

GENERAL COUNCIL

Annual Report (2000)

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), and sets out the actions taken by the General Council in the period since its previous annual report.¹

In carrying out its tasks, the General Council has held 8 meetings and 2 Special Sessions on Implementation since the period covered by the previous report. The minutes of these meetings and Special Sessions, which remain the record of the General Council's work, are contained in documents WT/GC/M/52 and Corr.1 and Add.1, 53, 54 and Add.1-2, 55, 56, 57, 58, 59, 60 and 61 and Add.1.

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¹ The annual report of the General Council for 1999 was circulated as WT/GC/28 and Add.1. The minutes of the Special Session of the General Council in preparation for the Third Ministerial Conference held on 23 November 1999, after the adoption of the 1999 Annual Report of the General Council, were circulated as WT/GC/M/51.

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1. Follow-up to the Seattle Ministerial Conference (WT/GC/M/52, and Corr. 1 and Add. 1, 53)

At the General Council meeting on 17 December 1999, the Chairman proposed that consideration of this item be postponed in order to allow delegations time for consultations.

The representatives of Pakistan, Panama, Mexico, European Communities, Switzerland, Brazil, Mexico, United States, Canada, Dominican Republic, Morocco, India, Egypt, Peru, Norway, Hungary, Cuba, Ecuador, Singapore and Uganda, and the Chairman spoke.

Following the discussion, the Chairman read out the following statement:

"As I have proposed, this meeting of the General Council will be adjourned and resumed as early as possible next year to take up item 3 of the Agenda. It is my understanding that the question raised by a number of delegations concerning the provisions which lapse and deadlines, which expire on 31 December of this year will be part of the consultations to be continued. The General Council will therefore revert to these matters when it resumes early next year.

"It is understood that all Members will exercise restraint on the matters under consultation so as not to prejudice further fruitful discussion and decisions on these matters, or the position of other Members.

"Members have made it clear that informal consultations are necessary on a wide variety of issues, including the issue of deadlines. Many Members urged understanding by all Members in those consultations, and they urged due restraint on the part of Members. This approach would be without prejudice to the position on rights and obligations of Members."

The General Council agreed to postpone consideration of this item to allow further consultations thereon, took note of the statements and adjourned.²

At the General Council meeting on 7 and 8 February 2000, the Chairman proposed that this item and the item on "Other aspects of the WTO work programme" be taken up together. The proceedings of the discussion are reflected under item 2 of this report.

2. Other aspects of the WTO work programme (WT/GC/M/53³)

At the General Council meeting on 7 and 8 February 2000, the Director-General reported, on his own responsibility, on consultations he had been holding in regard to other aspects of the WTO work programme. He indicated, *inter alia*, that in his contacts with Members, undertaken in close co-operation with the Chairman and with the assistance of his deputies, he had sought to get a sense of the immediate priorities for attention beyond the mandated negotiations, and that the consultations had shown considerable convergence on several points which were widely seen as immediate priorities. These of course did not exclude any further action that Members might decide to take in due course on other areas of interest and concern. He went on to provide further details on the four issues that delegations had stressed in his consultations as being matters of immediate priority: measures in favour of LDCs; technical co-operation; transition periods and other implementation issues; and internal transparency and effective participation of all Members.

In addressing both this item and that on "Follow-up to the Seattle Ministerial Conference", the representatives of Bangladesh, Dominican Republic, Brazil, Bolivia, India, Morocco (on behalf of the African Group), Egypt, Singapore, European Communities, Indonesia, Pakistan, Korea, Uganda, Mexico, Jamaica, Ecuador, Poland (on behalf of the CEFTA Members and Turkey), Madagascar, Malaysia, United States, Chile, Japan, Canada, Switzerland, Cuba, Panama, Thailand, Trinidad and Tobago, Costa Rica, Burundi, Barbados, Israel, Mauritius, Venezuela, Argentina, Saint Lucia, Honduras, Côte d'Ivoire and Hungary spoke.

The Chairman noted that the issues identified by the Director-General in his report had been widely considered to be priorities for further consultation. He also noted the high importance Members had placed on addressing the range of implementation issues in an effective way, and suggested that implementation should be an item on the agenda of the next meeting of the General Council. In this light, and bearing in mind the points made by delegations, he proposed that further consultations be held by the Chairman of the General Council and the Director-General.

The General Council took note of the Director-General's statement and of other statements, and agreed to the Chairman's proposal.

² This meeting was subsequently closed. The item was taken up again at the General Council meeting of 7 and 8 February 2000.

³ As indicated under item 1 above, at the Chairman's suggestion, the matters under items 1 and 2 were taken up together at the meeting on 7 and 8 February, and the discussion is reflected accordingly in the minutes of the meeting and in this report.

3. Negotiations on agriculture and services

- (a) Negotiations on agriculture and services under Article 20 of the Agreement on Agriculture and Article XIX of the General Agreement on Trade in Services (WT/GC/M/53)

At the General Council meeting on 7 and 8 February 2000, the Chairman said that in conformity with the time-frame set out in Article 20 of the Agreement on Agriculture and in Article XIX of the GATS, namely 1 January 2000, the mandated negotiations in these two areas were now on. However, a number of procedural matters remained to be settled before the work could start in practice. In this regard, and in the light of wide and intensive consultations, he proposed that as regards Agriculture the negotiations on agriculture be conducted in the Committee on Agriculture meeting in Special Sessions. Progress in the negotiations would be reported directly to the General Council on a regular basis. The first Special Session of the Committee on Agriculture would be scheduled back-to-back with the next regular meeting of the Committee on 23-24 March 2000. The Chair of the Agriculture Committee would chair the Special Sessions, and exceptionally a Vice-Chair of the Committee would be appointed to conduct the regular work of the Committee.

As to services, negotiations on services would be conducted in Special Sessions of the Council for Trade in Services. The Services Council would report on a regular basis to the General Council. The first Special Session of the Services Council would be held in the week beginning 21 February, back-to-back with the regular meeting of the Services Council. The Chair of the Services Council would chair the Special Sessions, and the Services Council would consider whether any further procedural questions needed to be addressed including the possible appointment of a Vice-Chairman.

In his consultations, the Chairman also noted the importance Members attached to other elements of the built-in agenda, including the mandated reviews and the negotiations foreseen under the TRIPS Council in respect of geographical indications. To some Members the mandated reviews should address the impact of the agreements concerned on the trade and development prospects of developing countries. He said that while these reviews and negotiations might not pose the same immediate practical questions as the services and agriculture negotiations, insofar as they were subject to existing procedures, this did not in any way detract from the need to make serious progress on them.

The representatives of Argentina (on behalf of the MERCOSUR Members), Australia, Bangladesh, Bolivia, Colombia, Cuba, Dominican Republic, Egypt, India, Japan, Malaysia, Mauritius, Mexico, Morocco (on behalf of the African Group), Pakistan, Panama, Poland (on behalf of the CEFTA Members and Turkey), Philippines (also on behalf of Brunei Darussalam, Indonesia, Malaysia, Myanmar and Thailand), Singapore, Sri Lanka, Switzerland, Trinidad and Tobago, Uganda and United States, and the Chairman spoke.

The Chairman expressed satisfaction at consensus on his proposals on the organizational aspects of the agriculture and services negotiations. Action at the present meeting should also reflect the collective recognition and commitment that the mandated reviews should address the impact of the agreements concerned on the trade and development prospects of developing countries. He understood that Members also wished to keep in mind the possibility of appointing vice-chairs where appropriate for these mandated reviews.

The General Council took note of the Chairman's statements and of other statements, and agreed to the proposals by the Chairman. The General Council also agreed that the mandated reviews should address the impact of the agreements concerned on the trade and development prospects of developing countries.

- (b) Reports of the Special Sessions of the Committee on Agriculture and of the Council for Trade in Services (WT/GC/M/55, 57, 58, 61)

At its meeting in February 2000, the General Council had agreed that Committee on Agriculture and the Council for Trade in Services would report to the General Council on a regular basis on the negotiations on agriculture and services respectively.

At the General Council meeting on 3 and 8 May 2000, the Chairman drew attention to the reports on the first Special Sessions of the Committee on Agriculture (G/AG/NG/1, G/AG/NG/R/1) and of the Council for Trade in Services (S/CSS/M/1).

The representatives of Argentina, Mexico, Uruguay and Brazil, and the Chairman of the first Special Session of the Council for Trade in Services and the Chairman of the first Special Session of the Committee on Agriculture spoke.

The Chairman proposed that the reports of the first Special Sessions of the Committee on Agriculture and the Council for Trade in Services be taken up at the July meeting of the General Council. Subsequently, and for the duration of the mandated negotiations in question, the reports on them would be a standing item on the General Council's agenda.

The General Council agreed to the Chairman's proposal and took note of the statements.

At the General Council meeting on 17 and 19 July 2000, the Chairman of the Committee on Agriculture and the Chairman of the General Council (on behalf of the Chairman of the Council for Trade in Services) introduced the reports on the Special Sessions of the respective bodies.

The representatives of Brazil (on behalf of the MERCOSUR Members) and Bulgaria spoke.

The General Council took note of the reports of the Special Sessions of the Committee on Agriculture and of the Council for Trade in Services, and of the statements.

At the General Council meeting on 10 October 2000, the Chairman of the General Council (on behalf of the Chairman of the Council for Trade in Services and of the Chairman of the Committee on Agriculture) introduced the reports on the Special Sessions of the respective bodies.

The representatives of Uruguay, Argentina, Brazil, Switzerland, Mexico, Bulgaria, Czech Republic, Turkey, India, Bolivia, European Communities, Mauritius, Argentina, United States, Democratic Republic of Congo, New Zealand and Chile, and the Secretary of the General Council and the Chairman spoke.

The General Council took note of the reports and of the statements and agreed to revert to this item at its next meeting.

At the General Council meeting on 7, 8, 11 and 15 December 2000, the Chairman of the Committee on Agriculture and the Chairman of the Council for Trade in Services introduced the reports on the Special Sessions of the respective bodies.

The representatives of Uruguay, Argentina, Canada, European Communities, Australia, Brazil, Slovenia, Bulgaria, Mexico, Bolivia and Hong Kong, China, and the Chairman spoke.

The General Council took note of the reports and of the statements. The General Council agreed that its Chairman consult with the Chairmen of the two relevant bodies on how to proceed on this matter and then to decide as to whether broader consultations were needed.

4. Participation of acceding countries as observers in the mandated negotiations on agriculture, on services and on other elements of the built-in agenda (WT/GC/M/54 and Add. 2, 55)

At the General Council meeting on 13 March 2000, the Chairman recalled that a number of acceding countries had expressed interest in participating as observers in the informal process related to the mandated negotiations on agriculture, on services and on other elements of the built-in-agenda, as well as in negotiations in these areas. He also recalled that in 1999 the General Council had agreed to the participation of acceding countries in the informal General Council preparatory process for the 1999 Ministerial Conference.⁴ He finally recalled that in the final stage of the preparatory process for Seattle there had been a general understanding that future negotiations should be opened to acceding countries.

The representatives of Panama, United States, Mexico and European Communities, and the Chairman spoke.

The General Council took note of the statements and adjourned.⁵

At the General Council meeting on 3 and 8 May 2000, the Chairman proposed for adoption a text (Job No.2814/Rev.1) concerning participation of acceding countries in the mandated negotiations on agriculture, on services and on other relevant elements of the built-in agenda.

The Chairman noted for the record that the reference in the third paragraph of the draft text to "any rights" included the notion of negotiating rights.

The General Council took note of the Chairman's statement and agreed to the text.⁶

5. Implementation and transition periods⁷

(a) Implementation (WT/GC/M/55)

At the General Council meeting on 3 and 8 May 2000, the Director-General reported on the results of his consultations on the overall implementation issues. On this basis a draft text had been circulated to Members setting out the elements of a possible decision to establish a review mechanism on implementation.

The Chairman, in proposing to Members a draft text for decision on the overall implementation issues, made the following points: First, it was understood that this decision was without prejudice to Members' rights and obligations under the WTO. Second, it was also understood that the General Council would carry out its work in this area in full respect of its normal practice of consensus. Third, a number of implementation-related issues and concerns had been raised by a number of delegations as needing urgent action. He suggested that these proposals be discussed by the General Council at its first Special Session. He further suggested that the first Special Session also draw up a programme and calendar for its work in the coming months. Fourth, it should be understood that this decision was without prejudice to Members' positions on any possible further

⁴ See WT/GC/M/45, item 10.

⁵ This meeting was subsequently closed. The item was taken up again at the General Council meeting of 3 and 8 May 2000.

⁶ Subsequently circulated as WT/L/355.

⁷ Some discussion relating to this matter is carried under items 1 and 2 – "Follow-up to the Seattle Ministerial Conference" and "Other aspects of the WTO work programme".

multilateral trade negotiations. Fifth, and finally, he emphasized that the purpose of the exercise that Members would be embarking on following this decision was to resolve the implementation issues and concerns. This was reflected in the last sentence of the second bullet point which stated: "In addressing these issues, the General Council will assess the existing difficulties, identify ways needed to resolve them, and take decisions for appropriate action".

The representatives of Bangladesh (on behalf of the Informal Group of Developing Countries), Brazil, Morocco (also on behalf of the African Group), Malaysia, United States, Poland (on behalf of the CEFTA Members and Estonia and Latvia), Pakistan, Costa Rica, Bolivia, Honduras, Singapore, Jamaica, Colombia, India, Cuba, Barbados, Egypt, Nigeria, Indonesia, Zimbabwe, European Communities, Philippines, Saint Lucia, Sri Lanka and Hong Kong, China, and the Director-General and the Chairman spoke.

The Chairman said that, having noted the statements made, he wished to re-emphasize that this decision would in no way prejudice the positions of Members on any possible further multilateral trade negotiations. He then proposed that the General Council take note of the statements, and take the decision to establish the implementation review mechanism as described in the proposed text.⁸

The General Council so agreed.⁹

The representative of the Dominican Republic spoke.

The General Council took note of the statement.

(b) Transition Periods (WT/GC/M/55)

At the General Council meeting on 3 and 8 May 2000, the Director-General reported on the results of his consultations on the transition period issue. Among other things, he noted that a lot of time and effort had been devoted over the past months both to identify areas of concern and to seek viable multilateral solutions, and that issues in the TRIMs area had been the main focus of work on transition periods in recent weeks. In the customs valuation area the process of examination and approval of requests for extensions of the transition period by developing countries had, in general, been proceeding well in the Committee on Customs Valuation. He added that the TRIMs and Customs Valuation Agreements were not the only areas where developing countries might be facing difficulties with transition periods, and that Members should remain committed to helping these countries overcome their difficulties in other areas through further consultations. There was also scope for the WTO to work in closer cooperation with other relevant international organizations to establish programmes to help meet developing countries' needs in specific areas.

The Chairman said that he was prepared to consult further on transition period issues as necessary. The issue that related to the TRIMs Agreement, however, was ripe for consideration and action by the General Council at the present meeting as the result of intensive consultations thereon conducted by the Chairman of the Goods Council. Before submitting the text resulting from these discussions for decision,¹⁰ he emphasized, in regard to the Article 9 review of the TRIMs Agreement referred to in bullet 5 of the text, that this mandated review would take into account the developmental impact of the TRIMs Agreement. It was understood that this decision was also without prejudice to Members' rights and obligations under the WTO.

⁸ Reproduced as Annex I of WT/GC/M/55.

⁹ The proceedings of the special sessions of the General Council on implementation, held in pursuance of the decision on the overall implementation issues, are reflected below in item 8 – "Special Sessions on implementation".

¹⁰ Reproduced as Annex II of WT/GC/M/55.

The representatives of Brazil and Morocco (on behalf of the African Group) spoke.

The General Council took note of the statements and agreed to the text proposed by the Chairman.

6. Internal transparency and effective participation of Members¹¹ (WT/GC/M/55, 57, 58¹², 61)

At the General Council meeting on 3 and 8 May 2000, the Chairman recalled that at the General Council meeting on 7-8 February the issue of internal transparency and effective participation of Members had been identified as one of the priorities for further consultations. At that meeting, the Director-General had suggested that such consultations could be initiated on the basis of delegation's contributions. He went on to report on the outcome of the process that had been undertaken thus far on the basis of contributions received from delegations as well as inputs from the Chairman and the Secretariat based on those contributions.

The representatives of Pakistan, Mexico, Honduras (also on behalf of the Dominican Republic), Costa Rica, Morocco (on behalf of the African Group), Canada, Panama, Turkey, Paraguay, Bulgaria, United States, Jamaica, Saint Lucia, Philippines, Singapore, Czech Republic, the Slovak Republic, Brazil, New Zealand, Barbados, Mexico and Hong Kong, China, and the Chairman spoke.

The Chairman said that he would pursue consultations on internal transparency with the objective of finding common ground that would allow Members to eventually draw some conclusions. He also said that several delegations had expressed an interest in addressing the issue of external transparency at some stage, and in this respect the best way to proceed on this matter would be to engage initially in a discussion on the modalities and procedures for such a debate. Such a gradual approach, which had enabled Members to make progress on the issue of internal transparency, would ensure that all delegations felt comfortable addressing the issue of external transparency. It was therefore his intention to engage Members in a discussion on these modalities in coming weeks.

The representative of Mexico spoke.

The Chairman said it was clear that Members needed to reflect further on this subject and that a substantive discussion at the present stage remained premature; he expressed his intention to conduct consultations to see if it would be possible to establish a procedure for a possible future debate on external transparency.

The General Council took note of the statements.

At the General Council meeting on 17 and 19 July 2000, the Chairman recalled that, at the discussion on internal transparency at informal meetings of the General Council in July he had suggested that the various issues be grouped in three clusters: (i) overriding questions; (ii) the day-to-day consultation process; and (iii) the preparation and organization of Ministerial Conferences. Discussions had thus far focused on the first two clusters, as well as on practices Members had tried to follow for consultations during the past few months. With regard to the third cluster, Members had agreed to have a substantive discussion thereon well in advance of the next Ministerial Conference. In that respect, he informed the General Council that these consultations would start in the autumn.

¹¹ Some discussion relating to this matter is carried under item 2 – "Other aspects of the WTO work programme".

¹² Carried in General Council minutes as "Discussion paper on the functioning of the WTO system".

The representatives of Brazil, Bulgaria, New Zealand, Nigeria, Paraguay, El Salvador (on behalf of the Paradisus Group¹³ and Venezuela and Cuba), Saint Lucia, Panama, Mexico, Singapore (on behalf of the ASEAN Members), Mauritius (on behalf of the African Group), Colombia, Jamaica, Korea, Hungary, Bolivia, Uganda, Egypt, United States, Barbados, India, Pakistan, European Communities, Turkey, Canada and Hong Kong, China, and the Chairman spoke.

The General Council took note of the statements and agreed to revert to the issue of internal transparency in the autumn.

At the General Council meeting on 10 October 2000, the representative of the European Communities introduced the Community's discussion paper on improving the functioning of the WTO system (WT/GC/W/412).

The General Council took note of the statement.

At the General Council meeting on 7, 8, 11 and 15 December 2000, the Chairman recalled that at his November informal consultations on the preparation and organization of Ministerial Conferences, Members had addressed, *inter alia*, the conduct of the preparatory process, the format of Ministerial Declarations, advance decision on Chairs and negotiation structure, the role of the host country, and the role of the Director-General and the Secretariat.

The representatives of Poland (on behalf of the CEFTA Members, Estonia and Latvia), Bulgaria, Singapore (on behalf of the ASEAN Members), India, Egypt and European Communities, and the Chairman spoke.

The General Council took note of the statements.

7. External transparency (WT/GC/M/57, 58¹⁴)

At the General Council meeting on 17 and 19 July 2000, the Chairman recalled that a number of delegations had expressed the wish to discuss the issue of external transparency, and that at the General Council meeting on 3 and 8 May he had indicated his intention to consult informally on the procedures to be followed for such a discussion. In the light of these consultations, he proposed that Members draw on some of the procedures used for the discussions on internal transparency. In particular, written contributions on external transparency could be useful so as to familiarize delegations with this issue. Some Members had already included proposals on external transparency in their contributions on internal transparency. He proposed that Members engage in a series of informal consultations in the autumn to discuss such contributions, as well as any other issue they wished to raise in the context of external transparency.

The representatives of Mexico, India, United States, Cuba, Canada, Uruguay, Philippines, European Communities and Hong Kong, China, and the Chairman spoke.

The General Council took note of the statements.

At the General Council meeting on 10 October 2000, the representative of the United States introduced her delegation's discussion paper on external transparency (WT/GC/W/413).

The General Council took note of the statement.

¹³ The Dominican Republic, El Salvador, Guatemala, Honduras, Nicaragua and Panama.

¹⁴ Carried in the General Council minutes as "Submission on external transparency".

8. Special Sessions on implementation

At the General Council meeting in May 2000,¹⁵ Members had agreed that the General Council, meeting in special sessions, would address outstanding implementation issues and concerns, particularly those raised during the preparations for the Third Session of the Ministerial Conference. The first special session should be held no later than June 2000, and the process should be completed not later than the Fourth Session of the Ministerial Conference. In addressing these issues, the General Council would assess the existing difficulties, identify ways needed to resolve them, and take decisions for appropriate action.

(a) Programme and calendar of work (WT/GC/M/56)

At its Special Session on 22 June and 3 July 2000, the General Council agreed to a programme and calendar of work as proposed by the Chairman.¹⁶ In proposing this text, the Chairman emphasized that this was definitely an action and result-oriented process. He recalled that the General Council decision of 3 May, which was quoted in the preamble to the draft schedule of work, committed Members to assess the existing difficulties, identify ways needed to resolve them, and take decisions for appropriate action. These objectives governed the whole programme of work, and delegations should read the draft text in this light.

The representatives of Morocco (on behalf of the African Group), European Communities, Japan, Brazil, Poland (also on behalf of the Czech Republic, Hungary and Slovak Republic), United States, Dominican Republic (also on behalf of Bolivia, El Salvador, Guatemala, Honduras, Nicaragua and Panama), Canada, Pakistan, Colombia, Ecuador, India, Korea, Cuba, Egypt, Djibouti, Costa Rica, New Zealand, Switzerland, Norway, Malaysia, Philippines, Indonesia, Argentina, Singapore, Thailand, Mauritius and Hong Kong, China, and the Chairman spoke.

(b) Discussion of implementation issues (WT/GC/M/56, 59)

At its Special Session on 22 June and 3 July 2000, the General Council held an agreement-by-agreement discussion of implementation-related issues, focusing in particular on the issues reflected in paragraph 21 of the draft Ministerial text of 19 October 1999 (Job(99)/5868/Rev.1).

The representatives of India, Malaysia, Saint Lucia, Hungary, Philippines (also on behalf of the ASEAN Members), European Communities, United States, Japan, Pakistan, Mauritius, Cuba, Honduras, Bolivia, Egypt, Bangladesh, Argentina, Côte d'Ivoire, Norway, Brazil, Indonesia, Thailand, Jamaica, Canada, Dominican Republic, Guatemala, Sri Lanka, Uruguay, Kenya, Mexico, Colombia, Chile, Singapore, Morocco, Switzerland, El Salvador, Venezuela, Bulgaria, Czech Republic, Peru, Turkey and Hong Kong, China (also on behalf of members of the ITCB that were also Members and Observers of the WTO), and the Chairman spoke.

The General Council took note of the statements, and invited the Chairman and the Director-General to hold consultations, in a transparent manner, with a view to identifying ways needed to resolve these issues in accordance with the decision of 3 May on implementation-related issues, and to report to Members sufficiently in advance of the next Special Session.

At its Special Session on 18 October 2000, the General Council addressed other implementation-related issues, especially those reflected in paragraph 22 of the draft Ministerial text of 19 October 1999 (Job(99)/5868/Rev.1) as well as others in the compilation of proposals in document Job(99)/4797/Rev.3 of 18 November 1999.

¹⁵ See under sub-item (5) (a) – "Implementation".

¹⁶ Circulated as Job No. 3859, dated 22 June 2000.

The representatives of India, Brazil, Argentina, Colombia, United States, Bolivia, Paraguay, Venezuela and European Communities, and the Chairman spoke.

The General Council took note of the statements and invited the Chairman and the Director-General to hold consultations on these issues, in a transparent manner, with a view to identifying ways needed to resolve them in accordance with the decision of 3 May, and to report to Members in advance of the next Special Session in December.

- (c) Activities under way in the WTO that may be of relevance to addressing implementation issues (WT/GC/M/56)

At the Special Session of the General Council on 22 June and 3 July 2000, the Chairman introduced a report on "Activities under way in the WTO that may be of relevance to addressing implementation issues" (Job (00)/4217).

The General Council took note of the statement and of the report.

- (d) Report on consultations (WT/GC/M/56)

At its Special Session on 18 October 2000, the General Council considered a report by the Chairman and Director-General on their consultations on implementation-related issues and concerns, especially those reflected in paragraph 21 of the draft Ministerial text of 19 October 1999 (Job(99)/5868/Rev.1).

The representatives of Canada, Mauritius (on behalf of the African Group), European Communities, Paraguay, Indonesia, Zambia, Israel, Thailand, Kenya, Japan, Korea, Argentina, Switzerland, Hong Kong, China, New Zealand, Venezuela, Brazil, Chile, Bulgaria, India, Turkey, Pakistan, Cuba, United States, Singapore, Hungary, Panama, Slovak Republic, Costa Rica, Colombia, Uganda, Dominican Republic, Nigeria, Czech Republic, Egypt, El Salvador, Honduras, Bolivia, Ghana, Sri Lanka, Australia and Philippines, and the Chairman spoke.

The Chairman, noting that the delegation that had expressed a reservation on referring the proposal in Tired 1 of the Customs Valuation proposals to the Committee on Customs Valuation for consideration of the technical aspects could now support this course of action, proposed that the report by himself and the Director-General be adjusted accordingly, and that this item also be referred to the Committee and the Chairman of the Committee be requested to report on the outcome of that consideration to the General Council before its Special Session in December.

The General Council took note of the statements and of the report by the Chairman and the Director-General, and referred to the relevant WTO bodies the issues identified in that report, as adjusted, as being appropriate for their action, with the mandates and time-frames suggested therein. The General Council then invited the Chairman and the Director-General to continue their consultations on the issues reflected in paragraph 21 of the draft Ministerial text of 19 October 1999, in a transparent manner, with a view to identifying ways needed to resolve them in accordance with the decision of 3 May, and to report to Members in advance of the next Special Session in December.

9. Committee on Balance-of-Payments Restrictions

(a) Consultations (WT/GC/M/57, 61)

At the General Council meeting on 17 and 19 July 2000, the Chairman of the Committee on Balance-of-Payments Restrictions introduced the Committee's reports on its consultations with Bangladesh (WT/BOP/R/50) and Pakistan (WT/BOP/R/51).

The representatives of the United States and Pakistan spoke.

The General Council took note of the statements and adopted the reports in WT/BOP/R/50 and WT/BOP/R/51.

At the General Council meeting on 7, 8, 11 and 15 December 2000, the Chairman of the Committee on Balance-of-Payments Restrictions introduced the Committee's reports on its consultations with the Slovak Republic (WT/BOP/R/52 and Corr.1) and Romania (WT/BOP/R/53 and Corr.1).

The General Council took note of the statement and adopted the reports in WT/BOP/R/52 and Corr.1 and WT/BOP/R/53 and Corr.1.

(b) Notes on meetings (WT/GC/M/57, 61)

At the General Council meeting on 17 and 19 July 2000, the Chairman of the Committee on Balance-of-Payments Restrictions drew attention to the Committee's discussion of its ongoing business reported in WT/BOP/R/49.

The General Council took note of the statement and of the information in WT/BOP/R/49.

At the General Council meeting on 7, 8, 11 and 15 December 2000, the Chairman of the Committee on Balance-of-Payments Restrictions drew attention to the Committee's discussion of its ongoing business reported in WT/BOP/R/54.

The General Council took note of the statement and of the information in WT/BOP/R/54.

10. Committee on Budget, Finance and Administration

(a) Reports (WT/GC/M/52 and Corr.1, 53, 55, 57, 58, 61)

At the General Council meeting on 17 December 1999, the Chairperson of the Committee on Budget, Finance and Administration introduced the Committee's recommendations in WT/BFA/44.

The representatives of the United States and Pakistan spoke.

The General Council took note of the statements, approved the Committee's specific recommendations in paragraphs 2 through 7 of its report in WT/BFA/44, and also approved the draft Resolution referred to in the recommendation of paragraph 6. The General Council then adopted the Budget Committee's report in WT/BFA/44, including the Resolution on the revised expenditure of the WTO in 2000 and the ways and means to meet that expenditure.

At the General Council meeting on 7 and 8 February 2000, the Chairperson of the Committee on Budget, Finance and Administration introduced the Committee's report in WT/BFA/45.

The General Council took note of the statement and adopted the report of the Committee on Budget, Finance and Administration in WT/BFA/45.

At the General Council meeting on 3 and 8 May 2000, the Chairman of the Committee on Budget, Finance and Administration introduced the Committee's report in WT/BFA/46.

The General Council took note of the statement, approved the Budget Committee's specific recommendation in paragraph 9 of its report in WT/BFA/46 and adopted the report.

At the General Council meeting on 17 and 19 July 2000, the Chairman of the Committee on Budget, Finance and Administration introduced the Committee's reports in WT/BFA/47 and 48.

The representatives of Bulgaria and Egypt spoke.

The General Council took note of the statements, approved the Budget Committee's specific recommendations in paragraphs 8, 19 and 23 of its report in WT/BFA/47 and in paragraph 4 of its report in WT/BFA/48, and adopted the reports.

At the General Council meeting on 10 October 2000, the Chairman of the Committee on Budget, Finance and Administration drew Members' attention to the worrisome cash situation of the WTO. He said that unless contributions in arrears were paid in the near future, the Secretariat would have to seek authorization to resort to a bank loan in order to meet obligations that could not be postponed. He then introduced the Committee's report in WT/BFA/49.

The representative of Jamaica spoke.

The General Council took note of the statements, approved the Budget Committee's specific recommendation in paragraph 9 of its report in WT/BFA/49 and adopted the report.

At the General Council meeting on 7, 8, 11 and 15 December 2000, Mr. Chabert, Director of the Finance and General Service Division, on behalf of the Chairman of the Committee on Budget, Finance and Administration introduced the Committee's report in WT/BFA/51.

The General Council took note of the statement, approved the Budget recommendations in paragraphs 6, 7, 19, 20, 27, 32, 37 to 40 of its report in WT/BFA/51 and also approved the draft Resolution referred to in the recommendation in paragraph 20. The General Council then adopted the Budget Committee's report in WT/BFA/51, including the Resolution on the revised expenditure of the WTO in 2001 and the ways and means to meet that expenditure.

The representatives of the United Kingdom, Netherlands, Pakistan, Norway, Switzerland, Chile, India, Brazil, Malaysia, Denmark, Hungary, United States, Japan, Germany, Philippines, Ecuador, European Communities, Venezuela, Egypt, Czech Republic, Jamaica, Uganda, Cuba, Mexico and Hong Kong, China spoke.

The General Council took note of the statements.

11. Waivers under Article IX of the WTO Agreement

(a) Harmonized System

(i) *Nicaragua, Sri Lanka (WT/GC/M/55, 61)*

At its meeting on 3 and 8 May 2000, the General Council considered requests by Nicaragua (G/L/351) and Sri Lanka (G/L/350) for extensions of waivers previously granted in connection with their implementation of the Harmonized System, and draft decisions to this effect (Nicaragua - G/C/W/189; Sri Lanka - G/C/W/188).

The Chairman of the Council for Trade in Goods reported on the consideration of these requests 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 draft decisions (Nicaragua – WT/L/353; Sri Lanka – WT/L/352).

At its meeting on 7, 8, 11 and 15 December 2000, the General Council considered requests by Nicaragua (G/L/394) and Sri Lanka (G/L/391) for extensions of waivers previously granted in connection with their implementation of the Harmonized System, and draft decisions to this effect (Nicaragua - G/C/W/227; Sri Lanka - G/C/W/225).

The Chairman of the Council for Trade in Goods reported on the consideration of these requests 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 draft decisions (Nicaragua – WT/L/376; Sri Lanka – WT/L/377).

(b) Renegotiation of Schedule

(i) *Zambia (WT/GC/M/55, 61)*

At its meeting on 3 and 8 May 2000, the General Council considered a request by Zambia (G/L/352) for an extension of a waiver previously granted in connection with the renegotiation of its schedule, and a draft decision to this effect (G/C/W/190).

The Chairman of the Council for Trade in Goods reported on the consideration of this request 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 draft decision (WT/L/350).

At its meeting on 7, 8, 11 and 15 December 2000, the General Council considered a request by Zambia (G/L/393) for an extension of a waiver previously granted in connection with the renegotiation of its schedule, and a draft decision to this effect (G/C/W/226).

The Chairman of the Council for Trade in Goods reported on the consideration of this request 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 draft decision (WT/L/378).

- (c) Decision on the introduction of the Harmonized System changes into WTO Schedules of tariff concessions on 1 January 1996 (WT/GC/M/55, 61)

At its meeting on 3 and 8 May 2000, the General Council considered a draft decision extending the time-limit of the Decision on the introduction of the Harmonized System changes into WTO Schedules of tariff concessions on 1 January 1996 (G/C/W/200).

The Chairman 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 draft decision (WT/L/351).

At its meeting on 7, 8, 11 and 15 December 2000, the General Council considered a draft decision extending the time-limit of the Decision on the introduction of the Harmonized System changes into WTO Schedules of tariff concessions on 1 January 1996 (G/C/W/228).

The Chairman of the Council for Trade in Goods reported on the consideration of this request 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 draft decision (WT/L/379).

- (d) Uruguay – Derogation on minimum values¹⁷ (WT/GC/M/55)

At its meeting on 3 and 8 May 2000, the General Council considered a request by Uruguay (G/VAL/W/55) for a waiver regarding a derogation on minimum values under the Agreement on Implementation of Article VII of the GATT 1994, and a draft decision to this effect (G/VAL/W/55/Add.1/Rev.1).

The Chairman of the Council for Trade in Goods reported on the consideration of this matter by that Council.

The representatives of India and Brazil spoke.

The General Council took note of the statements and 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 draft decision (WT/L/354).

The representative of Jamaica spoke.

The General Council took note of the statement.

¹⁷ Carried in General Council minutes as "Customs Valuation Agreement: Request by Uruguay for a waiver under Article IX of the WTO Agreement for minimum values".

(e) EC/France – Trading arrangements with Morocco (WT/GC/M/57)

At its meeting on 17 and 19 July 2000, the General Council considered a request by EC/France (G/L/357) for an extension of a waiver previously granted for France's trading arrangements with Morocco, and a draft decision to this effect (G/C/W/194).

The Chairman of the Council for Trade in Goods reported on the consideration of this request 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 draft decision (WT/L/361 and Corr.1).

(f) EC – Autonomous preferential treatment to the countries of the Western Balkans (WT/GC/M/61)

At its meeting on 7, 8, 11 and 15 December 2000, the General Council considered a request from the European Communities for a derogation from its obligations under paragraph 1 Article I of the GATT 1994 until 31 December 2006 and a draft decision to this effect (G/C/W/178).

The Chairman of the Council for Trade in Goods reported on the consideration of this request 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 draft decision (WT/L/380 and Corr.1).

(g) Turkey – Preferential treatment for Bosnia-Herzegovina (WT/GC/M/61)

At its meeting on 7, 8, 11 and 15 December 2000, the General Council considered a request from Turkey for a derogation from its obligations under paragraph 1 Article I of the GATT 1994 until 31 December 2006 and a draft decision to this effect (G/C/W/217).

The Chairman of the Council for Trade in Goods reported on the consideration of this request 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 draft decision (WT/L/381).

(h) Review of waivers pursuant to Article IX:4 of the WTO Agreement (WT/GC/M/61)

(i) *Canada – CARIBCAN, granted on 14 October 1996 until 31 December 2006 (WT/L/365)*

(ii) *Cuba – Article XV:6, granted on 14 October 1996 until 31 December 2001 (WT/L/370)*

(iii) *Hungary – Agricultural export subsidies, granted on 22 October 1997 until 31 December 2001 (WT/L/369)*

(iv) *United States – Andean Trade Preference Act, granted on 14 October 1996 until 4 December 2001 (WT/L/372)*

- (v) *United States – Caribbean Basin Economic Recovery Act, granted on 15 November 1995 until 31 December 2005 (WT/L/373)*
- (vi) *United States – Former Trust Territory of the Pacific Islands, granted on 14 October 1996 until 31 December 2006 (WT/L/371)*

At its meeting on 7, 8, 11 and 15 December 2000, the General Council considered reports on the above six waivers.

The Chairman spoke.

The General Council took note the Chairman's statement and of the reports in documents WT/L/365 and WT/L/369 through 373.

12. Accession matters

- (a) Albania (WT/GC/M/57)

In December 1992, the GATT 1947 CONTRACTING PARTIES had established a working party to examine Albania's request for accession to the General Agreement on Tariffs and Trade. Subsequently, in pursuance of the decision regarding requests for WTO accession adopted by the WTO General Council on 31 January 1995¹⁸, the GATT 1947 Accession Working Party had been transformed into a WTO Accession Working Party.

At its meeting on 17 and 19 July 2000, the General Council approved the text of the Protocol of Accession (WT/ACC/ALB/53) and the text of the draft Decision on the Accession of Albania 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 Decision on the Accession of Albania (WT/ACC/ALB/52). The General Council also adopted the Report of the Working Party (WT/ACC/ALB/51 and Corr.1 and Add.1, 2 and Add.2/Corr.1).

The representatives of Albania (as an observer), Turkey, United States, European Communities, Poland (on behalf of the CEFTA Members and Estonia and Latvia), Ecuador (on behalf of GRULAC), India, Canada, Pakistan, Singapore (on behalf of the ASEAN Members), Egypt and Malta, and the Chairman of the Working Party and the Chairman (on behalf of the General Council) spoke. The representatives of Israel and Switzerland wished to be placed on record as welcoming and supporting the accession of Albania.

The General Council took note of the statements and of the expressions of support.

- (b) Azerbaijan (WT/GC/M/55)

In July 1997, the General Council had established a working party to examine Azerbaijan's request for accession to the WTO Agreement, and had authorized its Chairman to designate the Chairperson of the Working Party in consultation with representatives of Members and with the representative of Azerbaijan.

At its meeting on 3 and 8 May 2000, the Chairman informed the General Council that Mr. Lewalter (Germany) had agreed to chair the Working Party.

¹⁸ See WT/GC/M/1, item 4(g).

The General Council took note of this information.

(c) Bhutan (WT/GC/M/58)

In October 1999, the General Council had established a working party to examine Bhutan's request for accession to the WTO Agreement, and had authorized its Chairman to designate the Chairperson of the Working Party in consultation with representatives of Members and with the representative of Bhutan.

At its meeting on 10 October 2000, the Chairman informed the General Council that Mr. Kreid (Austria) had agreed to chair the Working Party.

The General Council took note of this information.

(d) Cape Verde (WT/GC/M/57)

At its meeting on 17 and 19 July 2000, the General Council considered a communication from Cape Verde (WT/ACC/CPV/1) concerning its interest in acceding to the WTO Agreement pursuant to Article XII.

The representatives of Cape Verde (as an observer), European Communities, Mozambique, Mauritius (on behalf of the African Group) and Angola spoke. The representatives of Bangladesh (on behalf of the LDCs), Barbados, Canada, Chile, Côte d'Ivoire, Cuba, Czech Republic, Ecuador, Egypt, El Salvador, Gabon, Ghana, Honduras, Hungary, Iceland, India, Japan, Kenya, Madagascar, Malta, Morocco, Nigeria, Norway, Qatar, Saint Lucia, Senegal, Singapore (on behalf of the ASEAN Members), Slovak Republic, South Africa, Sri Lanka, Switzerland, Turkey, Uganda, United States and Uruguay wished to be placed on record as welcoming and supporting Cape Verde's request.

The General Council took note of the statements and of the expressions of support and agreed to establish a working party to examine the application of Cape Verde, and authorized its Chairman to designate the Chairperson of the Working Party in consultation with representatives of Members and with the representative of Cape Verde.

The Chairman invited Cape Verde, on behalf of the General Council, to attend meetings of the General Council and, as appropriate, meetings of the other WTO bodies as an observer during the period in which the Working Party was carrying out its work.

(e) Croatia (WT/GC/M/57)

In October 1993, the GATT 1947 Council had established a working party to examine Croatia's request for accession to the General Agreement on Tariffs and Trade. Subsequently, in pursuance of the decision regarding requests for WTO accession adopted by the WTO General Council on 31 January 1995¹⁹, the GATT 1947 Accession Working Party had been transformed into a WTO Accession Working Party.

At its meeting on 17 and 19 July 2000, the General Council approved the text of the Protocol of Accession (WT/ACC/HRV/61) and the text of the draft Decision on the Accession of Croatia 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 Decision on the Accession of Croatia (WT/ACC/HRV/60). The General Council also adopted the Report of the Working Party (WT/ACC/HRV/59 and Add.1, 2 and Add.2/Corr.1 and 2).

¹⁹ See WT/GC/M/1, item 4(g).

The representatives of Croatia (as an observer), Turkey, European Communities, United States, Slovenia, Japan, Ecuador (on behalf of GRULAC), Canada, India, Singapore (on behalf of the ASEAN Members), Pakistan, Hungary and Poland (on behalf of the CEFTA Members and Estonia and Latvia), and the Chairman of the Working Party and the Chairman (on behalf of the General Council) spoke. The representatives of Australia, Bolivia, Egypt, Iceland, Israel, Malta, and Switzerland wished to be placed on record as welcoming and supporting the accession of Croatia.

The General Council took note of the statements and of the expressions of support.

(f) Georgia (WT/GC/M/54)

In October 1999, the General Council had adopted a Decision (WT/ACC/GEO/32) authorizing Georgia to accede to the WTO Agreement under terms set out in its Protocol of Accession (WT/ACC/GEO/33). As set out in its paragraph 7, the Protocol was open for acceptance by Georgia until 1 March 2000.

At its meeting on 13 March 2000, the General Council considered a communication from Georgia requesting that the time-limit for acceptance in paragraph 7 of its Protocol of Accession be changed to 15 May 2000 (WT/L/345), and a draft decision to this effect (WT/GC/W/398), 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 draft decision extending the time-limit (WT/L/346).

(g) Jordan (WT/GC/M/52)

In January 1994, the GATT 1947 CONTRACTING PARTIES had established a working party to examine Jordan's request for accession to the General Agreement on Tariffs and Trade. Subsequently, in pursuance of the decision regarding requests for WTO accession adopted by the WTO General Council on 31 January 1995²⁰, the GATT 1947 Accession Working Party had been transformed into a WTO Accession Working Party.

At its meeting on 17 December 1999, the General Council approved the text of the Protocol of Accession (WT/ACC/JOR/35) and the text of the draft decision on the Accession of Jordan 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 Decision on the Accession of Jordan (WT/ACC/JOR/34). The General Council also adopted the report of the Working Party (WT/ACC/JOR/33 and Corr.1 and Add.1 and 2).

The representatives of Jordan (as an observer), United States, Bolivia (on behalf of GRULAC), European Communities, Turkey, Israel, Malaysia (on behalf of the ASEAN Members), Egypt (on behalf of the Group of Arab countries Members of the WTO), and the Chairman of the Working Party spoke. The representatives of Australia, Bangladesh, Canada, Cuba, Cyprus, Djibouti, Hungary (on behalf of the CEFTA Members and Estonia and Latvia), Iceland, India, Japan, Korea, Kuwait, Madagascar, Morocco, Pakistan, Panama, Qatar, Senegal, South Africa, Switzerland, Tunisia, Uganda, Venezuela, Zambia, and Zimbabwe wished to be placed on record as welcoming and supporting the accession of Jordan.

The General Council took note of the statements and of the expressions of support.

²⁰ See WT/GC/M/1, item 4(g).

(h) Lithuania (WT/GC/M/61)

In February 1994, the GATT 1947 Council had established a working party to examine Lithuania's request for accession to the General Agreement on Tariffs and Trade. Subsequently, in pursuance of the decision regarding requests for WTO accession adopted by the WTO General Council on 31 January 1995²¹, the GATT 1947 Accession Working Party had been transformed into a WTO Accession Working Party.

At its meeting on 7, 8, 11 and 15 December 2000, the General Council approved the text of the Protocol of Accession (WT/ACC/LTU/54) and the text of the draft decision on the Accession of Oman 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 Decision on the Accession of Oman (WT/ACC/LTU/53). The General Council also adopted the report of the Working Party (WT/ACC/LTU/52 and Add.1 and Add.1/Corr.1 and Add.2).

The representative of Lithuania (as an observer), H.E. Mr. Valdas Adamkus, President of Lithuania, the representatives of Estonia, Latvia, European Communities, United States, Poland (on behalf of the CEFTA Members), El Salvador (on behalf of GRULAC), Canada, Norway, Croatia, Singapore (on behalf of the ASEAN Members), Lesotho, Switzerland, Egypt (on behalf of the Arab Members), Nigeria, Georgia and Iceland, and the Chairman of the Working Party and the Chairman (on behalf of the General Council) spoke.

The General Council took note of the statements and of the expressions of support.

(i) Oman (WT/GC/M/58)

In June 1996, the General Council had established a working party to examine Oman's request for accession to the WTO Agreement.

At its meeting on 10 October 2000, the General Council approved the text of the Protocol of Accession (WT/ACC/OMN/28) and the text of the draft decision on the Accession of Oman 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 Decision on the Accession of Oman (WT/ACC/OMN/27). The General Council also adopted the report of the Working Party (WT/ACC/OMN/26 and Add.1 and 2).

The representatives of Pakistan, Oman (as an observer), Tunisia, European Communities, Morocco, United States, India, Ecuador (on behalf of GRULAC), Tanzania, Egypt, Singapore (on behalf of the ASEAN Members), Bangladesh, Kuwait (also on behalf of Bahrain, Qatar and the United Arab Emirates), Poland (on behalf of the CEFTA Members and Estonia and Latvia) and Turkey, and the Chairman of the Working Party and the Chairman (on behalf of the General Council) spoke. The representatives of Bangladesh, Cyprus, Japan, Jordan, Kenya and Nigeria wished to be placed on record as welcoming and supporting the accession of Oman.

The General Council took note of the statements and of the expressions of support.

(j) Russian Federation (WT/GC/M/57)

In June 1993, the GATT 1947 Council had established a working party to examine the request of the Russian Federation for accession to the General Agreement on Tariffs and Trade. In October 1993, the GATT 1947 Council had taken note that Mr. Rossier (Switzerland) had agreed to

²¹ See WT/GC/M/1, item 4(g).

serve as Chairman of the Working Party. Subsequently, in pursuance of the decision regarding requests for WTO accession adopted by the WTO General Council on 31 January 1995²², the GATT 1947 Accession Working Party had been transformed into a WTO Accession Working Party.

At the General Council meeting on 17 and 19 July 2000, the Chairman said that on the basis of consultations that had been held he had accepted, subject to Members' approval, the invitation to chair the Working Party on the Accession of the Russian Federation following the departure of the former Chairman Mr. Rossier (Switzerland).

The General Council took note of this information and so agreed.

(k) Ukraine (WT/GC/M/55)

In December 1993, the GATT 1947 Council had established a working party to examine Ukraine's request for accession to the General Agreement on Tariffs and Trade. Subsequently, in pursuance of the decision regarding requests for WTO accession adopted by the WTO General Council on 31 January 1995²³, the GATT 1947 Accession Working Party had been transformed into a WTO Accession Working Party.

At its meeting on 3 and 8 May 2000, the Chairman informed the General Council that Mr. Marchi (Canada) had agreed to chair the Working Party on the Accession of Ukraine.

The General Council took note of this information.

(l) Yemen (WT/GC/M/57)

At its meeting on 17 and 19 July 2000, the General Council considered a communication from Yemen (WT/ACC/YEM/1) concerning its interest in acceding to the WTO Agreement pursuant to Article XII.

The representatives of Yemen (as an observer), Egypt, Turkey, Tunisia, Kuwait and Morocco spoke. The representatives of Angola, Bahrain, Bangladesh (on behalf of the LDCs), Barbados, Bolivia, Brazil, Bulgaria, Canada, Chile, Colombia, Cuba, Czech Republic, Ecuador, El Salvador, European Communities, Ghana, Guinea, Honduras, Hungary, Iceland, India, Japan, Kenya, Korea, Madagascar, Malta, Mauritania, Mauritius, Mongolia, Mozambique, Norway, Pakistan, Philippines, Qatar, Senegal, Singapore (on behalf of the ASEAN Members), Slovak Republic, Slovenia, South Africa, Sri Lanka, Sudan, Switzerland, Tanzania, Uganda, United States and Macau, China wished to be placed on record as welcoming and supporting Yemen's request.

The General Council took note of the statements and of the expressions of support, agreed to establish a working party to examine the application of Yemen, and authorized its Chairman to designate the Chairperson of the Working Party in consultation with representatives of Members and with the representative of Yemen.

The Chairman invited Yemen, on behalf of the General Council, to attend meetings of the General Council and, as appropriate, meetings of the other WTO bodies as an observer during the period in which the Working Party was carrying out its work.

²² See WT/GC/M/1, item 4(g).

²³ See WT/GC/M/1, item 4(g).

(m) Accessions to the WTO (WT/GC/M/55, 61)

At the General Council meeting on 3 and 8 May 2000, the representative of Poland (on behalf of the CEFTA Members and Estonia and Latvia) pointed out some of the difficulties acceding countries had to deal with in their accession process.

The representatives of the European Communities, United States, Brazil, Croatia (as an observer), Lithuania (as an observer), Moldova (as an observer) and the Russian Federation (as an observer) spoke.

The General Council took note of the statements.

At the General Council meeting on 7, 8, 11 and 15 December 2000, the representative of Egypt (on behalf of the Informal Group of Developing Countries) underlined the numerous difficulties faced by acceding countries in their accession process.

The representatives of the United States, European Communities, India, Cuba, Estonia, Israel, Turkey, Albania, Pakistan, Malaysia, Indonesia, Australia and Egypt, and the Chairman spoke

The General Council took note of the statements.

13. Measures in favour of least-developed countries (WT/GC/M/55)

At the General Council meeting on 3 and 8 May 2000, the Chairman recalled that the issue of measures in favour of least-developed countries was one of four elements identified at the February General Council meeting as a priority for immediate attention.²⁴

The Director-General reported on the results of his consultations thus far on this issue.

The representatives of Bangladesh (on behalf of the least-developed country Members), Zambia, European Communities, Japan, Korea, Morocco (on behalf of the African Group), Haiti, Switzerland, Mauritius, Slovak Republic, Iceland, Czech Republic, Norway, Hungary, Poland, New Zealand, Slovenia, Bulgaria, Pakistan, Cuba, Canada, Zimbabwe, United States, Argentina (on behalf of the MERCOSUR Members), Chile, Guinea, India, Egypt, Venezuela, Australia, Turkey, Burundi, Uganda and Bolivia, and the Chairman spoke.

The General Council took note of the statements and of the report by the Director-General.

14. Integrated framework for trade-related technical assistance to least-developed countries (IF) (WT/GC/M/57)

Pursuant to the mandate contained in WT/LDC/HL/1/Rev.1 endorsed by Members at the High-Level Meeting for Least-Developed Countries in 1997, heads and representatives of the six core international agencies²⁵ for the IF, had met on 6 July 2000 to consider the results of the IF review.²⁶

²⁴ See item 2 – "Other aspects of the WTO work programme".

²⁵ IMF, ITC, UNCTAD, UNDP, World Bank and the WTO.

²⁶ The review was conducted in accordance with the decision by the Inter-Agency Working Group on 24 November 1999 (WT/COMTD/LDC/6).

At the General Council meeting on 17 and 19 July 2000, the Director-General made a report on progress made on the IF review.

The representatives of Bangladesh (on behalf of the LDCs), Uganda, Haiti, Guinea, Egypt, European Communities, Japan, Lesotho, Switzerland, Mauritius (on behalf of the African Group), Canada, Norway, Mauritania, Madagascar, Tanzania, United States and Zambia spoke.

The General Council took note of the report of the Director-General and of the statements.

15. Capacity-building through technical cooperation (WT/GC/M/55)

At the General Council meeting on 3 and 8 May 2000, the Chairman recalled that the issue of capacity-building through technical cooperation was one of four elements identified at the February General Council meeting as a priority for immediate attention.²⁷

The Director-General reported on the results of his consultations thus far on this issue.

The representatives of Morocco (on behalf of the African Group), Bangladesh, Japan, United States, Cuba, European Communities, Turkey, Haiti, Egypt, Switzerland, Jamaica, Norway, Kenya, Venezuela, Canada, New Zealand, Lesotho, Australia, Djibouti and Hong Kong, China, and the Chairman spoke.

The General Council took note of the statements and of the report by the Director-General.

16. High-Level international intergovernmental event on financing for development (WT/GC/M/55, 57²⁸)

At the General Council meeting on 3 and 8 May 2000, the Chairman referred to a communication from the Co-Chairmen of the Bureau of the Preparatory Committee for the High-Level International Intergovernmental Event on Financing for Development. As indicated in the response which he had circulated to Members on 12 April 2000, he had invited members of the Bureau to an informal meeting to discuss with WTO permanent representatives in Geneva and senior officials of the WTO Secretariat the possible contribution of the WTO to this event. This meeting was scheduled for 19 May and delegations interested in participating in this informal meeting were invited to inform him accordingly.

The General Council took note of this information.

The representative of Bolivia and the Chairman spoke.

The General Council took note of the statements.

At the General Council meeting on 17 and 19 July 2000, the Chairman said that at the 19 May meeting, the Bureau of the UN Preparatory Committee had presented proposals for a closer dialogue and cooperation with the WTO for the preparation of the High-Level Event scheduled for 2001, and had expressed a strong wish to receive a political input from the WTO membership. He therefore proposed that the contact point for such input be the Committee on Trade and Development (CTD)

²⁷ See item 2 – "Other aspects of the WTO work programme".

²⁸ Carried in General Council minutes as "Possible WTO contribution to the High-Level Event on Financing for Development".

and that its Chairman be in contact with the Preparatory Committee. Issues that might be raised in the context of the preparations for the High-Level Event would be discussed in the CTD.

The representative of the United States and the Chairman spoke.

The General Council took note of the statements and agreed to the Chairman's proposal.

17. Matters of relevance to the work and functioning of the WTO (WT/GC/M/57²⁹, 61³⁰)

At the General Council meeting on 17 and 19 July 2000, the Director-General reported on a number of recent initiatives of relevance to the work and functioning of the WTO.

The General Council took note of the statement.

At the General Council meeting on 7, 8, 11 and 15 December 2000, the Director-General reported on several matters related to recent developments of relevance to the WTO.

The General Council took note of the statement.

18. Trade facilitation – status report on work carried out by the Council for Trade in Goods under Paragraph 21 of the Singapore Ministerial Declaration (WT/GC/M/61)

Paragraph 21 of the Singapore Ministerial Declaration directed the Council for Trade in Goods to undertake exploratory and analytical work, drawing on the work of other relevant organizations, on the simplification of trade procedures in order to assess the scope for WTO rules in this area.

At its meeting on 7, 8, 11 and 15 December 2000, the General Council heard a status report on the work carried out by the Council for Trade in Goods under Paragraph 21 of the Singapore Ministerial Declaration.

The General Council took note of the status report (G/L/425).

19. Report on the implementation of Article 10.2 of the Agreement on Agriculture (WT/GC/M/61)

At its Special Session on 18 October 2000, the General Council had referred the question of the implementation of Article 10.2 of the Agreement on Agriculture to the Committee on Agriculture which had been invited to report back on its progress on this issue to the General Council at its last regular meeting of this year.

At the General Council meeting on 7, 8, 11 and 15 December 2000, the Vice-Chairman of the Committee on Agriculture introduced the report on the implementation of Article 10.2 of the Agreement on Agriculture (G/AG/6).

The representative of Brazil spoke.

²⁹ Carried in General Council minutes as " Statement by the Director-General on recent initiatives".

³⁰ Carried in General Council minutes as " Statement on several matters related to recent developments of relevance to the WTO".

The General Council took note of the statements and of the report of the Committee on Agriculture in G/AG/6.

20. Global electronic commerce³¹ (WT/GC/M/55, 57, 58, 61)

In September 1998, the General Council had established a Work Programme on Electronic Commerce (WT/L/274). In October 1999, the General Council had considered the reports of the relevant WTO bodies charged with implementing the Work Programme and had agreed to forward those reports to Ministers at the Third Ministerial Conference and to revert to the matter of e-commerce as early as possible in the year 2000.

At the General Council meeting on 3 and 8 May 2000, the Chairman reported that this matter had been discussed at an informal meeting of the General Council as well as in consultations, and had suggested that he hold further consultations and that the substantive discussion in the formal General Council be taken up in at the July meeting.

The representatives of Pakistan, Japan, Mexico, Korea, Venezuela, United States, Singapore, Switzerland, Canada, Ecuador, Panama, India, New Zealand, European Communities, Czech Republic, Uruguay, Argentina, Australia, Hungary, Turkey, Israel, Saint Lucia and Hong Kong, China spoke.

The General Council took note of the statements, agreed that the Chairman would conduct consultations on the way to proceed with this issue and agreed to revert to this matter at its next meeting.

At the General Council meeting on 17 and 19 July 2000, the Chairman said that on the basis of consultations and informal discussions in the General Council, he proposed that the approach to the work on e-commerce comprised the following three elements: (i) to agree to reinvigorate the work in the WTO on e-commerce on a practical basis, which was understood to be without prejudice to any delegation's position on the status of the 1998 Declaration; (ii) to invite the four subsidiary bodies, i.e. the Goods, Services and TRIPS Councils and the Committee on Trade and Development, to pick up where they had left off in their work on e-commerce within their respective spheres of competence, identify cross-sectoral issues, and report back to the General Council at its regular meeting in December 2000; and (iii) to agree to consider how best to organize the General Council's work on e-commerce in light of the reinvigorated work of the subsidiary bodies, including the question of an ad hoc task force to assist in consideration of subsidiary body reports and cross-sectoral issues.

The representatives of Pakistan, Australia, Japan, New Zealand, India, Cuba, Singapore (on behalf of the ASEAN Members), Mauritius (on behalf of the African Group), Brazil, Ecuador, Venezuela, Korea, Canada, European Communities, Uganda, Chile, Israel, Czech Republic, Mexico, Switzerland, Norway, Guatemala, Uruguay, United States, Turkey, Panama, Dominican Republic, Jamaica, Costa Rica, Colombia, Slovak Republic, Hungary, Honduras and Hong Kong, China, and the Chairman spoke.

The General Council took note of the statements and agreed to proceed with the work on e-commerce in line with the three points contained in the Chairman's proposal.

At its meeting on 10 October 2000, the General Council considered this matter.

³¹ In the relevant minutes the item is called "Work programme on electronic commerce".

The representatives of Venezuela, Singapore, United States, Japan, Korea, Switzerland, European Communities, Chile, Norway, Canada, Brazil, Indonesia, India, Australia, Nigeria, Hungary, New Zealand, Panama, Jamaica, Philippines, Mauritius, Pakistan, Malaysia, Argentina, Jordan, Uganda, Dominican Republic, Barbados and Hong Kong, China, and the Chairman spoke.

The General Council took note of the statements.

At the General Council meeting on 7, 8, 11 and 15 December 2000, the Chairman drew attention to the progress reports of the relevant WTO bodies on their work on e-commerce within their respective spheres of competence and said that (i) the subsidiary bodies had not had enough time to substantially deepen their work; (ii) the work to date in the subsidiary bodies had demonstrated that electronic commerce fell within the scope of the existing WTO agreements; (iii) Members were all aware of the tremendous potential of e-commerce and the internet to contribute to infrastructure capacity building and market access; (iv) he intended to pursue consultations on the possibility of setting up an ad hoc task force in the WTO or any other procedure to organize the work of the General Council on electronic commerce in order to prepare for the next Ministerial Conference.

The representatives of Colombia, Singapore, Thailand, United States, Brazil, Cuba, European Communities, Costa Rica, Japan, Argentina, Hungary, India, Albania, Australia, Malaysia, Norway, Sri Lanka, Korea, Canada, Slovak Republic, New Zealand, Nigeria, Panama, Egypt, Pakistan, Venezuela, Jordan, Jamaica, Uganda, Philippines, Lesotho, Morocco, Mauritius, Bolivia, United States, Indonesia, Uruguay, Switzerland, Czech Republic and Hong Kong, China, and the Chairman spoke.

The General Council took note of the statements.

21. Five-year review of the exemption provided under paragraph 3 of the GATT 1994 (WT/GC/M/53, 55, 57, 61)

In July 1999, the General Council had considered a communication from the United States (WT/GC/W/228) concerning the five-year review of the exemption provided under paragraph 3 of the GATT 1994. The General Council had also considered this matter at its October and November 1999 meetings.

At its meeting on 7 and 8 February 2000, the General Council considered this matter.

The representatives of Japan, European Communities, Australia, United States, Panama and Hong Kong, China, and the Chairman spoke.

The General Council took note of the statements and agreed to revert to this matter at its next meeting.

At its meeting on 3 and 8 May 2000, the General Council again considered this matter.

The representatives of Japan, European Communities, Australia, New Zealand, Canada, Panama, Dominican Republic, Guatemala, United States and Hong Kong, China, and the Chairman spoke.

The General Council took note of the statements and agreed to authorize the Chairman to conduct consultations and to revert to this matter at a future meeting.

At its meeting on 17 and 19 July 2000, the General Council again considered this matter.

The representatives of Japan, the European Communities, Panama, the United States and the Dominican Republic, and the Chairman spoke.

The General Council took note of the statements and agreed to revert to it at a future meeting.

At the General Council meeting on 7, 8, 11 and 15 December 2000, the Chairman recalled that the General Council had initiated that review in July 1999 and had continued to consider this matters in October and November 1999, February, May and July 2000 and had agreed to revert to it. No conclusions could be reached during these discussions. Furthermore, he had been made aware that one Member did not consider the review to have taken place. In accordance with the provisions of paragraph (b) of the GATT 1994, this examination would have to be reviewed again in 2001 and the matter would be on the agenda of the General Council for that purpose.

The representatives of the European Communities, Japan, Panama, Australia and United States, and the Chairman spoke.

The General Council took note of the statements and agreed to revert to this matter in the context of the review of the exemption provided under paragraph 3 of the GATT 1994 to be conducted in 2001.

The representative of Panama and the Chairman spoke.

The General Council took note of the statements.

22. Proposal to amend certain provisions of the Understanding on Rules and Procedures Governing the Settlement of Disputes Pursuant to Article X of the Marrakesh Agreement Establishing the World Trade Organization (WT/GC/M/58, 61)

At its meeting on 10 October 2000, the General Council examined the proposal submitted by Canada, Colombia, Costa Rica, Ecuador, Japan, Korea, New Zealand, Norway, Peru, Switzerland and Venezuela (WT/GC/W/410)³².

The representatives of Japan (on behalf of the co-sponsors of the proposal), European Communities, Thailand, Korea, Brazil, New Zealand, Canada, Jamaica, Switzerland, Norway, Czech Republic, Argentina, United States, Uruguay, Panama, Chile, Kenya, Ecuador, Turkey, Venezuela, Guatemala, Australia, Colombia, Hungary, India, Malaysia, Cuba, Pakistan, Saint Lucia, Mexico, Bulgaria, Philippines, Egypt and Hong Kong, China, and the Chairman spoke.

The General Council took note of the proposal in WT/GC/W/410 and of the statements, agreed that the Chairman would conduct informal consultations on how best to forward on this proposal and agreed to revert to this matter at its next meeting in December.

At the General Council meeting on 7, 8, 11 and 15 December 2000, the Chairman said that he had held consultations on this matter with the co-sponsors but had nothing to report at this stage.

The representatives of Japan, European Communities, Bulgaria, Bolivia, Hungary, Thailand, Ecuador, United States, Argentina, Czech Republic, Brazil, Turkey and Malaysia spoke.

³² Subsequently Chile became a co-sponsor of the proposal (WT/GC/W/410/Add.1).

The General Council took note of the statements and agreed to revert to this matter in 2001.

23. Proposal for addition of an item to the General Council Agenda: "Reports of the Special Sessions of the Committee on Agriculture and of the Council for Trade in Services, and of the TRIPS Council on the mandated negotiations on Agriculture, Services and Geographical Indications" (WT/GC/M/61)

At the General Council on 7, 8, 11 and 15 December 2000, the Chairman drew attention to a communication by Switzerland on the proposal by Bulgaria, Czech Republic, Egypt, Hungary, Iceland, India, Kenya, Liechtenstein, Mauritius, Pakistan, Slovenia, Sri Lanka, Switzerland and Turkey (WT/GC/W/425).

The representatives of Switzerland, New Zealand, European Communities, Egypt, Australia, Chile, Czech Republic, Canada, United States, Argentina, Turkey, Bulgaria, Hungary, Uruguay, India, Slovenia, Mexico, Iceland, Mauritius and Honduras, and the Chairman spoke.

The General Council took note of the statements.

24. Communication from the Appellate Body to the Chairman of the Dispute Settlement Body on "European Communities – Measures Affecting Asbestos and Asbestos-Containing Products" (WT/GC/M/60, 61³³)

At the General Council special meeting on 22 November 2000, the Chairman said that this item was on the Agenda at the request of Egypt on behalf of the Informal Group of Developing Countries in order to discuss the communication from the Appellate Body to the Chairman of the Dispute Settlement Body on "European Communities – Measures Affecting Asbestos and Asbestos-Containing Products" (WT/DS135/9).

The representatives of Uruguay, Egypt (on behalf of the Informal Group of Developing Countries, India, Brazil, Colombia, Zimbabwe, Singapore, Switzerland, Norway, Pakistan, Costa Rica, Canada, United States, Bolivia, Bulgaria, Turkey, Hungary, Korea, New Zealand, Jamaica, Argentina, European Communities, Cuba, Chile, Panama Australia, Tanzania, Japan, Egypt, Mexico, Colombia, and Hong Kong, China, and the Chairman spoke.

The General Council took note of the statements.

At the General Council meeting on 7, 8, 11 and 15 December 2000, the Chairman reported on the follow-up to the special meeting of the General Council on *amicus* briefs.

The General Council took note of the statement.

25. Consultations on implementation (WTGC/M/57)

At the General Council meeting on 17 and 19 July 2000, the representative of Panama expressed concern about the fact that there seemed to be consultations on implementation with limited participation.

³³ Carried in the General Council minutes as "Announcement on the follow-up to the special meeting of the General Council on *amicus* briefs".

The representatives of Honduras and Bolivia, and the Chairman spoke.

The General Council took note of the statements.

26. Request for a waiver for the new ACP/EC partnership agreement (WT/GC/M/57)

At the General Council meeting on 17 and 19 July 2000, the Chairman of the Council for Trade in Goods made a statement on his own responsibility on the state-of-play regarding the waiver requested for the ACP-EC Partnership Agreement.

The General Council took note of the statement.

27. Review of procedures for the circulation and derestriction of WTO documents (WT/GC/M/55, 57³⁴)

Pursuant to paragraph 7 of the Procedures for the Circulation and Derestriction of WTO documents adopted by the General Council in July 1996 (WT/L/160/Rev.1), the General Council had initiated the review of the procedures in February 1998. The General Council had also considered this matter in 1998 and 1999.

At its meeting on 3 and 8 May 2000, the Chairman informed the General Council that due to the intensive consultations on issues identified at the February General Council meeting³⁵, Mr. Rodriguez, Deputy-Director-General had not been able to resume consultations on the circulation and derestriction of WTO documents as requested at the informal meeting of the General Council on 29 February 2000.

The General Council agreed to revert to this matter at its next meeting.

The representatives of the United States and Mexico, and the Chairman spoke.

The General Council took note of the statements.

At the General Council meeting on 17 and 19 July 2000, Mr. Rodriguez, Deputy Director-General, reported on his consultations on this matter.

The representatives of Mexico, United States, New Zealand, Singapore (on behalf of the ASEAN Members), Japan, India, Canada, Panama, Mexico, Argentina, Czech Republic, Barbados, Bolivia and Hong Kong, China, and the Chairman spoke.

The General Council took note of the statements and agreed that the Deputy Director-General continues his consultations on this matter.

³⁴ This item and item 24 - "Revision of guidelines for the scheduling of WTO meetings" were taken up together at this meeting.

³⁵ See item 2 – "Other aspects of the WTO work programme".

28. Revision of guidelines for the scheduling of WTO meetings (WT/GC/M/55, 57³⁶)

At the General Council meeting on 3 and 8 May 2000, the Chairman drew attention to a document prepared by the Secretariat on Frequency of Meetings (Job No.2005 dated 30 March 2000). He recalled that this matter was among those included in the discussion paper on Internal Transparency and the Effective Participation of all Members (Job(00)/2551 dated 26 April 2000).

The representatives of Mexico, Slovenia, Panama, India and Pakistan, and the Chairman spoke.

The Chairman proposed that Mr. Rodriguez hold consultations on this issue while he was consulting on the derestriction issue, since both related to Secretariat practices in implementing guidelines. He also proposed that the General Council revert to this issue at its next meeting.

The General Council took note of the statements and agreed to the Chairman's proposals.

At the General Council meeting on 17 and 19 July 2000, Mr. Rodriguez, Deputy Director-General, reported on his consultations on this matter.

The representatives of Mexico, United States, New Zealand, Singapore (on behalf of the ASEAN Members), Japan, India, Canada, Panama, Mexico, Argentina, Czech Republic, Barbados, Bolivia and Hong Kong, China, and the Chairman spoke.

The General Council took note of the statements, agreed that the Deputy Director-General continue his consultations on this matter and also agreed to revert to the matter at its next meeting.

29. Accreditation of Permanent Representatives to the WTO (WT/GC/M/55, 57)

In 1997, the General Council had considered the issue of accreditation of permanent representatives to the WTO. The General Council had also considered this matter in 1998 and 1999.

At its meeting on 3 and 8 May 2000, the Chairman informed the General Council that a few delegations needed more time to consider this matter and proposed that the General Council revert to it at its next meeting.

The General Council took note of the statement and so agreed.

At the General Council meeting on 17 and 19 July 2000, the Chairman read out the following statement:

"As Members will recall, Ambassador Lafer in 1997 in his capacity as the then Chairman of the General Council raised the issue of accreditation of permanent representatives to the WTO. Since the WTO was no longer legally associated with the United Nations system, Ambassador Lafer proposed that Members agree to send separate notes of accreditation of their permanent representatives in Geneva to the WTO, and no longer continue the practice of sending to the WTO a copy of the letter of accreditation addressed to the United Nations in Geneva.

³⁶ This item and item 23 - "Review of the procedures on circulation and derestriction of WTO documents" were taken up together at this meeting.

"Following informal consultations with a number of delegations I am pleased to inform you that most missions now appear to be following the practice of addressing a separate note of accreditation of their permanent representatives to the Director-General of the WTO. I therefore propose that Members agree to continue the application of such procedures in future."

The representative of Pakistan spoke.

The General Council took note of the statements.

30. Outcome of the APEC meeting in Brunei Darussalam (WT/GC/M/61)

At the General Council meeting on 7, 8, 11 and 15 December 2000, the representative of Brunei Darussalam reported on the outcome of the APEC Meeting held in Brunei Darussalam from 12 to 16 November 2000.

The General Council took note of the statement.

31. Arrangements for effective cooperation with other intergovernmental organizations

(a) International Telecommunications Union (ITU) (WT/GC/M/58)

At the General Council meeting on 10 October 2000, the Chairman recalled that the text of the Agreement between the ITU and the WTO (S/C/11) had been adopted by the Council for Trade in Services on 26 May. Subsequently, the ITU Council had approved the Agreement at its annual session in July. The Agreement was now submitted to the General Council for approval.

The representatives of Pakistan, Egypt, Bulgaria, Democratic Republic of Congo, Brazil and the United States, and the Chairman spoke.

The General Council took note of the statements, approved the Agreement between the ITU and the WTO (S/C/11) and consequently authorized the WTO Director-General to sign this Agreement. The General Council invited the Director-General to inform Members and consult with them regularly as to matters relating to the implementation of this Agreement.

(b) World Customs Organization (WCO) (WT/GC/M/57³⁷)

At an informal meeting of the General Council in February 2000, a first draft text of a Memorandum of Understanding between the WTO and the WCO had been circulated to Members. At the Chairman's request, the Secretariat carried out consultations on this text both with Members and the WCO.

At the General Council meeting on 17 and 19 July 2000, the Chairman said that following his consultations on this matter, it had appeared that the best way to proceed would be to continue cooperating with the WCO under the present informal arrangements. He therefore proposed that the idea of a formal Memorandum of Understanding not be pursued at this stage.

The representative of Japan spoke.

³⁷ Carried in General Council minutes as "Proposed memorandum of understanding between the WTO and the WCO".

The General Council took note of the statements and agreed to the Chairman's proposal.

32. International Trade Centre UNCTAD/WTO

(a) Report of the Joint Advisory Group (WT/GC/M/57)

At its meeting on 17 and 19 July 2000, the General Council considered the report of the Joint Advisory Group of the International Trade Centre UNCTAD/WTO on its Thirty-Third Session (ITC/AG/XXXIII)/181.

The Chairman said that the Committee on Trade and Development had examined the report at its meeting in June 2000 and had forwarded it to the General Council for adoption.

The General Council took note of the statement and adopted the report.

33. Administrative matters

(a) Procedures for the appointment of the Director-General (WT/GC/M/57, 61)

In July 1999, the General Council adopted a decision on the appointment of the next Director-General (WT/L/308) which provided that "in order to improve and strengthen the current rules and procedures [for appointments of Directors-General], a complete set of rules and procedures for such appointments shall be elaborated and adopted by the end of September 2000".

At the General Council meeting on 17 and 19 July 2000, the Chairman proposed to start the process of consultations in the autumn and in this regard read out the following questions for Members' consideration:

"(i) should there be established qualification criteria for the Director-General?; (ii) how long should the terms of office be and what should be specified with respect to renewals of appointment?; (iii) should governments be invited to make nominations, or should candidates be identified through a selection process?; (iv) should a selection committee be established and, if so, how should it be composed?; (v) should the selection committee have established guidelines (geographical or other), or a high degree of flexibility?; (vi) how long should the selection process take? should there be fixed deadlines?; (vii) should there be a special decision mechanism for forcing matters if consensus proves impossible?; (viii) is it desirable to have specific rules for the role of Deputy Directors-General in the transition period?"

The General Council took note of the statement, agreed that the Chairman would conduct consultations on this matter and agreed to revert to it at its next meeting in October.

At its meeting on 7, 8, 11 and 15 December 2000, the General Council considered the matter.

The representatives of Singapore (of behalf of the ASEAN Members), Bulgaria, Canada, Egypt, Norway, Colombia, India, Australia, Uruguay, United States, European Communities and Hong Kong, China, and the Director-General and the Chairman spoke.

The General Council took note of the statements.

(b) WTO Secretariat and senior management structure (WT/GC/M/57)

In October 1999, the General Council had agreed that the review of the WTO Secretariat and senior management structure would be carried out in conjunction with the review of the current rules and procedures for appointment of Directors-General³⁸. It was understood that this review would be carried out in the light of the earlier discussions held in the General Council on this matter in 1997 and 1998 and on the basis of the Decision on WTO Secretariat and Senior Management Structure (WT/L/207).

At the General Council meeting on 17 and 19 July 2000, the Chairman announced his intention to hold consultations thereon in due time.

The General Council took note of the statement, agreed that the Chairman would conduct consultations on this matter and agreed to revert to it at a future meeting.

(c) WTO Pension Plan

(i) *Annual Report of the Management Board for 1999 (WT/GC/M/61)*

Article 5(d) of the Regulations of the Pension Plan³⁹ provided for the submission by the Management Board of an annual report to the General Council and to the Plan participants.

At the General Council meeting on 7, 8, 10 and 15 December 2000, the Chairman of the Management Board introduced the Annual Report of the Management Board for 1999 in WT/GC/W/426.

The General Council took note of the Annual Report of the Management Board for 1999 in WT/GC/W/426.

(ii) *Transfer Agreement with the United Nations Joint Staff Pension Fund (WT/GC/M/61)*

Article 10 of the Regulations of the WTO Pension Plan⁴⁰ provided for the conclusion of transfer agreements with Member governments and with intergovernmental organizations in order to secure the continuity of pension rights for participants in the Pension Plan.

At the General Council meeting on 7, 8, 10 and 15 December 2000, the Chairman of the Management Board introduced the document on the Agreement on the transfer of Pension Rights of Participants in the WTO Pension Plan (WTOPP) and in the United Nations Joint Staff Pension Fund in WT/GC/W/420.

The General Council concurred with the Transfer Agreement (WTL/383).

³⁸ See WT/GC/28, item 23(b).

³⁹ WT/L/282.

⁴⁰ WT/L/282.

(iii) *Management Board (WT/GC/M/54⁴¹, 61⁴²)*

Pursuant to Article 4 of the Regulations of the WTO Pension Plan⁴³ which provided for a Management Board comprising, *inter alia*, a Chairman, four members and four alternates, the General Council had elected in March 1999 nine individuals to the Management Board, each for a term of office of three years (WT/L/297).

At its meeting on 13 March 2000, the Chairman informed the General Council that the Chairman, a member and an alternate were no longer able to serve the Board. Following consultations, he had circulated a proposal to elect replacements for these individuals to hold office during the remainder of the three-year term (WT/GC/W/399).

The representative of France (also on behalf of Germany) spoke.

The General Council took note of the statements and agreed on the election of the individuals proposed (WT/L/347).

At its meeting on 7, 8, 11 and 15 December 2000, the Chairman informed the General Council that two alternates were no longer able to serve the Board. Following consultations, he had circulated a proposal to elect replacements for these individuals to hold office during the remainder of the three-year term (WT/GC/W/424).

The General Council agreed on the election of the individuals proposed (WT/L/382).

34. Observer status

(a) Governments

(i) *Bahamas (WT/GC/M/57)*

At its meeting on 17 and 19 July 2000, the General Council considered a request from the Bahamas (WT/L/349) for observer status in the General Council and its subsidiary bodies, and agreed to grant the request.

The representatives of Barbados, Canada, Cuba, Egypt, India, Jamaica, Saint Lucia and the Bahamas (as an observer), and the Chairman (on behalf of the General Council) spoke.

The General Council took note of the statements.

(ii) *Liberia (WT/GC/M/57)*

At its meeting on 17 and 19 July 2000, the General Council considered a request from Liberia (WT/L/357) for observer status in the General Council and its subsidiary bodies.

The representative of the United States spoke.

⁴¹ Carried in the General Council minutes as "Election of a Chairman, member and alternate to the Management Board of the WTO Pension Plan".

⁴² Carried in the General Council minutes as "Election of two alternates to the Management Board of the WTO Pension Plan".

⁴³ WT/L/282.

The Chairman proposed that the General Council agree to defer consideration of this item.

The General Council took note of the statements and agreed to the Chairman's proposal.

(b) International intergovernmental organizations (WT/GC/M/55, 57, 61)

At the General Council meeting on 3 and 8 May 2000, the Chairman recalled that the issue of requests for observer status by several international organizations was one of the important pending issues before the General Council and that there seemed to be a general wish among Members to resolve this matter. Therefore, he would resume consultations on it as soon as possible. He also recalled that this matter had been discussed at the July 1999 General Council meeting, at which time a solution was quite close, and he hoped that Members could move quickly on it.

The General Council took note of the statement.

At the General Council meeting on 17 and 19 July 2000, the Chairman reported on his consultations on this matter.

The representatives of the United States, Turkey, Egypt, Mauritius (on behalf of the African Group), Hungary, Pakistan, Israel and Cuba spoke.

The Chairman said that he would continue consultations on this matter in the autumn.

The General Council took note of the statements.

At the General Council meeting on 7, 8, 11 and 15 December 2000, the Chairman said that there had been further consultations on this issue but no progress had been made. Given the importance of the issue, he urged Members to reconsider their positions on the question of observer status for international intergovernmental organizations so that a solution could be found as soon as possible in 2001.

The representatives of the United States, Egypt, Hungary, Pakistan, European Communities, Czech Republic, Venezuela, Brazil, Canada, Norway, Israel, Tunisia, Jamaica, Chile and Colombia, and the Chairman spoke.

The General Council took note of the statements and agreed to revert to the matter in 2001.

35. Date and venue of the Fourth Session of the Ministerial Conference (WT/GC/M/58, 61 and Add.1)

At the General Council meeting on 10 October 2000, the Chairman said that in accordance with the provisions of Article IV of the WTO Agreement, a Ministerial Conference should be convened in 2001. In order for the General Council to take a decision on the date and venue of the Fourth Session of the Ministerial Conference he proposed the following:⁴⁴

"(a) the General Council agree to take a decision on the date and venue of the next Ministerial Conference at its end-of-year meeting on 7 and 8 December 2000;

⁴⁴ Subsequently issued as document WT/GC/34.

(b) the General Council take note with appreciation of the invitation of the Government of Qatar to host the Conference⁴⁵, and invite any other Member Government wishing to host the Conference to so inform the General Council in time for a final decision in December; and

(c) the General Council invite the Secretariat to prepare a factual report to the General Council on the conference facilities which are available in each proposed venue. These reports, which should provide a detailed factual description of the facilities and logistics available for the organization of the event, would serve as a basis for a final decision on the venue."

The representatives of Qatar, Pakistan, European Communities, Brazil, Venezuela, United States and Uruguay, and the Director-General and the Chairman spoke.

The General Council took note of the statements, agreed to the Chairman's proposal and also agreed to revert to this item at its meeting in December.

At the General Council meeting on 7, 8, 11 and 15 December 2000, the Chairman drew attention to the communications of Qatar in WT/GC/33/Rev.1 and Chile in WT/GC/39.

On 8 December, the Chairman informed the General Council that in his communication in WT/GC/39, Chile had indicated that it was seriously considering submitting the candidacy of Santiago as host for the Fourth Ministerial Conference and would confirm this candidacy in the second week of December, before the 14 December. He therefore proposed to adjourn discussion of this item and return to it at the resumed meeting on 15 December.

The representatives of Australia, Cuba and Chile spoke.

The General Council took note of the statements and adjourned consideration of this matter.

On 15 December, the representative of Chile informed the General Council that his authorities were still assessing the financial aspects involved by the Ministerial Conference and were therefore not able to give a final answer on this issue at the present meeting.

The representatives of Qatar, Pakistan, Canada, United States, Egypt, Kuwait (also on behalf of Bahrain, United Arab Emirates, Oman and Jordan), Brazil, European Communities and Cuba, and the Chairman spoke.

The General Council took note of the statements and adjourned.

At the resumed meeting on 30 January 2001, the Chairman reported to the General Council on his informal consultations of 23 and 30 January on this issue.

The representatives of the European Communities, Bulgaria, Egypt, Malaysia (on behalf of the ASEAM Members), United States, Japan, Cuba, Pakistan, Paraguay (on behalf of the MERCOSUR Members), Canada, Mauritius (on behalf of the African Group), Chile, Kenya, Mexico, Romania, Turkey, Korea, Senegal, Gabon, Venezuela (on behalf of the GRULAC), Sri Lanka, India, Morocco, Nigeria, Israel, Bangladesh, Bulgaria and Kuwait, and the Chairman spoke.

⁴⁵ See document WT/GC/33.

The General Council agreed to accept the offer from Qatar to host the Fourth Session of Ministerial Conference in Doha and also agreed that its Chairman hold consultations on the precise date of the Conference. The General Council also authorized its Chairman in cooperation with the Director-General to start consultations on both organizational and substantive matters related to the preparation of the Fourth Ministerial Conference and to report back to the General Council on progress made. The General Council then took note of the statements and adjourned.

At the resumed meeting on 8 February 2001, the Chairman proposed that the General Council agree on the dates of 9-13 November 2001 for the Fourth Session of the Ministerial Conference.

The General Council took note of the statement and agreed on the dates proposed.

36. Appointment of officers to WTO bodies (WT/GC/M/53, 54⁴⁶ and Add.1⁴⁷ and 2⁴⁸, 55⁴⁹)

At the General Council meeting on 7 and 8 February 2000, the Chairman said that in accordance with the guidelines for appointment of officers to WTO bodies approved by the General Council in January 1995 (WT/L/31), he had held informal consultations on this matter, on the basis of which he considered that there was a consensus on the following slate of names.

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| General Council | Mr. Kåre Bryn (Norway) |
| Dispute Settlement Body | Mr. Stuart Harbinson (Hong Kong, China) |
| Trade Policy Review Body | Mr. Iftekhar Ahmed Chowdhury (Bangladesh) |
| Council for Trade in Goods | Mr. Carlos Pérez del Castillo (Uruguay) |
| Council for Trade in Services | Mr. Sergio Marchi (Canada) |
| Committee on Trade and Environment | Mrs. Yolande Biké (Gabon) |
| Committee on Trade and Development | Mr. Ransford Smith (Jamaica) |
| Committee on Balance-of-Payments Restrictions | Mr. Milan Hovorka (Czech Republic) |
| Committee on Regional Trade Agreements | Mr. Edsel T. Custodio (Philippines) |
| Committee on Budget, Finance and Administration | Mr. Hakki Akil (Turkey) |
| Working Group on the Relationship between Trade and Investment | Mr. Man Soon Chang (Korea) |
| Working Group on the Interaction between Trade and Competition Policy | Mr. Frederic Jenny (France) |
| Working Group on Transparency in Government Procurement | Mr. Ronald Saborío Soto (Costa Rica) |

The Chairman said that he would conduct further consultations on the appointment of the Chairperson for the Council for Trade-Related Aspects of Intellectual Property Rights taking into

⁴⁶ At this meeting the item was called "Appointment of the Chairperson of the Council for Trade-Related Aspects of Intellectual Property Rights and of the Chairpersons of the subsidiary bodies of the Council for Trade in Goods".

⁴⁷ See footnote 40.

⁴⁸ See footnote 40.

⁴⁹ See footnote 40.

account the overall balance of the remaining chairpersons to be appointed by the Council for Trade in Goods for its subsidiary bodies.

The General Council took note of the statement and of the consensus on the above slate of names.

Prior to adoption of the agenda on 13 March 2000, the General Council agreed that given the fact that the Council for Trade in Goods would meet only later in April, it would exceptionally agree to the Chairmanship appointments proposed in the slate of names for subsidiary bodies of the Council for Trade in Goods at the same time that it agreed to the proposed name for the Chairmanship of the Council for TRIPS.

The representatives Mexico and the European Communities, and the Chairman spoke.

The General Council took note of the statements.

At its meeting on 13 March 2000, the General Council agreed to defer consideration of this item until resumption of the present meeting, pending the results of consultations being carried out by the outgoing Chairman of the Council for Trade in Goods and the consensus-building on the proposed slate of names.

At the resumed meeting of the General Council on 23 March 2000, the Chairman said that given the need for a chairman for the Special Session of the Committee on Agriculture that was to take place later that day and after extensive consultations, he proposed that, as an interim arrangement, the Chairman of the CTG chair the first Special Session.⁵⁰ That arrangement would be without prejudice to the decision on the Chairperson and the Vice-Chairperson of the Committee.

The representatives of Mexico, India, Egypt, Chile, European Communities, Australia, United States, Uruguay, Canada, Bolivia, Switzerland, Poland (on behalf of the CEFTA Members and Estonia and Latvia), Venezuela, Dominican Republic and Hong Kong, China, and the Chairman spoke.

The General Council took note of the statements, agreed to the Chairman's proposal and adjourned.⁵¹

At the General Council meeting on 3 and 8 May 2000, the Chairman proposed that Mr. Chak Mun See (Singapore) be appointed as the Chairman of the Council for TRIPS.

The General Council so agreed.

The former Chairman of the Council for Trade in Goods proposed the following slate of names for the chairmanships of the subsidiary bodies of that Council:

⁵⁰ This proposal was based on Rule 14 of the rules of procedure of the Committee on Agriculture.

⁵¹ This meeting was subsequently closed. The item was taken up at the General Council meeting of 3 May 2000.

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| Committee on Agriculture | |
| Chair: | Mr. Jorge Voto-Bernales (Peru) |
| Vice-Chair | Mr. Yoichi Suzuki (Japan) |
| Committee on Anti-Dumping Practices | Mr. Yair Shiran (Israel) |
| Committee on Customs Valuation | Mr. Remo Moretta (Australia) |
| Committee on Import Licensing | Mr. Albert Wright (Denmark) |
| Committee on Market Access | Mr. Christophe Kiener (Switzerland) |
| Committee on Rules of Origin | Mr. Sándor Simon (Hungary) |
| Committee on Safeguards | Mr. Joshua Phoho Setipa (Lesotho) |
| Committee on Sanitary and Phytosanitary Measures | Mr. Shishir Priyadarshi (India) |
| Committee on Subsidies and Countervailing Measures | Mrs. Usha Dwarka-Canabady (Mauritius) |
| Committee on Technical Barriers to Trade | Mr. John Adank (New Zealand) |
| Committee on Trade-Related Investment Measures | Mr. Oscar Hernández (Venezuela) |
| Working Party on State Trading Enterprises | Mr. Breffini Carpenter (Ireland) |

The General Council agreed to the above slate of names.

The representatives of Brazil and Mexico, and the Chairman spoke.

The General Council took note of the statements.

37. Election of Chairperson (WT/GC/M/53)

At the General Council meeting on 7 and 8 February 2000, the Chairman, as the outgoing presiding officer of the General Council, made a statement (WT/GC(00)/ST/1).

The General Council then unanimously elected Mr. Kåre Bryn (Norway) to the Chair.

38. Review of WTO activities (WT/GC/M/61)

At its meeting on 7, 8, 11 and 15 December 2000, the General Council conducted a review of WTO activities in pursuance of the Decision concerning procedures for the overview of WTO activities and for reporting under the WTO (WT/L/105). In so doing, the General Council considered annual reports for 2000 from WTO bodies.

Chairpersons of various WTO bodies presented the annual reports submitted by those bodies.

The General Council agreed to a proposal by the Director-General that the Chairman of the TMB, Mr. Szepesi, be reappointed for a further period of three years as of 1 January 2001.

The General Council adopted the report of the Committee on Trade and Development (WT/COMTD/28), took note of the reports from the other WTO bodies, including the reports from the

bodies under the Plurilateral Trade Agreements, in documents WT/DSB/21 and Add.1, WT/TPR/86, G/L/419 and Corr.1, S/C/12, IP/C/22, WT/BOP/R/55, WT/BFA/50, WT/REG/9, WT/CTE/5, WT/WGTI/4, WT/WGTCP/4, WT/WGTGP/4, WT/L/374 and GPA/44, and took note of the introductory statements by Chairpersons.

The General Council then adopted the report of the General Council on the understanding that the Secretariat would make the necessary adjustments to the draft report in WT/GC/W/421 so as to include matters discussed at this meeting.

The representatives of Brazil (also on behalf of the MERCOSUR Members), Australia, Hungary, United States, Iceland (on behalf of the EFTA Members), India, Chile, European Communities, New Zealand, Japan, Korea, Mexico, Philippines, Bulgaria and Hong Kong, China, and the Chairman spoke.

The General Council took note of the statements.
