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Committee on Agriculture

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**EUROPEAN UNION SUBMISSION TO COMMITTEE ON AGRICULTURE ON THE PROCESS
FOR THE REVIEW OF THE OPERATION OF THE BALI DECISION
ON TARIFF RATE QUOTA ADMINISTRATION¹**

COMMUNICATION FROM THE EUROPEAN UNION

Addendum

The following submission, dated 29 April 2019, is being circulated at the request of the delegation of the European Union.

Following its communication G/AG/W/175 of 18 May 2018, the EU would like to contribute further to the ongoing work on the review process, notably on the report by the Secretariat (G/AG/W/192) and on possible recommendations for future work.

1 ON THE REPORT (G/AG/W/192)

1.1. The EU agrees that from a factual point of view a wide range of issues have been raised as points of interest by Members, often without consensus. As such, the EU understand the factual coverage in the report of these issues and that the items listed in point 1.3 of G/AG/W/192 were raised by Members during the previous meetings.

1.2. However, in line with its communication G/AG/W/175, the EU would recall that a number of these issues are related to market access negotiations and not to TRQ administration and therefore do not belong in the recommendations resulting from the review.

2 ON FUTURE WORKS

2.1. Concerning the recommendations from Committee on Agriculture to the General Council on future work, the EU considers that they should be presented separately from the report itself or as an additional point 1.6 in document G/AG/W/192 as follows:

"1.6 *Future Work:*

The General Council mandates the Committee on Agriculture to:

- *Examine in depth the application of paragraph 4 of Annex A to the Ministerial Decision Understanding on Tariff Rate Quota Administration Provisions of Agricultural Products, as Defined in Article 2 of the Agreement on Agriculture (WT/MIN(13)/39 or WT/L/914) and make proposals with a view in particular, to ensuring its application to all Members.*
- *Prepare guidelines on harmonised notification practices for TRQ fill rates, noting the importance of enhanced transparency on TRQ administration and fill rates and timely submission of notifications by Members. Notification obligations in document G/AG/2 should be reviewed accordingly, acknowledging that the on-line agriculture notification system should already lead to improved harmonisation.*

¹ Document G/AG/W/171 of 9 February 2018.

- *Undertake a regular review of the operation of the Decision every [3] years."*

3 ON SPECIAL AND DIFFERENTIAL TREATMENT (SDT)

3.1. The EU supports SDT and its continued place in the WTO notably to help less developed countries to take commitments at an appropriate pace. However, the SDT approach in the TRQ Decision creates unjustified differences in rights and obligations between WTO Members, and even between developing countries. The EU considers that the membership should consider better ways of applying SDT to the management of TRQs and should in particular ensure that all WTO Members take on commitments, taking into account their developmental status as well as similar rights under the Decision.
