica (ACP); the European Union; Indonesia; Turkey; the Russian Federation; Brazil; Singapore; Mexico; Switzerland; Guatemala; Canada; Australia; China; Colombia and Cameroon spoke. The representatives of Benin (African Group) and Japan again took the floor. At the end of the discussion, the Chair said that the draft decision emanated from nearly one year of discussions, and that it represented the collective effort and good will of the entire WTO Membership to address the concerns that had been raised with regard to the functioning of the Appellate Body and its adherence with the DSU. It remained up to Members how that work would be taken forward in the future. She and Ambassador Walker would be looking to assist Members in those efforts going forward. The Director-General also intervened. The General Council took note of the Facilitator's report and of the statements.

### **3.3 Fostering a Discussion on the Functioning of the Appellate Body – Communications from Honduras (WT/GC/M/176)**

3.11. At the February meeting, the representative of Honduras presented its communications on fostering discussions relating to 90 days, Rule 15, alleged judicial activism by the Appellate Body, and precedent circulated in documents WT/GC/W/758, WT/GC/W/759, WT/GC/W/760 and



WT/GC/W/761, respectively. The representatives of the Republic of Korea; Panama; the Philippines; El Salvador; Indonesia; Hong Kong, China and Guatemala spoke. During their intervention, the Republic of Korea and Panama referred to both items 4 and 5 of the February GC agenda<sup>10</sup>. The General Council took note of the statements.

### **3.4 Guidelines for the work of Panels and the Appellate Body – Communication from Brazil, Paraguay and Uruguay (WT/GC/M/177)**

3.12. At the May meeting, the representatives of Brazil, Paraguay and Uruguay presented their communication containing a proposal to adopt guidelines on the completion of appeals by persons who ceased to be Appellate Body members, timeframes, factual elements of Panel Reports, extent of analysis and findings by Panels and the Appellate Body, value of adopted Panel and AB Reports and filling of vacancies in the Appellate Body circulated in document WT/GC/W/767/Rev.1. The General Council took note of the statements.

### **3.5 Guideline Development Discussion – Communication from the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu (WT/GC/M/177)**

3.13. At the May meeting, the representative of Chinese Taipei presented its communication containing a proposal to develop guidelines on the Appellate Body's future functioning circulated in document WT/GC/W/763/Rev.1. The General Council took note of the statement.

### **3.6 Informal Process on matters related to the Functioning of the Appellate Body – Communication from Japan, Australia and Chile (WT/GC/M/177)**

3.14. At the May meeting, the representatives of Japan, Australia and Chile presented their communication containing a proposed draft decision on the scope of issues to be considered by the Appellate Body, 90 days, precedent, 'overreach' and a regular dialogue between the DSB and the Appellate Body circulated in document WT/GC/W/768/Rev.1. The General Council took note of the statements.

### **3.7 General Council Decision on the Dispute Settlement System of the WTO – Communication from Thailand (WT/GC/M/177)**

3.15. At the May meeting, the representative of Thailand presented its communication containing a proposed draft decision on transition rules for outgoing Appellate Body members, 90 days, municipal law, findings necessary for the resolution of the dispute, precedent and a regular dialogue between the DSB and the adjudicative bodies of the WTO circulated in document WT/GC/W/769. The General Council took note of the statement.

### **3.8 Appellate Body Impasse – Communication from the African Group (WT/GC/M/179)**

3.16. At the July meeting, the representatives of Benin (African Group), Nigeria and South Africa presented their communication calling for the resolution of the Appellate Body Impasse and proposing amendments on: transitional rules for outgoing Appellate Body members; composition of Appellate Body members; term of office for Appellate Body; duration of examination of cases before the Appellate Body and the application of obiter dicta during disputes circulated in WT/GC/W/776. The General Council took note of the statements.

## **4 WORK PROGRAMME ON ELECTRONIC COMMERCE**

### **4.1 Review of Progress (WT/GC/M/179)**

4.1. At the July meeting, the CTG, CTS and CTD Chairs reported on the work taking place in their respective areas. The Chair then reported on the informal open-ended meeting she had convened on 17 June to discuss the moratorium on the imposition of customs duties on electronic transmissions, including India and South Africa's relevant submissions (WT/GC/W/747 and

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<sup>10</sup> Item 4 of the February GC agenda related to the "Informal Process on Appellate Body Matters – Statement by the Chairman" and Item 5 of the February GC agenda related to "Fostering a Discussion on the Functioning of the Appellate Body – Communications from Honduras".



WT/GC/W/774), noted that she intended to consult broadly with Members after summer and reminded delegations that the General Council would need to take a decision on the moratorium by the end of the year. Her full report can be found in WT/GC/W/780. The representatives of India; Chad (LDCs); the European Union; the Russian Federation; South Africa; Uganda; the United States; Hong Kong, China; Benin; Singapore; Costa Rica; Switzerland and Norway spoke. The General Council took note of the statements of the Chair and of the Chairs of the CTS, CTG and CTD, of the reports in S/C/57 and G/C/65 and of the other statements.

#### **4.2 Work Programme and Moratorium on Electronic Commerce – Communication from Australia; Chile; Colombia; Costa Rica; Georgia; Hong Kong, China; Iceland; Mexico; New Zealand; Norway; Singapore and Switzerland (WT/GC/M/180)**

4.2. At the October meeting, the representative of Switzerland introduced the communication in WT/GC/W/782 co-sponsored<sup>11</sup> by Australia; Chile; Colombia; Costa Rica; Georgia; Hong Kong, China; Iceland; Mexico; New Zealand; Norway; Singapore and Switzerland proposing to extend the e-commerce moratorium until MC12 and to continue the work under the Work Programme on Electronic Commerce during this period and also noted that the moratorium was without prejudice to Members' right to impose internal taxes, fees or other charges in a manner consistent with WTO Agreements.

4.3. The representatives of Singapore; Hong Kong, China; Costa Rica; Chile; Iceland; Mexico; Georgia; Australia; Paraguay; Uruguay; Argentina; Indonesia; the European Union; Panama; Chinese Taipei; Thailand; Chad (LDCs); Guatemala; the United States; Japan; Canada; India; the Plurinational State of Bolivia; Jamaica (ACP); Nigeria; the Republic of Korea; the Dominican Republic; Peru; South Africa and Brazil spoke. During its intervention, Thailand referred to both items 9 and 10 of the October GC agenda<sup>12</sup>. The representative of Switzerland again took the floor. At the end of the discussion, the Chair invited all Members to engage in the consultations that she was conducting on the work programme and the moratorium with a view to make progress by the December meeting of the General Council. The General Council took note of the statements.

#### **4.3 Statement by the Chair (WT/GC/M/181)**

#### **4.4 Reports by the Chairs of the Council for Trade in Goods and of the Council for Trade in Services (WT/GC/M/181)**

#### **4.5 Work Programme and Moratorium on Electronic Commerce – Communication from Chad on behalf of the LDC Group (WT/GC/M/181)**

#### **4.6 Work Programme and Moratorium on Electronic Commerce – Communications from Australia; Canada; Chile; Colombia; Costa Rica; Georgia; Guatemala; Hong Kong, China; Iceland; Israel; Republic of Korea; Mexico; New Zealand; Norway; Panama; Paraguay; Singapore; Switzerland; Thailand and Uruguay (WT/GC/M/181)**

4.4. At the December meeting, Deputy Director-General Yi, on behalf of the CTS Chair, and the CTG Chair presented their reports in S/C/58 and G/C/66, respectively. Chad (LDCs) introduced the LDC Group's communication in WT/GC/W/787 and Switzerland, on behalf of the co-sponsors, presented the communications in WT/GC/W/782/Rev.2 and WT/GC/W/792.

4.5. The General Council adopted the Decision on the Work Programme on Electronic Commerce in WT/GC/W/794 and the Draft Decision on TRIPS Non-Violation and Situation Complaints as contained in WT/GC/W/790. The decisions were subsequently circulated in WT/L/1079 and WT/L/1080, respectively.

<sup>11</sup> The latest revision to the communication can be found in document WT/GC/W/782/Rev.1 adding Israel; Panama and Paraguay to the list of co-sponsors.

<sup>12</sup> Item 9 of the October GC agenda related to the "Work Programme and Moratorium on Electronic Commerce – Communication from Australia; Chile; Colombia; Costa Rica; Georgia; Hong Kong, China; Iceland; Mexico; New Zealand; Norway; Singapore; and Switzerland" while Item 10 of the October GC agenda related to the "TRIPS Non-Violation and Situation Complaints Moratorium – Communication from Chile, Colombia, New Zealand and Panama".

4.6. The representatives of Benin (African Group); India; Jamaica (ACP); Trinidad and Tobago (CARICOM); Chinese Taipei; Thailand; South Africa; Barbados; St. Lucia (OECS); Switzerland; Indonesia; Japan; Chad (LDCs); Australia; Chile; Argentina; Pakistan; the United States; Mali; the European Union; Malaysia; the Republic of Korea; Canada; Israel; Nigeria; China; Uruguay; Hong Kong, China; Colombia; the Russian Federation and Brazil spoke. The interventions were made either on item 7 or on item 8 of the December GC agenda or on both<sup>13</sup>. The General Council took note of the Chair's statement, of the reports in S/C/58 and G/C/66 and of the other statements.

## **5 TRIPS COUNCIL MATTERS**

### **5.1 TRIPS Non-Violation and Situation Complaints Moratorium – Communication from Chile, Colombia, New Zealand and Panama (WT/GC/M/180)**

5.1. At the October meeting, Chile introduced the communication in WT/GC/W/783 co-sponsored by Chile; Colombia; New Zealand and Panama proposing to extend the TRIPS moratorium until MC12 and to continue the examination of the scope and modalities for complaints of the types provided for under subparagraphs 1(b) and 1(c) of Article XXIII of GATT 1994 during this period.

5.2. The representatives of New Zealand; Panama; Colombia; the Russian Federation; Hong Kong, China; South Africa; India; the European Union; the Plurinational State of Bolivia; Bangladesh; Nigeria; Canada; Guatemala and Sri Lanka spoke. During its intervention, Colombia referred to both items 9 and 10 of the October GC agenda<sup>14</sup>. At the end of the discussion, the Chair noted that discussions on the issue were taking place in the TRIPS Council and encouraged delegations to actively engage in those discussions. The General Council took note of the statements.

### **5.2 TRIPS Non-Violation and Situation Complaints Moratorium – Communication from Canada, Chile, Colombia, Guatemala, New Zealand, Panama and Uruguay (WT/GC/M/181)**

5.3. At the December meeting, the Chair announced that she would take up the Item on TRIPS non-violation and situation complaints and the item on the Work Programme on Electronic Commerce together. She noted that after a number of consultations led by the TRIPS Council Chair, and an open-ended informal meeting of the TRIPS Council on 19 November, it had emerged that consensus around an extension of the moratorium until MC12 could be possible. Discussions on the item would continue upon opening the floor under the item on the Work Programme on Electronic Commerce.<sup>15</sup> The representatives of Chile; Panama; Guatemala and Uruguay introduced the item including the communication in WT/GC/W/790. Bangladesh spoke.

### **5.3 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/181); and,**

### **5.4 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/181)**

5.4. 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

<sup>13</sup> Item 7 of the December GC agenda related to the "TRIPS Non-Violation and Situation Complaints – Communication from Canada, Chile, Colombia, Guatemala, New Zealand, Panama and Uruguay" while Item 8 of the December GC agenda related to the "Work Programme and Moratorium on Electronic Commerce".

<sup>14</sup> See footnote 12.

<sup>15</sup> See paragraphs 4.5 to 4.6.

in October 2019 agreed to submit to the General Council a proposal for a decision on a seventh extension of the period for the acceptance by Members of this Protocol.

5.5. At the December meeting, the Chair of the TRIPS Council introduced the report of the Council (IP/C/84) 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 Seventh Extension of the Period for the Acceptance by Members of the Protocol Amending the TRIPS Agreement (IP/C/83).

5.6. The General Council took note of the report of the TRIPS Council in document IP/C/84, and adopted the draft decision extending the time period for acceptance by Members of the Protocol amending the TRIPS Agreement to 31 December 2021. The decision was subsequently circulated in WT/L/1081.

## **6 REVIEW OF THE OPERATION OF THE BALI DECISION ON TRQ ADMINISTRATION – REPORT TO THE GENERAL COUNCIL (WT/GC/M/181)**

6.1. At the December meeting, the Chair of the Committee on Agriculture presented the Committee's report (G/AG/29) including some recommendations to the General Council pursuant to paragraphs 13-15 of the Bali TRQ Decision and the Committee's consideration of the matter. The General Council took note of the report in G/AG/29 and approved the recommendations contained in Annex 2 to the report.

## **7 WORK PROGRAMME ON SMALL ECONOMIES – REPORTS (WT/GC/M/176; WT/GC/M/177; WT/GC/M/179; WT/GC/M/180 AND WT/GC/M/181)**

7.1. At the February meeting, the CTD Chair noted that following relevant discussions as mandated by Ministers at MC11, the SVEs were preparing an outcome document to be taken up at the next dedicated session in March. The agenda would include presentations on vulnerability of small economies to natural disasters and its impact on trade and the common fund for commodities. The representatives of Guatemala (SVEs), Trinidad and Tobago and Sri Lanka spoke. The General Council took note of the CTD Chair's report and of the statements.

7.2. At the May meeting, Deputy Director-General Agah, on behalf of the CTD Chair, reported that at the recent Dedicated Session, the SVE Group presented an outcome document (WT/GC/W/772) which provided a background of the work undertaken in accordance with the MC11 mandate. The CTD also discussed in the dedicated session trade and natural disasters and commodities trade. The representatives of Guatemala (SVEs), Trinidad and Tobago, and Sri Lanka spoke. The General Council took note of the CTD Chair's report and of the statements.

7.3. At the July meeting, the CTD Chair reported that the SVE Group was working on possible topics for future debate which would be proposed in a meeting of the Dedicated Session after the summer break with the view to making recommendations at MC12. The representatives of Guatemala (SVEs) and Trinidad and Tobago (CARICOM) spoke. The General Council took note of the CTD Chair's report and of the statements.

7.4. At the October meeting, Deputy Director-General Agah, on behalf of the CTD Chair, reported that, at its next meeting, the CTD would consider a communication from the SVEs on future work in the dedicated session and that the SVEs would introduce some follow-up issues on the challenges faced by small economies in attracting investments. The representatives of El Salvador (SVEs) and Trinidad and Tobago (CARICOM) spoke. The General Council took note of the CTD Chair's report and of the statements.

7.5. At the December meeting, Deputy Director-General Agah, on behalf of the CTD Chair, reported that, at the dedicated session, the CTD considered a proposal by the SVE Group for a Ministerial Decision at MC12 on the Work Programme, and that discussions were on-going. The representatives of El Salvador (SVEs), Trinidad and Tobago (CARICOM), St. Lucia (OECS) and Barbados spoke. The General Council took note of the CTD Chair's report and of the statements.

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## **8 AID FOR TRADE – REPORT (WT/GC/M/179)**

8.1. At the July meeting, the Director-General reported on the Aid for Trade Global Review 2019 and noted that it had been the largest one since the launch of the Aid for Trade Initiative. The issues covered centred on the theme of "Supporting Economic Diversification and Empowerment" – with women's economic empowerment figuring prominently in the discussions. Other topics taken up included LDC graduation, trade and peace, standards, sustainability, tourism and e-commerce, among others. The representatives of Chad (LDCs); China; Morocco; Canada; the European Union; Ecuador; Cambodia; Benin (African Group); Cote d'Ivoire and Nigeria spoke. The General Council took note of the report by the Director-General and of the statements.

## **9 THE DEVELOPMENT ASSISTANCE ASPECTS OF COTTON – STATEMENT BY THE DIRECTOR-GENERAL (WT/GC/M/181)**

9.1. In Paragraph 1.b of the 1 August 2004 Decision on the Doha Work Programme (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, to direct effectively existing programmes and any additional resources towards development of the economies where cotton had vital importance. The Bali and Nairobi Decisions reaffirmed this mandate, and invited the Director-General to continue to provide periodic reports.

9.2. At the December meeting, the Director-General reported on the successful launch of the first World Cotton Day on 7 October which had underlined the need to create a more level playing field for trade in cotton, and to increase development assistance on cotton and cotton-related products, in particular for LDCs. Deputy Director-General Wolff then reported that the work on the Director-General's Consultative Framework Mechanism on Cotton had continued to make progress during 2019. He thanked Members of the development community, those who significantly contributed to the South-South Cooperation for Cotton Development Assistance and several multilateral institutions. The representatives of Benin (C-4); Chad (LDCs); the United States; India and China spoke. The General Council took note of the statements by the Director-General and the Deputy Director-General, and of the other statements.

## **10 REVIEW OF THE EXEMPTION PROVIDED UNDER PARAGRAPH 3 OF THE GATT 1994 (WT/GC/M/176 AND WT/GC/M/181)**

10.1. At the February meeting, the General Council conducted a review of the exemption granted to the US legislation – the Jones Act – which prohibits the use, sale or lease of foreign-built or foreign-reconstructed ships in US national waters – and takes place in the General Council every two years. In line with the procedure agreed by the Council in 2002, statements made at GC meetings in 2019, questions posed to the United States and related replies would form the basis of the 2019 review, together with the annual report provided by the United States (WT/L/1055). The representatives of the European Union; Norway; Canada; the Republic of Korea; Panama; Hong Kong, China; Japan and Australia spoke. The United States then made a statement. The General Council took note of the statements and agreed to revert back to the matter at its last regular meeting in 2019.

10.2. At the December meeting, the General Council again considered the exemption provided under paragraph 3 of GATT 1994 for review including the two annual reports provided by the United States (WT/L/1055 and WT/L/1078). The representatives of the United States; Norway; Japan; China; the Republic of Korea; Hong Kong, China; the European Union; Australia and Panama 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 2021.

## 11 WAIVERS

### 11.1 Preferential Tariff Treatment for Least Developed Countries – Extension of Waiver (WT/GC/M/179 and WT/GC/M/180)

11.1. At the July<sup>16</sup> meeting, the representative of Chad (LDCs) made a statement on the waiver concerning the Preferential Tariff Treatment for Least Developed Countries. The General Council took note of the statement.

11.2. At the October meeting, the General Council adopted the draft decision concerning the extension of the waiver on the "Preferential Tariff Treatment for Least Developed Countries" circulated in document G/C/W/764 including G/C/W/764/Add.1 and G/C/W/764/Add.2. The decision was subsequently circulated in WT/L/1069. The representatives of Chile; China; Chad (LDCs); India; Nepal; Turkey and Benin spoke. The General Council took note of the statements.

### 11.2 United States – Caribbean Basin Economic Recovery Act (CBERA as amended) – Extension of Waiver (WT/GC/M/180)

11.3. At the October meeting, the General Council adopted the draft decision concerning the extension of the waiver on "United States – Caribbean Basin Economic Recovery Act (CBERA as amended)" circulated in document G/C/W/765. The decision was subsequently circulated in WT/L/1070. The representatives of the United States; Jamaica; Barbados; St. Lucia (OECS); Trinidad and Tobago (CARICOM) and Haiti spoke. The General Council took note of the statements.

### 11.3 Introduction of Harmonized System 2002, 2007, 2012 and 2017 Changes into WTO Schedules of Tariff Concessions – Draft Decision (WT/GC/M/181)

11.4. At the December meeting, the General Council considered four draft waiver decisions, contained in G/C/W/768, G/C/W/769, G/C/W/770 and G/C/W/771 which concerned the Introduction of Harmonized System 2002, 2007, 2012 and 2017 Changes into WTO Schedules of Tariff Concessions, respectively. The Chair of the Council for Trade in Goods reported on the consideration of this matter by that Council. The General Council took note of the report 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/1082, WT/L/1083, WT/L/1084 and WT/L/1085.

### 11.4 Review of Waivers Pursuant to Article IX:4 of the WTO Agreement (WT/GC/M/179 and WT/GC/M/181)

11.5. 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."

11.6. 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. Canada – CARIBCAN, granted on 28 July 2015 until 31 December 2023 (WT/L/958, WT/L/1065)
- iii. United States – Caribbean Basin Economic Recovery Act, granted on 5 May 2015 until 31 December 2019 (WT/L/950, WT/L/1063)

11.7. In doing so, the General Council considered reports on implementation of the respective waivers in documents WT/L/1065 and WT/L/1063. The representatives of Trinidad and Tobago (CARICOM); Guyana; Haiti; Jamaica; Chad (LDCs); Barbados; St. Lucia (OECS); the United States

<sup>16</sup> This item was taken up under "Other Business" at the July meeting.

and Canada spoke. The General Council took note of the reports contained in documents WT/L/1065 and WT/L/1063 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 2019.

11.8. At the December 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 26 July 2018 to 31 December 2024 (WT/L/1039)
- iii. Cuba – Article XV:6 – Extension of waiver, granted on 7 December 2016 until 31 December 2021 (WT/L/1003, WT/L/1076)
- 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/1077)
- v. United States – African Growth and Opportunity Act, granted on 30 November 2015 until 30 September 2025 (WT/L/970, WT/L/1073)
- vi. United States – Former Trust Territory of the Pacific Islands, granted on 7 December 2016 until 31 December 2026 (WT/L/1000, WT/L/1074)
- vii. United States – Trade Preferences granted to Nepal, granted on 7 December 2016 until 31 December 2025 (WT/L/1001, WT/L/1075)

11.9. In doing so, the General Council considered reports on implementation of the respective waivers in documents WT/L/1073, WT/L/1074, WT/L/1075, WT/L/1076 and WT/L/1077. The General Council took note of those reports and of the Chair's statement.

## **12 REQUEST FOR OBSERVER STATUS BY THE AFRICAN UNION – COMMUNICATION FROM BENIN ON BEHALF OF THE AFRICAN GROUP (WT/GC/M/181)**

12.1. At the December meeting, the representative of Benin (African Group) introduced the request for Observer Status by the African Union circulated in document WT/GC/W/789. The representatives of Egypt; Nigeria; Argentina; South Africa; the Kingdom of Saudi Arabia (Arab Group); Chad (LDCs); Haiti; Cameroon; the European Union; the United States and Uruguay spoke. The representative of Benin (African Group) again took the floor. The General Council took note of the statements.

## **13 ACCESSION OF CURAÇAO – REQUEST FROM THE KINGDOM OF THE NETHERLANDS (WT/GC/M/181)**

13.1. At the December meeting, the Kingdom of the Netherlands introduced the request for accession of Curaçao in document WT/ACC/CUW/1 and passed the floor to Minister Giselle McWilliam - Minister of Economic Development of Curaçao. The representatives of Trinidad and Tobago; Uruguay; the European Union and the United States spoke. The General Council took note of the statements.

## **14 TWELFTH SESSION OF THE MINISTERIAL CONFERENCE**

### **14.1 Statement by the Chair (WT/GC/M/177 and WT/GC/M/179)**

14.1. At the May and July meetings<sup>17</sup>, the Chair made a statement regarding the preparations for MC12 including on consultations that would be conducted in due course on matters related to:

<sup>17</sup> This item was taken up under "Other Business" at the May and July meetings.



Election of Officers; Attendance of Observers from Governments and IGOs; and Attendance of NGOs. The General Council took note of the Chair's statement.

#### **14.2 Election of Officers (WT/GC/M/180 and WT/GC/M/181)**

14.2. At the October meeting, the General Council agreed to formally elect H.E. Bakhyt Sultanov, Minister of Trade and Integration of the Republic of Kazakhstan, to chair the Twelfth Session of the Ministerial Conference. The representative of Kazakhstan spoke. The General Council took note of the statement.

14.3. At the December meeting, the Chair encouraged Group coordinators to finalize their consultations so that the election of the MC12 Vice Chairs could be taken up at the next meeting. The General Council took note of the Chair's statement.

#### **14.3 Attendance of Observers from Governments and Intergovernmental Organizations (WT/GC/M/180)**

14.4. At the October meeting, the General Council agreed to repeat past practice by inviting the Governments with Observer Status at MC11 to attend MC12. With respect to the attendance of IGOs, the Chair noted that on the basis of the consultations she had conducted, the positions previously expressed had not changed and that the difficulties regarding the issue remained. She also noted that she remained available to consult. The General Council took note of the Chair's statement.

#### **14.4 Attendance of Non-Governmental Organizations (WT/GC/M/180)**

14.5. At the October meeting, the General Council agreed to repeat past practice by following the procedure that had been agreed by the General Council in July 1996 in this regard.

### **15 THE VISIT TO THE WORLD TRADE ORGANIZATION OF MR. ANTÓNIO GUTERRES, SECRETARY-GENERAL OF THE UNITED NATIONS (WT/GC/M/178)**

15.1. At the 10 May special meeting, the Director-General welcomed the Secretary-General of the United Nations, Mr. António Guterres, to the WTO and stressed the importance of multilateral cooperation for being a powerful force for good, supporting economic growth, development, stability and peace. The Secretary-General of the United Nations highlighted trade's contribution to economic growth and sustainable development. He also stressed the need to resolve the trade tensions which threatened international trade and the rules-based multilateral trading system through multilateral dialogue and cooperation. He welcomed ongoing WTO reform efforts by Members which should be guided by the Sustainable Development Goals (SDGs). He then called on everyone to work together to honour the commitment to achieve a universal, rules-based, open, non-discriminatory and equitable international trading system. The Chair noted that multilateralism was a public good which should be protected for peace and prosperity and thanked the Secretary-General for his unwavering support in that regard and for his timely visit to the WTO.

### **16 PROCEDURES TO STRENGTHEN THE NEGOTIATING FUNCTION OF THE WTO – COMMUNICATIONS FROM THE UNITED STATES AND STATEMENT BY THE UNITED STATES (WT/GC/M/176; WT/GC/M/177; WT/GC/M/179; WT/GC/M/180 AND WT/GC/M/181)**

16.1. At the February meeting, the representative of the United States presented the communications in documents WT/GC/W/757/Rev.1 titled "An Undifferentiated WTO: Self-declared Development Status risks Institutional Irrelevance" and WT/GC/W/764 on "Draft General Council Decision – Procedures to Strengthen the Negotiating Function of the WTO".

16.2. The representatives of the Central African Republic (LDCs); Brazil; Mexico; Oman (GCC); China; the Kingdom of Saudi Arabia (Arab Group); Turkey; Benin (African Group); Tanzania; India; Uganda; Norway; Kazakhstan; New Zealand; Jamaica; Trinidad and Tobago; Canada; Switzerland; Egypt; the Republic of Korea; Cuba; Colombia; Australia; El Salvador; Pakistan; Israel; the Plurinational State of Bolivia; Indonesia; Sri Lanka; Barbados; Cameroon; Bangladesh; Chile (Argentina, Brazil, Chile, Colombia, Mexico, Panama, Paraguay, Peru and Uruguay); Malawi (ACP); Peru; the European Union; Mali; Uruguay and Zimbabwe spoke. During their intervention, several



delegations referred to both items 6 and 7 of the February GC agenda<sup>18</sup>. The General Council took note of the statements.

16.3. At the May meeting, the representative of the United States provided an update regarding its discussions with delegations concerning its communications in documents WT/GC/W/757/Rev.1 and WT/GC/W/764 since the February General Council meeting.

16.4. The representatives of Paraguay; Chad (LDCs); South Africa; Brazil; Japan; the European Union; China; India; Australia; Argentina; Pakistan and Egypt spoke. During their intervention, several delegations referred to both items 6 and 7 of the May GC agenda<sup>19</sup>. The representatives of the United States; China and South Africa again took the floor. The General Council took note of the statements.

16.5. At the July meeting, the representative of the United States provided an update regarding its discussions with delegations concerning its communications in documents WT/GC/W/757/Rev.1 and WT/GC/W/764 since the May General Council meeting.

16.6. The representatives of China; the European Union; Chad (LDCs); India; Jamaica; Peru; Uganda; Turkey; Benin (African Group) and South Africa spoke. The representative of the United States again took the floor. The General Council took note of the statements.

16.7. At the October meeting, the representative of the United States made a statement on this matter including its submissions in documents WT/GC/W/757/Rev.1 and WT/GC/W/764 and also concerning the relevant US Presidential Memo.

16.8. The representatives of Brazil; Chad (LDCs); the European Union; India; South Africa; China; Australia; Turkey; Jamaica (ACP); Indonesia; Norway; Barbados; Switzerland; Benin (African Group); Thailand; Pakistan; Senegal and Oman spoke. During their intervention, several delegations referred to both items 7 and 11 of the October GC agenda<sup>20</sup>. The representative of the United States again took the floor. The General Council took note of the statements.

16.9. At the December meeting, the representative of the United States made a statement on this matter including its submission in document WT/GC/W/757/Rev.1 and its revised communication in document WT/GC/W/764/Rev.1, and also concerning the relevant US Presidential Memo.

16.10. The representatives of China; Uruguay (Argentina, Brazil, Chile, Colombia, Panama, Paraguay, Peru and Uruguay); the European Union; Barbados; South Africa; India; Ecuador; Jamaica (ACP); Turkey and Benin (African Group) spoke. The representative of the United States again took the floor. The General Council took note of the statements.

## **17 THE CONTINUED RELEVANCE OF SPECIAL AND DIFFERENTIAL TREATMENT IN FAVOUR OF DEVELOPING MEMBERS TO PROMOTE DEVELOPMENT AND ENSURE INCLUSIVENESS – COMMUNICATION FROM CHINA, INDIA, SOUTH AFRICA, BOLIVARIAN REPUBLIC OF VENEZUELA, LAO PEOPLE'S DEMOCRATIC REPUBLIC, PLURINATIONAL STATE OF BOLIVIA, KENYA AND CUBA (WT/GC/M/176)**

17.1. At the February meeting, the representative of China introduced the communication in WT/GC/W/765/Rev.1 on "The Continued Relevance of Special and Differential Treatment of

<sup>18</sup> Item 6 of the February GC agenda related to the "Procedures to Strengthen the Negotiating Function of the WTO – Communications from the United States" while Item 7 of the February GC agenda related to "The Continued Relevance of Special and Differential Treatment in favour of Developing Members to Promote Development and Ensure Inclusiveness – Communication from China, India, South Africa and the Bolivarian Republic of Venezuela".

<sup>19</sup> Item 6 of the May GC agenda related to the "Procedures to Strengthen the Negotiating Function of the WTO – Communications from the United States" and Item 7 of the May GC agenda related to "Pursuing the Development Dimension in WTO Rule-Making Efforts – Communication From Norway".

<sup>20</sup> Item 7 of the October GC agenda related to the "Procedures to Strengthen the Negotiating Function of the WTO – Statement by the United States" and Item 11 of the October GC agenda related to the "Statement on Special and Differential Treatment to Promote Development – Statement by China, Cuba, India, Namibia, Oman, South Africa, Uganda and Zimbabwe".

Developing Members to Promote Development and Ensure Inclusiveness" co-sponsored<sup>21</sup> by China; India; South Africa; the Bolivarian Republic of Venezuela; Lao People's Democratic Republic, the Plurinational State of Bolivia; Kenya and Cuba.

17.2. The representatives of India; Kenya; Pakistan; South Africa; Thailand (ASEAN); Japan; Ghana; Myanmar; Singapore; Hong Kong, China; the Philippines; Cambodia; Nigeria; Afghanistan; the United States; China; India; Brazil and Argentina spoke. During their intervention, several delegations referred to both items 6 and 7 of the February GC agenda<sup>22</sup>. The General Council took note of the statements.

#### **18 PURSUING THE DEVELOPMENT DIMENSION IN WTO RULE-MAKING EFFORTS – COMMUNICATION FROM NORWAY, ICELAND, NEW ZEALAND, SINGAPORE AND SWITZERLAND (WT/GC/M/177)**

18.1. At the May meeting, the representative of Norway introduced the communication in WT/GC/W/770/Rev.2 related to "Pursuing the Development Dimension in WTO Rule-Making Efforts" co-sponsored<sup>23</sup> by Norway; Iceland; New Zealand; Singapore and Switzerland.

18.2. The representatives of Iceland; New Zealand; Switzerland; Canada; Mexico; Hong Kong, China; Turkey; Afghanistan; Uruguay; Thailand (ASEAN); Jamaica (ACP); China; Malaysia; India; Chad (LDCs); Egypt; Colombia; Barbados; Ecuador; Benin (African Group); Japan; South Africa; the European Union; Nigeria; Indonesia and the United States spoke. During their intervention, several delegations referred to both items 6 and 7 of the May GC agenda<sup>24</sup>. The representative of Norway again took the floor. The General Council took note of the statements.

#### **19 STRENGTHENING THE WTO TO PROMOTE DEVELOPMENT AND INCLUSIVITY – COMMUNICATION FROM PLURINATIONAL STATE OF BOLIVIA; CUBA; ECUADOR; INDIA; MALAWI; SOUTH AFRICA; TUNISIA; UGANDA AND ZIMBABWE (WT/GC/M/179)**

19.1. At the July meeting, the representative of India introduced the communication in document WT/GC/W/778/Rev.1 on "Strengthening the WTO to Promote Development and Inclusivity" co-sponsored<sup>25</sup> by the Plurinational State of Bolivia; Cuba; Ecuador; India; Malawi; South Africa; Tunisia; Uganda and Zimbabwe.

19.2. The representatives of Zimbabwe; Uganda; the Plurinational State of Bolivia; Oman; South Africa; Ecuador; Benin; China; Chad (LDCs); Pakistan; the United States; Bangladesh; Jamaica (ACP); Sri Lanka; the European Union; Egypt; Nigeria; Canada; Morocco; Norway; Indonesia; Turkey; Guyana and Afghanistan spoke. The representatives of South Africa and India again took the floor. The General Council took note of the statements.

#### **20 STATEMENT ON SPECIAL AND DIFFERENTIAL TREATMENT TO PROMOTE DEVELOPMENT – STATEMENT BY CHINA, CUBA, INDIA, NAMIBIA, OMAN, SOUTH AFRICA, UGANDA AND ZIMBABWE (WT/GC/M/180)**

20.1. At the October meeting, the representative of India introduced a joint statement on this matter circulated in document WT/GC/202/Rev.1 on "Special and Differential Treatment to Promote Development" co-sponsored by the African Group; the Plurinational State of Bolivia; Cambodia; China; Cuba; India; Lao People's Democratic Republic; Oman; Pakistan and the Bolivarian Republic of Venezuela.

20.2. The representatives of China; Benin (African Group); Chad (LDCs); Uganda; Zimbabwe; the Plurinational State of Bolivia; Oman; Pakistan; Jamaica (ACP); Colombia (Argentina, Brazil, Chile, Colombia, Mexico, Panama, Paraguay, Peru and Uruguay); Cuba; Sri Lanka; the Dominican Republic;

<sup>21</sup> The latest revision to the communication can be found in document WT/GC/W/765/Rev.2 adding the Central African Republic and Pakistan to the list of co-sponsors.

<sup>22</sup> See footnote 18.

<sup>23</sup> The latest revision to the communication can be found in document WT/GC/W/770/Rev.3 adding Canada; Hong Kong, China and Mexico to the list of co-sponsors.

<sup>24</sup> See footnote 19.

<sup>25</sup> The latest revision to the communication can be found in document WT/GC/W/778/Rev.2 adding the African Group to the list of co-sponsors.

Trinidad and Tobago (CARICOM); Namibia; Ecuador; Bangladesh; Barbados; the United States; Indonesia; Turkey and South Africa spoke. During their intervention, several delegations referred to both items 7 and 11 of the October GC agenda<sup>26</sup>. The representatives of India and Benin (African Group) again took the floor. The General Council took note of the statements.

**21 PROCEDURAL GUIDELINES FOR WTO COUNCILS AND COMMITTEES ADDRESSING TRADE CONCERNS – COMMUNICATION FROM ALBANIA; AUSTRALIA; EUROPEAN UNION; HONG KONG, CHINA; REPUBLIC OF KOREA; REPUBLIC OF MOLDOVA; NEW ZEALAND; NORWAY; PANAMA; QATAR; SINGAPORE; SWITZERLAND; THE SEPARATE CUSTOMS TERRITORY OF TAIWAN, PENGHU, KINMEN AND MATSU; THAILAND; TURKEY; AND UKRAINE AND STATEMENT BY CO-SPONSORS (WT/GC/M/179; WT/GC/M/180 AND WT/GC/M/181)**

21.1. At the July meeting, the representative of the European Union introduced the communication in document WT/GC/W/777/Rev.1. related to a Draft General Council Decision on Procedural Guidelines for WTO Councils and Committees Addressing Trade Concerns co-sponsored<sup>27</sup> by Australia; the European Union; Hong Kong, China; the Republic of Korea; New Zealand; Norway; Panama; Singapore; Switzerland; Chinese Taipei; Turkey and Ukraine.

21.2. The representatives of Ukraine; Australia; Turkey; New Zealand; Chinese Taipei; Switzerland; Norway; Singapore; Panama; the Republic of Korea; Hong Kong, China; Thailand; Mexico; the Republic of Moldova; the Russian Federation; the United States; Uruguay; Chad (LDCs); Argentina; the Dominican Republic; Canada; Bangladesh; Sri Lanka; China; South Africa; Brazil; Japan; Paraguay; Chile; Ecuador; Nigeria; India; Egypt; Indonesia and Colombia spoke. The representative of the European Union again took the floor. The General Council took note of the statements.

21.3. At the October meeting, the representative of the European Union presented the revision of the communication in document WT/GC/W/777/Rev.3<sup>28</sup> co-sponsored by Albania; Australia; the European Union; Hong Kong, China; the Republic of Korea; the Republic of Moldova; New Zealand; Norway; Panama; Qatar; Singapore; Switzerland; Chinese Taipei; Thailand; Turkey and Ukraine.

21.4. The representatives of Qatar; Australia; Iceland; Chad (LDCs); Uruguay; Bangladesh; Ecuador; Colombia; Nigeria; Japan; Guatemala; Paraguay; the United States; Mexico; Chile; South Africa; Indonesia; Sri Lanka; India; Canada and Oman spoke. The General Council took note of the statements.

21.5. At the December meeting, the representative of the European Union introduced the item on behalf of the co-sponsors of WT/GC/W/777/Rev.4<sup>29</sup>: Albania; Australia; the European Union; Hong Kong, China; Iceland; the Republic of Korea; the Republic of Moldova; New Zealand; North Macedonia; Norway; Panama; Qatar; Singapore; Switzerland; Chinese Taipei; Thailand; Turkey and Ukraine.

21.6. The representatives of Nigeria; Argentina; Ecuador; Canada; Uruguay; Chad (LDCs); Paraguay; Indonesia; South Africa; Guatemala; the United States and Bangladesh spoke. The representative of the European Union again took the floor. The General Council took note of the statements.

<sup>26</sup> See footnote 20.

<sup>27</sup> A revision to the communication was subsequently circulated in document WT/GC/W/777/Rev.2 adding Albania; Republic of Moldova and Thailand to the list of co-sponsors.

<sup>28</sup> This revision included Qatar as a co-sponsor and amendments to the recitals and paragraphs 1, 7, 12, 13 and 14.

<sup>29</sup> This revision included Iceland and North Macedonia as co-sponsors to the submission.

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**22 AN INCLUSIVE APPROACH TO TRANSPARENCY AND NOTIFICATION REQUIREMENTS IN THE WTO – COMMUNICATION FROM THE AFRICAN GROUP, CUBA AND INDIA (WT/GC/M/179)**

22.1. At the July meeting, the representative of South Africa introduced the communication in document JOB/GC/218/Rev.1 concerning "An Inclusive Approach to Transparency and Notification Requirements in the WTO" co-sponsored<sup>30</sup> by the African Group; Cuba and India.

22.2. The representatives of India; Oman; Nigeria; Egypt; Benin (African Group); Uganda; Chad (LDCs); Costa Rica; Switzerland; Jamaica (ACP); Uruguay; the European Union; Bangladesh; the United States; Japan; China; Norway; Canada; Thailand; Argentina; Sri Lanka; Indonesia; Pakistan; Turkey; Chile; Mexico; Chinese Taipei and the Plurinational State of Bolivia spoke. The representative of South Africa (African Group) again took the floor. The General Council took note of the statements.

**23 STATEMENT DELIVERED BY THE UNITED STATES ON THE IMPORTANCE OF TRANSPARENCY IN WTO DISPUTE SETTLEMENT (WT/GC/M/179 AND WT/GC/M/180)**

23.1. At the July meeting, the United States made a statement on the importance of transparency in WTO Dispute Settlement and recalled its proposal at the 1998 Ministerial Conference on opening all dispute settlement hearings to the public and making all submissions by the parties publicly available.

23.2. The representatives of the Russian Federation; Canada; Australia; Japan; Switzerland; Turkey; the European Union; South Africa; China; Norway; Peru; Indonesia and India spoke. The representative of the United States again took the floor. The General Council took note of the statements.

23.3. At the October meeting, the representative of the United States presented the joint statement in document WT/GC/W/785 on the "Importance of Transparency in WTO Dispute Settlement" co-sponsored by Argentina; Australia; Brazil; Canada; Costa Rica; New Zealand; Norway; Singapore; Switzerland; Chinese Taipei and the United States.

23.4. The representative of Canada; Chinese Taipei; Switzerland; Colombia; Australia; Chile; Costa Rica; the European Union; Guatemala; Brazil; South Africa; China; Japan; Mexico; Norway; Indonesia; Peru; India and Argentina spoke. The representative of the United States again took the floor. The General Council took note of the statements.

**24 EXPANDING THE SCOPE AND MANDATE FOR THE GENEVA WEEK – STATEMENT BY ST. VINCENT AND THE GRENADINES ON BEHALF OF THE OECS AND COMMUNICATION FROM SAINT LUCIA, SOLOMON ISLANDS AND VANUATU (WT/GC/M/177 AND WT/GC/M/180)**

24.1. At the May<sup>31</sup> meeting, the representative of St. Vincent and the Grenadines (OECS) made a statement on the importance of Geneva Week and proposed to broaden the scope of eligible participants. The representatives of Dominica and Grenada spoke. The General Council took note of the statements.

24.2. At the October meeting, the representative of St. Lucia (OECS) introduced the communication in WT/GC/W/781/Rev.1 on "Expanding the Scope and Mandate of the Geneva Week" co-sponsored<sup>32</sup> by Barbados; Saint Lucia; Saint Vincent and the Grenadines; Solomon Islands and Vanuatu.

24.3. The representatives of St. Vincent and the Grenadines; Mauritius; Sri Lanka; Chad (LDCs); Suriname; Bangladesh; Barbados; Trinidad and Tobago (CARICOM); Benin (African Group); the

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<sup>30</sup> The latest revision to the communication can be found in document JOB/GC/218/Rev.2 adding Oman to the list of co-sponsors.

<sup>31</sup> This item was taken up under "Other Business" at the May meeting.

<sup>32</sup> The latest revision to the communication can be found in document WT/GC/W/781/Rev.2 adding Sri Lanka to the list of co-sponsors.

European Union; the United States; Guyana; Jamaica and Honduras spoke. The representative of St. Lucia (OECS) again took the floor. The General Council took note of the statements.

## **25 CHALLENGES POSED TO THE WTO BY NON-MARKET POLICIES AND PRACTICES – UNITED STATES (WT/GC/M/181)**

25.1. At the December meeting, the representative of the United States made a statement on the challenges posed to the WTO by non-market policies and practices.

25.2. The representatives of China; the European Union; Japan and Chinese Taipei spoke. The representatives of the United States and China again took the floor. The General Council took note of the statements.

## **26 LDCS' VIEWS ON WTO REFORM DISCUSSIONS AND PROPOSALS – STATEMENT BY CHAD ON BEHALF OF THE LDC GROUP (WT/GC/M/181)**

26.1. At the December meeting, the representative of Chad (LDCs) introduced this item including the communication of the LDC Group in JOB/GC/223 and JOB/GC/223/Corr.1 entitled "LDC Views on WTO Reform Discussions and Proposals".

26.2. The representatives of Canada; the European Union; South Africa; Afghanistan; Cambodia; the United States; India; Benin (African Group) and Jamaica (ACP) spoke. The representative of Chad (LDCs) again took the floor. The General Council took note of the statements.

## **27 STATEMENT IN SUPPORT OF THE RULES-BASED MULTILATERAL TRADING SYSTEM – STATEMENT BY SWITZERLAND (WT/GC/M/181)**

27.1. At the December meeting, the representative of Switzerland introduced this item including the statement entitled "Statement in support of the rules-based multilateral trading system" co-sponsored by Afghanistan; Argentina; Australia; Benin; Bangladesh; Brazil; Brunei Darussalam; Burundi; Cambodia; Cameroon; Canada; Chad; Chile; Colombia; Costa Rica; the Dominican Republic; Egypt; El Salvador; Grenada; Guatemala; Guyana; Hong Kong, China; Iceland; Jamaica; Kenya; the Republic of Korea; the State of Kuwait; Lao People's Democratic Republic; Liechtenstein; Malawi; Malaysia; Mali; Mauritania; Mexico; the Republic of Moldova; Mongolia; Montenegro; Myanmar; New Zealand; Nigeria; North Macedonia; Norway; Pakistan, Panama; Paraguay; Peru; Qatar; Saint Kitts and Nevis; Saint Lucia; Saint Vincent and The Grenadines; Senegal; Singapore; Switzerland; Thailand; Trinidad and Tobago; Turkey; Ukraine; Uruguay; Vanuatu and Viet Nam and subsequently circulated in document WT/GC/203.

27.2. The representatives of Mongolia; Trinidad and Tobago; Chinese Taipei; Japan; the European Union; Uruguay; Thailand; Hong Kong, China; Malaysia; Cambodia; Norway; South Africa; Chad; the United States; Israel; Jamaica; Afghanistan; Argentina; India; Honduras; Qatar; Cameroon and the Russian Federation spoke. The General Council took note of the statements.

## **28 EUROPEAN UNION – SAFEGUARD MEASURES ON INDICA RICE FROM CAMBODIA – REQUEST FROM CAMBODIA (WT/GC/M/177)**

28.1. At the May meeting, the representative of Cambodia made a statement concerning the European Union's withdrawal of DFQF market access under the EBA scheme for its Indica Rice by imposing a safeguard duty under EU Regulation 2019/67. The representatives of Thailand; Chad (LDCs); Myanmar; Yemen; Afghanistan; China and Benin spoke. The representative of the European Union made a statement. The General Council took note of the statements.

## **29 SPS AGRICULTURE ISSUES – STATEMENT BY CANADA (WT/GC/M/177)**

29.1. At the May meeting, the representative of Canada raised concerns on the suspension by China of two Canadian establishments from exporting Canadian canola seeds for not meeting China's import requirements and increased inspection of imports of canola seeds from other Canadian companies. The representative of China provided a response and noted that it intended to continue to discuss the matter with Canada in the SPS Committee. The General Council took note of the statements.

**30 TRADE RESTRICTIVE MEASURES BY BRAZIL – STATEMENT BY ECUADOR (WT/GC/M/177)**

30.1. At the May meeting, the representative of Ecuador raised concerns on Brazil's suspension of imports of bananas from Ecuador on the basis of alleged presence of the bract mosaic virus that could contaminate Brazilian banana plantations. The representative of Brazil said that the decision to suspend such imports was based on the adoption of phytosanitary measures necessary to preserve plant life and could be more fruitfully discussed in the SPS Committee. The General Council took note of the statements.

**31 EXPORT RESTRICTIVE MEASURES BY JAPAN – STATEMENT BY THE REPUBLIC OF KOREA (WT/GC/M/179)**

31.1. At the July meeting, the representative of the Republic of Korea raised concerns on Japan's tightening of export controls on three materials — fluorinated polyimide, hydrogen fluoride and photoresist – which were essential for the production of Korean semiconductors. The representative of Japan said that the measure was part of its operational review of export controls to prevent the proliferation of certain goods for national security purposes. The General Council took note of the statements.

**32 WTO OPEN DAY – STATEMENT BY THE DIRECTOR-GENERAL (WT/GC/M/176)**

32.1. At the February<sup>33</sup> meeting, the Director-General announced that there would be a WTO Open Day on 16 June (Sunday) and invited everyone to participate in the day's activities. The General Council took note of the Director-General's statement.

**33 US TRADE RESTRICTIVE MEASURES ON THE ICT INDUSTRY – STATEMENT BY CHINA (WT/GC/M/179)**

33.1. At the July<sup>34</sup> meeting, the representative of China raised concerns on the US Executive Order on Securing the Information and Communications Technology and Services Supply Chain, and its announcement of putting relevant Chinese companies into the export control "Entity List". The representative of the United States stressed that WTO Councils and Committees were not appropriate venues to discuss issues of national security. The General Council took note of the statements.

**34 G20 OSAKA SUMMIT AND THE G20 MINISTERIAL MEETING ON TRADE AND DIGITAL ECONOMY – STATEMENT BY JAPAN (WT/GC/M/179)**

34.1. At the July<sup>35</sup> meeting, the representative of Japan provided a report on the G20 Osaka Summit and the G20 Ministerial Meeting on Trade and Digital Economy in Tsukuba and referred to the respective Declarations circulated in WT/L/1066 and WT/L/1067. The General Council took note of the statement.

**35 EIGHTH CHINA ROUND TABLE ON WTO ACCESSIONS – STATEMENT BY THE RUSSIAN FEDERATION (WT/GC/M/181)**

35.1. At the December<sup>36</sup> meeting, the Russian Federation made a statement on the Eighth China Round Table on WTO Accessions hosted in Moscow by the Russian Government on 4-5 December.<sup>37</sup> China spoke. The General Council took note of the statements.

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<sup>33</sup> This item was taken up under "Other Business" at the February meeting.

<sup>34</sup> This item was taken up under "Other Business" at the July meeting.

<sup>35</sup> This item was taken up under "Other Business" at the July meeting.

<sup>36</sup> This item was taken up under "Other Business" at the December meeting.

<sup>37</sup> See also WT/ACC/35 – WT/GC/204 – WT/MIN(20)/1.



### **36 COMMITTEE ON BUDGET, FINANCE AND ADMINISTRATION**

#### **36.1 Reports and Recommendations (WT/GC/M/177 and WT/GC/M/181)**

36.1. 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/178), took note of the CBFA Chair's statement, approved the Budget Committee's specific recommendation in paragraph 9.7 of WT/BFA/178 and adopted the report.

36.2. At the December meeting, the Chairman of the Committee on Budget, Finance and Administration introduced the reports of the CBFA in documents WT/BFA/179, WT/BFA/180, WT/BFA/181, WT/BFA/182 and WT/BFA/183, including the Committee's recommendations. The representatives of China and the European Union spoke. The General Council took note of the statements, approved the Budget Committee's specific recommendations contained in paragraph 3.37 of WT/BFA/180; paragraphs 4.6 and 7.3 of WT/BFA/181; paragraphs 1.24 and 2.4 of WT/BFA/182 and paragraphs 3.11, 4.13 and 1.100 of WT/BFA/183 and adopted the reports. The Director-General then took the floor.

### **37 WTO PENSION PLAN**

#### **37.1 Reports (WT/GC/M/179)**

37.1. At the July meeting, the Chair of the Management Board of the WTO Pension Plan introduced the Annual Report of the Management Board for 2018 contained in document WT/L/1060, and the Report of the Independent External Auditor on the Audit of the Financial Statements of the WTOPP in document WT/L/1064. The General Council took note of the Annual Report of the Management Board for 2018, the Report of the Independent External Auditor on the Audit of the Financial Statements of the WTOPP, and the WTOPP Chair's statement.

#### **37.2 Election of Chairperson, Members, and Alternates to the Management Board (WT/GC/M/179 and WT/GC/M/181)**

37.2. 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.

37.3. At the July meeting, the Chair recalled the process of consultations that had been undertaken regarding the vacancy in the WTOPP Management Board announced through a communication sent to delegations in May. On the basis of this process, she suggested that the candidate proposed in document WT/GC/W/775, Ms. Kelly Milton (United States), be elected to the Management Board as a Member. The General Council so agreed. The decision was subsequently circulated in WT/L/1068.

37.4. At the December meeting, the Chair recalled the process of consultations that had been undertaken regarding the vacancy in the WTOPP Management Board announced through a communication sent to delegations in September. On the basis of this process, she suggested that the candidate proposed in document WT/GC/W/786, Mr. Rob Cook (United Kingdom), be elected to the Management Board as a Member. The General Council so agreed. The decision was subsequently circulated in WT/L/1086.

### **38 ADMINISTRATIVE MEASURES FOR MEMBERS IN ARREARS (WT/GC/M/176; WT/GC/M/177; WT/GC/M/179; WT/GC/M/180 AND WT/GC/M/181)**

38.1. 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 Chairperson 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.



38.2. At the General Council meetings in February, May, July, October and December<sup>38</sup>, the Chair of the Committee on Budget, Finance and Administration provided information with regard to which Members were under Administrative Measures and the Chair made the said request to Members and Observers in Categories II and III. The General Council took note of the statements.

### **39 INTERNATIONAL TRADE CENTRE UNCTAD/WTO – REPORT OF THE JOINT ADVISORY GROUP ON ITS 53<sup>RD</sup> SESSION (WT/GC/M/181)**

39.1. At the December meeting, the General Council considered a report of the Joint Advisory Group on the International Trade Centre UNCTAD/WTO on its Fifty-Third Session (ITC/AG(LIII)/276), which had been considered initially by the Committee on Trade and Development at its meeting on 22 November where it had been presented by the Chair of the Joint Advisory Group, Ambassador Terhi Katriina Hakala (Finland). The CTD Chair made a statement on the Committee's consideration of the report. The representatives of Trinidad and Tobago (CARICOM); Benin (African Group); the European Union and the International Trade Centre (Observer) spoke. The General Council took note of the CTD Chair's statement and of the other statements, and adopted the report of the Joint Advisory Group.

### **40 REVIEW OF WTO ACTIVITIES (WT/GC/M/181)**

40.1. At the December meeting, the General Council considered Annual Reports for 2019 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.

40.2. The General Council took note of the Chair's statement, adopted the report of the Committee on Trade and Development in document WT/COMTD/99 and took note of the reports of other WTO bodies, including the reports of the bodies under the Plurilateral Trade Agreements, in documents WT/TPR/440, G/L/1343, S/C/59, IP/C/85, G/L/1344, G/L/1341, G/L/1346, G/L/1340, WT/CTE/26, WT/BOP/R/117, WT/BFA/184, WT/REG/30, WT/WGTDF/18, WT/WGTTT/21, GPA/AR/2, and WT/L/1071.

40.3. The General Council then adopted the draft Annual Report for 2019 of the General Council (WT/GC/W/788), on the understanding that the Secretariat would make the necessary adjustments to include matters considered at that meeting.

### **41 APPOINTMENT OF OFFICERS TO WTO BODIES (WT/GC/M/176; WT/GC/M/179; WT/GC/M/180 AND WT/GC/M/181)**

41.1. At the February meeting, the Chair recalled that in accordance with the Guidelines for Appointment of Officers to WTO Bodies approved by the General Council in 2002 (WT/L/510), and the related practical steps to improve their implementation (JOB/GC/22), he, together with the Chair of the Dispute Settlement Body, Ambassador Sunanta Kangvalkulkij (Thailand), 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. In addition, they had also consulted on the appointment of new Chairpersons for the CTD SS, CTE SS and DSB SS. The process had included an informal open-ended Heads of Delegation meeting which had been held on 26 February where he had provided an account of the process and where he had shared with delegations the slate of names where there appeared to be consensus.

41.2. Regarding the WTO regular bodies, he informed delegations that, on the basis of those consultations, there had been consensus on the following slate of names on WTO regular bodies in Groups 1, 2, 4 and 5:

General Council

H.E. Ms. Sunanta Kangvalkulkij (Thailand)

Dispute Settlement Body

H.E. Dr. David Walker (New Zealand)

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<sup>38</sup> This item was taken up under "Other Business" at the February, May, July, October and December meetings.

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Trade Policy Review Body	H.E. Mr. Manuel Teehankee (Philippines)
Council for Trade in Goods	H.E. Mr. José Luis Cancela (Uruguay)
Council for Trade in Services	H.E. Mr. Geert Muylle (Belgium)
Council for TRIPS	H.E. Mr. Lundeg Purevsuren (Mongolia)
Committee on Trade and Development	H.E. Mr. Chad Blackman (Barbados)
Committee on Balance-of-Payments Restrictions	H.E. Ms. Cheryl K. Spencer (Jamaica)
Committee on Budget, Finance and Administration	H.E. Mr. Dagfinn Sørli (Norway)
Committee on Trade and Environment	Mr. Jean-Marie Paugam (France)
Committee on Regional Trade Agreements	H.E. Mr. Carlos Mario Foradori (Argentina)
Working Group on Trade, Debt and Finance	H.E. Mr. Refiloe Litjobo (Lesotho)
Working Group on Trade and Transfer of Technology	H.E. Dr. Rashidi Said (Malaysia)

41.3. Concerning the negotiating bodies, consultations showed that there was consensus on the following appointments:

Committee on Trade and Development in Special Session	H.E. Mr. François Xavier Ngarambe (Rwanda)
Committee on Trade and Environment in Special Session	H.E. Mr. Leopold Samba (Central African Republic)

41.4. Additionally, upon departure of the current Chair, Ambassador Coly Seck (Senegal), there was consensus that the Chairmanship of the Dispute Settlement Body in Special Session (DSB SS) would be taken over by H.E. Mr. Kokou Yackoley Johnson (Togo). The Chair then recalled that appointments for the regular bodies would be for one year in keeping with the general rule in the Guidelines. All appointments would be made formally by the WTO bodies concerned at their subsequent meetings in 2019. The General Council took note of the consensus on the slate of names for the appointment of officers in the WTO bodies and of the Chair's statement.

41.5. On behalf of the Chairs of the CTG and CTS, the Chair made a statement on the consultations on the Chairmanships of the subsidiary bodies of the two Councils in accordance with the relevant guidelines. The General Council took note of the Chair's statement.

41.6. At the July<sup>39</sup> meeting, the Chair advised Members that the appointment process for the Chair of the Negotiating Group on Rules was still ongoing and the process for appointing the CTD SS Chair would soon commence. The General Council took note of the Chair's statement.

41.7. At the October<sup>40</sup> meeting, the representative of Ecuador (GRULAC) made a statement on the Chairmanship of the Negotiating Group on Rules. The representatives of Mongolia (Asian Group of Developing Members) and Benin (African Group) also spoke. The Chair appealed on all delegations'

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<sup>39</sup> This item was taken up under "Other Business" at the July meeting.

<sup>40</sup> This item was taken up under "Other Business" at the October meeting.

sense of responsibility as she stood ready to continue to consult and assist them in the process. The General Council took note of the statements.

41.8. At the December meeting, the Chair 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), she 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, she would be assisted in the selection process by the serving Chair of the Dispute Settlement Body, Ambassador David Walker (New Zealand). The General Council took note of the statement which had been made pursuant to the Guidelines for the Appointment of Officers.

#### **42 ELECTION OF CHAIRPERSON (WT/GC/M/176)**

42.1. At the February meeting, the Chair, as the outgoing presiding officer of the General Council, made a statement. The General Council then unanimously elected H.E. Ambassador Sunanta Kangvalkulkij (Thailand) to the Chair.

42.2. The Director-General and the newly-elected Chair spoke. The General Council took note of the statements.

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