



## GENERAL COUNCIL

### ANNUAL REPORT (2021)

The present report has been prepared in pursuance of the Procedures for an Annual Overview of WTO Activities and for Reporting under the WTO (WT/L/105).

Since its previous annual report<sup>1</sup>, the General Council has held four regular meetings on 1-2 and 4 March, 5-6 May, 27-28 July, and 7-8 October and a special meeting on 15 February to appoint Dr. Ngozi Okonjo-Iweala as WTO Director-General. The minutes of these meetings, which remain in the record of the General Council's work, are contained in documents WT/GC/M/189, WT/GC/M/190, WT/GC/M/191, WT/GC/M/192, WT/GC/M/193 and WT/GC/M/194<sup>2</sup>.

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**1 REPORTS BY THE CHAIR OF THE TRADE NEGOTIATIONS COMMITTEE AND REPORTS BY THE DIRECTOR-GENERAL (WT/GC/M/190; WT/GC/M/191; WT/GC/M/192; WT/GC/M/193 AND WT/GC/M/194)**

1.1. Ministers at Doha established a Trade Negotiations Committee under the authority of the General Council to supervise the overall conduct of the negotiations (WT/MIN(01)/DEC/1). In accordance with the Principles and Practices endorsed by the Trade Negotiations Committee at its first meeting in 2002 (TN/C/M/1), the TNC reports to each regular meeting of the General Council.

1.2. At the March meeting, the Chair recalled the Informal TNC and Informal HODs meeting convened by Deputy Director-General Alan Wolff, representing all DDGs, on 25 February. This was continued in line with the understanding that had been reached at the July 2020 meeting of the General Council – that reflecting the existing and appropriate boundaries of governance, the Deputy Directors-General would undertake their responsibilities in close consultation with Members, where relevant, as represented by the General Council Chair. The Chair recalled that Deputy Director-General Wolff, representing all DDGs, had chaired the meeting and had provided a report on recent activities. As per past practice, the report of Deputy Director-General Wolff, representing all DDGs, the reports of the Chairs of negotiating bodies, and the statements delivered by delegations during the Informal TNC and Informal HODs meeting were included in the minutes of the March General Council meeting. The representatives of Burkina Faso; Barbados; Tunisia; the Plurinational State of Bolivia; Argentina and Mauritius (African Group) spoke. The General Council took note of the report<sup>3</sup> of Deputy Director-General Wolff, representing all DDGs, on 25 February, and of the statements that day as well as those delivered at the 25 February Informal TNC and Informal HODs meeting<sup>4</sup>.

1.3. At the May meeting, the Director-General, Dr. Ngozi Okonjo-Iweala, as TNC Chair, reported that the TNC had held its 40th Formal Session<sup>5</sup> on 3 May in conjunction with an Informal Heads of Delegation meeting. Her opening statement and summing up of that meeting had been circulated as JOB/TNC/91. The General Council took note of the report of the Director-General.

1.4. At the July meeting, the Director-General, as TNC Chair, updated Members on developments in this area and reported on the three meetings held on 25 June, 15 July<sup>6</sup> and 23 July. Her statements in those meetings were circulated in documents JOB/TNC/93, JOB/TNC/94, JOB/TNC/95 and JOB/TNC/96. As per past practice, the report of the Director-General, the reports of the Chairs of negotiating bodies, and the statements delivered by delegations during the 23 July Informal TNC

<sup>3</sup> Deputy Director-General Wolff's report, representing all Deputy Directors-General, (also circulated in JOB/TNC/90) and the reports of the Chairs of Negotiating Bodies at the 25 February Informal TNC and Informal HODs Meeting are in the minutes of the March General Council meeting in WT/GC/M/190.

<sup>4</sup> The statements at the 25 February Informal TNC and Informal HODs Meeting by the following delegations are incorporated in the minutes of the March General Council meeting in WT/GC/M/190: Switzerland; Montenegro; Brazil; European Union; Nigeria; Mexico; Morocco; Malaysia; Panama (Article XII Members); China; Norway; Hong Kong, China; Chile (Structured Discussions on Investment Facilitation for Development); Republic of Korea; Chinese Taipei; Iceland (Informal Working Group on Trade and Gender); Argentina; Australia (Joint Statement Initiative on Electronic Commerce); Jamaica (ACP); Egypt; United Kingdom; Japan; Singapore; Bangladesh; Philippines; Paraguay; Canada (Ottawa Group); Nepal; New Zealand; Turkey; Pakistan; Russian Federation; Saint Lucia (CARICOM); Ecuador; Chad (LDCs); Indonesia; Kingdom of Saudi Arabia; Republic of Moldova; Angola; Uruguay (Informal Working Group on MSMEs); Costa Rica (Joint Initiative on Services Domestic Regulation); Sri Lanka; Bolivarian Republic of Venezuela; Thailand; India; South Africa; Mauritius (African Group); Afghanistan; Fiji (Pacific Group); Colombia; Uganda; Cambodia; Cameroon; Kazakhstan; Senegal and Peru.

<sup>5</sup> The minutes of the 40<sup>th</sup> Formal Session of the Trade Negotiations Committee was circulated in TN/C/M/40.

<sup>6</sup> The Minutes of the 41<sup>st</sup> Formal Session of Trade Negotiations Committee – the Virtual TNC Meeting at the Ministerial Level on Fisheries Subsidies – was circulated in TN/C/M/41.

and Informal HODs meeting were included in the minutes of the July General Council meeting<sup>7</sup>. The General Council took note of the report of the Director-General.<sup>8</sup>

1.5. At the October meeting, the Director-General, as TNC Chair, updated Members on developments in this area and reported on the Informal TNC and Informal HODs meeting on 30 September. Her statement in that meeting was circulated in document JOB/TNC/98. As per past practice, the report of the Director-General, the reports of the Chairs of negotiating bodies, and the statements delivered by delegations during the 30 September Informal TNC and Informal HODs meeting were included in the minutes of the October General Council meeting<sup>9</sup>. The representatives of Chile; Canada; South Africa; India; Norway and Australia spoke. The General Council took note of the report of the Director-General and of the statements that day as well as those delivered at the 30 September Informal TNC and Informal HODs meeting.<sup>10</sup>

1.6. At the November meeting, the Director-General, as TNC Chair, provided her report on work in this area and on the Formal TNC and Informal HODs meeting on 19 November. As part of the TNC's reporting obligations to the General Council – and through the General Council to the Ministerial Conference, written reports had been circulated by all Chairs of bodies established by the TNC, under their own responsibility in documents TN/AG/50, TN/CTD/35, TN/DS/32, TN/IP/30, TN/MA/34, TN/RL/34, TN/S/42 and TN/TE/26. Her statement in that meeting was circulated in document JOB/TNC/101. The General Council took note of the Director-General's report and the reports of the Chairs of the Negotiating Bodies, and as mentioned by the Director-General, those would be forwarded to Ministers at MC12 through the General Council's report, which the Chair would submit to Ministers in his statement at the Conference and the fact that work on MC12 outcomes was continuing in the immediate next few days, and that any results from that work would be in front of Ministers at MC12.<sup>11</sup>

## **2 IMPLEMENTATION OF THE BALI, NAIROBI AND BUENOS AIRES OUTCOMES – STATEMENTS BY THE CHAIRPERSON (WT/GC/M/190; WT/GC/M/191; WT/GC/M/192; WT/GC/M/193 AND WT/GC/M/194)**

2.1. Since July 2014, the item on implementation of the Bali outcomes has been included on the General Council's agenda at the request of the Chair, to provide an update on the work taking place in the regular bodies which were directly working on the various Bali Decisions. After the Tenth and

<sup>7</sup> The Director-General's report and the reports of the Chairs of Negotiating Bodies at the 23 July Informal TNC and Informal HODs Meeting were circulated in JOB/TNC/96. At his request, the report of the Chair of the CTE SS was subsequently circulated in TN/TE/25. They are reproduced in Annex I of document WT/GC/M/192. The statements at the 23 July Informal TNC and Informal HODs Meeting by the following delegations are incorporated in the minutes of the May General Council meeting in WT/GC/M/192: Uruguay (Informal Working Group on MSMEs); Australia (Cairns Group and Joint Statement Initiative on Electronic Commerce); Switzerland; Singapore; Ecuador; Pakistan; Japan; Nigeria; Mexico; Barbados (CARICOM); Argentina; Iceland (Informal Working Group on Trade and Gender); European Union; Indonesia; Brazil; Republic of Korea; Kingdom of Saudi Arabia (Arab Group); Norway; Panama (Article XII Members); China; New Zealand; Mauritius (African Group); Honduras; Costa Rica (Joint Initiative on Services Domestic Regulation); Russian Federation; Republic of Moldova; Chile (Structured Discussions on Investment Facilitation for Development); Nepal; United States; Sierra Leone; India; Canada (Ottawa Group and the Trade and Environmental Sustainability Structured Discussions); Chinese Taipei; South Africa; Paraguay; Colombia; United Kingdom; Malaysia; Jamaica (ACP); Turkey; Bangladesh; Egypt; Chad (LDCs); Viet Nam; Peru; Vanuatu (Pacific Group); Thailand; Uganda and Cameroon.

<sup>8</sup> The Director-General's report was circulated in JOB/GC/265.

<sup>9</sup> The Director-General's report and the reports of the Chairs of Negotiating Bodies at the 30 September Informal TNC and Informal HODs Meeting were circulated in JOB/TNC/98. They are reproduced as an annex of document WT/GC/M/193. The statements at the 30 September Informal TNC and Informal HODs Meeting by the following delegations are incorporated in the minutes of the October General Council meeting in WT/GC/M/193: Brazil; Switzerland; Mexico; Japan; Turkey; Mauritius (African Group); Chile (Structured Discussions on Investment Facilitation for Development); Bangladesh; Australia (Joint Statement Initiative on E-Commerce); Norway; European Union; Singapore; South Africa; Tunisia; Jamaica (ACP); Kingdom of Saudi Arabia (Arab Group); New Zealand; China; Philippines; Indonesia; United Kingdom; Costa Rica (Services Domestic Regulation); Russian Federation; Chad (LDCs); India; Uruguay (Informal Working Group on MSMEs); Argentina; Mongolia; Iceland (Informal Working Group on Trade and Gender); Egypt; Nigeria; Panama (Article XII Members); Republic of Korea; Pakistan; Hong Kong, China; Chinese Taipei; Nepal; Canada (Trade and Environmental Sustainability Structured Discussions and Ottawa Group); Uganda; Viet Nam; Colombia; Bolivarian Republic of Venezuela; Sri Lanka; Republic of Moldova; Honduras and Cameroon.

<sup>10</sup> The Director-General's report was circulated in JOB/GC/276.

<sup>11</sup> The Director-General's report was circulated in JOB/GC/286.

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

2.2. At the General Council meetings in March, May, July, October and November, the Chair reported on the work taking place in WTO regular bodies to fulfil the Bali, Nairobi and Buenos Aires Ministerial mandates.<sup>12</sup>

2.3. At the March meeting, the representatives of South Africa; the European Union; Chad (LDCs); Indonesia; the Philippines; India; Ukraine and Cambodia spoke. The General Council took note of the Chair's report and of the statement.

2.4. At the May meeting, the Chair of the CTD and the representatives of Chad (LDCs); the European Union; Indonesia and India spoke. The General Council took note of the Chair's report and of the statements.

2.5. At the July meeting, the representatives of Chad (LDCs); Indonesia; Tanzania; European Union; India and United Kingdom spoke. South Africa subsequently provided its statement. The General Council took note of the Chair's report and of the statements.

2.6. At the October meeting, the representatives of Chad (LDCs); Pakistan; South Africa; India; Tunisia; the European Union; Nigeria; Mauritius (African Group); Sri Lanka; Indonesia; the Central African Republic; Cameroon and Egypt spoke. The General Council took note of the Chair's report and of the statements.

2.7. At the November meeting, the Director-General and the representatives of Chad (LDCs), Pakistan, India, South Africa, Indonesia and the European Union spoke. The General Council took note of the Chair's report and of the statements.

### **3 COVID-19 TRADE-RELATED MATTERS**

#### **3.1 Facilitator-led Multilateral Process, under the auspices of the General Council, on the WTO Response to the Pandemic – Reports by the Facilitator (WT/GC/M/192; WT/GC/M/193 and WT/GC/M/194)**

3.1. As a response to calls by Members, the Chair established on 22 June a Facilitator-led horizontal and multilateral process on the WTO Response to the Pandemic, under the auspices of the General Council. The Chair appointed Ambassador David Walker (New Zealand), former Chair of the General Council, to facilitate this process.<sup>13</sup>

3.2. At the General Council meetings in July, October and November the Facilitator reported on the discussions and work in the multilateral process on the WTO Response to the Pandemic.<sup>14</sup>

3.3. At the July meeting, the Facilitator informed Members of the consultations and the range of meetings that have taken place since his appointment as Facilitator on 22 June and mapped out his intentions for work in this process after the Summer break. The representatives of Brazil; Uruguay; Viet Nam; Norway; Jamaica (ACP); the Republic of Korea; the United Kingdom; China; Turkey; Malaysia; Chad (LDCs); Côte d'Ivoire; Mauritius (African Group); Chile; Colombia; Australia; Brunei Darussalam; Saint Lucia (CARICOM); India; the United States; Fiji (Pacific Group); the European Union; Japan; Argentina; Paraguay; Costa Rica; the Russian Federation; Ecuador; South Africa; Switzerland; Singapore; Honduras; Indonesia; the Philippines; Kazakhstan; Mongolia and the Kingdom of Saudi Arabia spoke. Pakistan; Fiji; Nigeria and Bangladesh subsequently provided their statements. The General Council took note of the Facilitator's report and of the statements.

3.4. At the October meeting, the Facilitator briefed Members on the thematic series that he had convened in the month of September, comprising five sessions on 1, 8, 13, 15 and 21 September. The representatives of Liberia; the Philippines; Nepal; Brunei Darussalam; Nigeria; Mexico; Mauritius

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<sup>12</sup> The Chair's statements were subsequently circulated in JOB/GC/252, JOB/GC/258, JOB/GC/266, JOB/GC/272 and JOB/GC/283.

<sup>13</sup> See the Chair's statement in JOB/GC/262.

<sup>14</sup> The Facilitator's reports were subsequently circulated in JOB/GC/269, JOB/GC/273 and JOB/GC/281.

(African Group); Chad (LDCs); Paraguay; Argentina; the Russian Federation; Pakistan; Tunisia; Malaysia; Honduras; Jamaica (ACP); Brazil; Vanuatu (Pacific Group); Turkey; China; Singapore; Sri Lanka; the Dominican Republic; Chinese Taipei; Norway; Switzerland; Ecuador; Chile; South Africa; Canada; Thailand; the European Union; Indonesia; the United Kingdom; the Republic of Korea; Australia; Colombia; India and Kazakhstan spoke. Hong Kong, China and Morocco subsequently provided their statements. The General Council took note of the Facilitator's report and of the statements.

3.5. At the November meeting, the Facilitator provided his report to the General Council on the WTO's multilateral response to the pandemic, in view of the forthcoming 12<sup>th</sup> Ministerial Conference. He also presented a draft text under his own responsibility, attached to his written report in JOB/GC/281. The representatives of Nigeria; Pakistan (Egypt, Pakistan, South Africa, Sri Lanka, Tunisia, Uganda and Bolivarian Republic of Venezuela); Chinese Taipei; Brunei Darussalam; Guatemala; Chad (LDCs); Barbados (CARICOM); Sri Lanka; Singapore; the European Union; Japan; Mauritius (African Group); Tunisia; Canada; Turkey; Argentina; Indonesia; the United Kingdom; Paraguay; the Russian Federation; Switzerland; the United States; Chile; Ecuador; the Republic of Korea; India and South Africa spoke. The General Council took note of the report by the Facilitator in document JOB/GC/281, of the statements and that the Chair would be in contact with delegations and the Facilitator to discuss how to take that work forward to MC12.

### **3.2 Call to Prevent Export Restrictions on COVID-19 Vaccines and Trade Restrictions that block equal access to COVID-19 Vaccines – Communication from and Statement by Colombia, Costa Rica, Ecuador, Panama and Paraguay (WT/GC/M/190 and WT/GC/M/191)**

3.6. At the March meeting, the representative of Colombia, on behalf of co-sponsors, presented their communication circulated in document WT/GC/W/818 and made a statement on this matter. The representatives of the European Union; Ukraine; Saint Lucia (CARICOM); the Republic of Korea; Indonesia; Turkey; Chinese Taipei; Australia; the United Kingdom; Jamaica (ACP); South Africa; Peru and India spoke. Colombia again took the floor. The General Council took note of the statements.

3.7. At the May meeting, the representatives of Paraguay and Colombia, on behalf of co-sponsors, presented their statement on the matter. The representatives of the Dominican Republic; Ecuador; Panama; Australia; Argentina; Peru; Jamaica (ACP); Uruguay; Chad (LDCs); South Africa; the European Union; the United Kingdom; the Republic of Korea; Canada; Saint Lucia (CARICOM); Sri Lanka; India; Mexico; Chinese Taipei; the Plurinational State of Bolivia and Costa Rica spoke. The General Council took note of the statements.

### **3.3 Trade and Health: COVID-19 and Beyond – Updates and Communication (WT/GC/M/190; WT/GC/M/191 and WT/GC/M/192)**

3.8. At the March meeting, the representative of Canada, on behalf of co-sponsors, referred to a proposed draft General Council Declaration in document JOB/GC/251 and made a statement on this matter. The representatives of the Central African Republic; Bangladesh; South Africa; Hong Kong, China; India; Chinese Taipei; the United States; Colombia; Peru; the Philippines; the United Kingdom; Norway and Singapore spoke. Canada again took the floor. The General Council took note of the statements.

3.9. At the May meeting, the representative of Canada, on behalf of co-sponsors, referred to the revision of a proposed draft General Council Declaration in document JOB/GC/251/Rev.1 and made a statement on this matter. The representatives of Colombia; Iceland; New Zealand; Hong Kong, China; the Russian Federation; India; Chinese Taipei; the Republic of Korea; Mexico; the United States; Uruguay; Chile; Turkey; Norway; the Republic of Moldova; Indonesia; the United Kingdom; Chad (LDCs); Nigeria; China; Fiji; Bangladesh; Barbados; Vanuatu (Pacific Group); South Africa; Japan; Pakistan; Kazakhstan; Singapore and the European Union spoke. Canada again took the floor. The General Council took note of the statements.

3.10. At the July meeting, the representative of Canada, on behalf of co-sponsors, referred to the revised and updated version of the draft General Council Declaration in document WT/GC/W/823

which contained a number of improvements and additions to the proposal. The General Council took note of the statement.<sup>15</sup>

### **3.4 Urgent Trade Policy Responses to the COVID-19 Crisis – Communication from the European Union to the WTO General Council (WT/GC/M/192)**

3.11. At the July meeting, the representative of the European Union introduced its communication in document WT/GC/231 which provided its views on how the WTO Membership would deliver a collective and solid contribution as part of the international efforts to respond to the COVID-19 pandemic. The General Council took note of the statement.<sup>16</sup>

### **3.5 Ministerial Declaration on Combating, Mitigating and Recovering from the Impacts of COVID-19 and Beyond – Communication from the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu (WT/GC/M/192)**

3.12. At the July meeting, the representative of Chinese Taipei introduced its communication in document WT/GC/W/822, which included some points additional to the elements included in the Trade and Health proposal. The General Council took note of the statement.<sup>17</sup>

## **4 TRIPS COUNCIL MATTERS**

### **4.1 Status Report on the Considerations by the TRIPS Council on the "Proposal for a Waiver from Certain Provisions of the TRIPS Agreement for the Prevention, Containment and Treatment of COVID-19" – Statement by the Chair of the Council for TRIPS (WT/GC/M/190; WT/GC/M/191; WT/GC/M/192; WT/GC/M/193 and WT/GC/M/194)**

4.1. At the General Council meetings in March, May, July, October and November, the TRIPS Council Chair provided status reports on the "Proposal for a Waiver from Certain Provisions of the TRIPS Agreement for the Prevention, Containment and Treatment of COVID-19" in document IP/C/W/669 and its addenda and revision.<sup>18</sup>

4.2. At the March meeting, the representatives of Vanuatu; Republic of Korea; Morocco; Pakistan; Bangladesh; Nigeria; Mozambique; Jamaica (ACP); South Africa; Egypt; Indonesia; Mauritius (African Group); the Philippines; China; Zimbabwe; Cameroon; Australia; Chile; Turkey; Switzerland; New Zealand; Japan; the Central African Republic; India; Tanzania; Norway; Singapore; Namibia; Cuba; Chad (LDCs); Gabon; Malaysia; Cambodia and Canada spoke. The General Council took note of the TRIPS Council Chair's report and of the statements.

4.3. At the May meeting, the representatives of Mauritius (African Group); South Africa; Indonesia; Vanuatu (Pacific Group); Saint Lucia (CARICOM); Barbados; Paraguay; Tunisia; Malaysia; Nigeria; Cameroon; Nepal; Afghanistan; the United Kingdom; Jamaica (ACP); Bangladesh; Pakistan; the Maldives; Tanzania; Norway; Chad (LDCs); Uruguay; Chile; China; Zimbabwe; El Salvador; Namibia; Sri Lanka; the Plurinational State of Bolivia; Brazil; the Kingdom of Saudi Arabia; Ecuador; Fiji; Turkey; the United States; the European Union; Egypt; Japan; the Philippines; Switzerland; Singapore and India spoke. During its intervention, the representative of Zimbabwe referred to

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<sup>15</sup> See Paragraph 3.3 for the list of Members that intervened on Item 7 of the July General Council agenda related to the "Preparations for the Twelfth Session of the Ministerial Conference – Statement by the Chair", Item 7.1 of the July General Council agenda related to the "WTO Response to the Pandemic – Report by the Facilitator and Item 8 of the July General Council agenda related to the "Contributions to the Multilateral Process on the WTO Response to the Pandemic".

<sup>16</sup> See Paragraph 3.3 for the list of Members that intervened on Item 7 of the July General Council agenda related to the "Preparations for the Twelfth Session of the Ministerial Conference – Statement by the Chair", Item 7.1 of the July General Council agenda related to the "WTO Response to the Pandemic – Report by the Facilitator and Item 8 of the July General Council agenda related to the "Contributions to the Multilateral Process on the WTO Response to the Pandemic".

<sup>17</sup> See Paragraph 3.3 for the list of Members that intervened on Item 7 of the July General Council agenda related to the "Preparations for the Twelfth Session of the Ministerial Conference – Statement by the Chair", Item 7.1 of the July General Council agenda related to the "WTO Response to the Pandemic – Report by the Facilitator and Item 8 of the July General Council agenda related to the "Contributions to the Multilateral Process on the WTO Response to the Pandemic".

<sup>18</sup> See JOB/IP/42, JOB/IP/44, JOB/IP/47/Rev.1, JOB/IP/50/Rev.1 and JOB/IP/53.

items 2, 4, 7 and 8 of the May General Council agenda.<sup>19</sup> The Director-General also took the floor. The General Council took note of the TRIPS Council Chair's report and of the statements.<sup>20</sup>

4.4. At the July meeting, the representatives of South Africa; Nigeria; Argentina; Barbados (CARICOM); the Central African Republic; Colombia; China; Chad (LDCs); Bangladesh; Nepal; Malaysia; Tanzania; Fiji (Pacific Group); Morocco; Kenya; Mauritius (African Group); Sierra Leone; Jamaica (ACP); the Maldives; Zimbabwe; Turkey; Botswana; Pakistan; the European Union; Brazil; Norway; Afghanistan; Cabo Verde; Switzerland; the Plurinational State of Bolivia; Eswatini; the Kingdom of Saudi Arabia; Cameroon; Japan; the Republic of Korea; Singapore and India spoke. Saint Lucia (CARICOM) and Niger subsequently provided their statements. The General Council took note of the TRIPS Council Chair's report and of the statements.

4.5. At the October meeting, the representatives of South Africa; China; Angola; Nigeria; Pakistan; Chile; Colombia; Mauritius (African Group); the United Kingdom; India; Malaysia; Vanuatu (Pacific Group); Australia; Jamaica (ACP); the United States; Tunisia; Norway; the Central African Republic; Bangladesh; the Republic of Korea; Nepal; Turkey; Zimbabwe; Brazil; Egypt; the Maldives; Sri Lanka; the European Union; Namibia; Indonesia; Chad (LDCs); Thailand; Switzerland; the Plurinational State of Bolivia; Singapore; the Philippines; Japan; Peru; El Salvador and the Kingdom of Saudi Arabia spoke. The General Council took note of the TRIPS Council Chair's report and of the statements.

4.6. At the November meeting, the representatives of Barbados (CARICOM); Brazil; Cuba; Chad (LDCs); Argentina; Nigeria; the Maldives; Malaysia; Mongolia; Bangladesh; India; Jamaica (ACP); the European Union; Nepal; China; the Russian Federation; Tanzania; Indonesia; Colombia; Peru; the United States; Chile; the Plurinational State of Bolivia; Tunisia; South Africa; Switzerland; the United Kingdom; Pakistan; Japan; Singapore and Vanuatu (Pacific Group) spoke. The Director-General also took the floor. The General Council took note of the report by the Chair of the Council for TRIPS, including the fact that work on the TRIPS Waiver was continuing in the immediate next few days and that any result from that work would be in front of Ministers at MC12, and of the statements.

**4.2 Annual Review of the Special Compulsory Licensing System – Paragraph 7 of the Annex to the Amended TRIPS Agreement and Paragraph 8 of the Decision on the Implementation of Paragraph 6 of the Doha Declaration on the TRIPS Agreement and Public Health – Report of the Council for TRIPS (WT/GC/M/194); and,**

**4.3 Proposal for a Decision on an Extension of the Period for the Acceptance by Members of the Protocol Amending the TRIPS Agreement (WT/GC/M/194)**

4.7. In August 2003, the General Council adopted a Decision on the Implementation of Paragraph 6 of the Doha Declaration on the TRIPS Agreement and Public Health. Paragraph 8 of that Decision provided that the TRIPS Council should review annually the functioning of the system set out in the Decision with a view to ensuring its effective operation, and should annually report on its operation to the General Council. In addition, in keeping with the August 2003 Decision, the General Council adopted, in December 2005, a Protocol Amending the TRIPS Agreement, which was submitted to Members for acceptance. In accordance with Article X:3 of the WTO Agreement, the Protocol entered into force on 23 January 2017, upon acceptance by two-thirds of the WTO Members. The same legal provision also stated that for each other Member, the Protocol would take effect upon acceptance by it. In this regard, the TRIPS Council at its meeting in October 2021 agreed to submit to the General Council a proposal for a decision on an eighth extension of the period for the acceptance by Members of this Protocol. Both the amended TRIPS Agreement and the 2003 Decision provided that

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<sup>19</sup> Item 2 of the May General Council agenda related to the "Implementation of The Bali, Nairobi and Buenos Aires Outcomes – Statement by the Chair", Item 4 of the May General Council agenda related to the "TRIPS Council Matters - Status Report on the Considerations by the TRIPS Council on the "Proposal for a Waiver from Certain Provisions of the TRIPS Agreement for the Prevention, Containment and Treatment of COVID-19" – Statement by the Chair of the Council for TRIPS", Item 7 of the May General Council agenda related to the "Work Programme on Electronic Commerce and Moratorium on Imposing Customs Duties on Electronic Transmissions – Request from India " and Item 8 of the May General Council agenda related to the "Paper Titled "The Legal Status of 'Joint Statement Initiatives' and their Negotiated Outcomes" – Request from India and South Africa ".

<sup>20</sup> At its request, the statement of the delegation of Colombia is incorporated in the Minutes of the May General Council meeting and can be found in Annex 1 of document WT/GC/M/191.

the TRIPS Council should review annually the functioning of the system and should also report on its operation to the General Council.

4.8. At the November meeting, the General Council took note of the report of the TRIPS Council in document IP/C/90 and adopted the draft decision in document IP/C/89 extending the time period for acceptance by Members of the Protocol amending the TRIPS Agreement until 31 December 2023. The decision was circulated in WT/L/1122.

#### **4.4 TRIPS Non-Violation and Situation Complaints (WT/GC/M/194)**

4.9. At the November meeting, the General Council agreed to forward the draft decision on the Moratorium on TRIPS Non-Violation and Situation Complaints in document IP/C/91 to the Twelfth Ministerial Conference for Ministers' adoption<sup>21</sup>. The representatives of Mauritius (African Group); Jamaica (ACP); Colombia and Chile welcomed the decision on the extension of the moratorium to be forwarded to the Ministerial Conference. The General Council took note of the statements.

### **5 WORK PROGRAMME ON ELECTRONIC COMMERCE<sup>22</sup>**

#### **5.1 Reports by the Chair (WT/GC/M/192; WT/GC/M/193 and WT/GC/M/194)**

5.1. At the General Council meeting in December 2019, Members had adopted a Decision on the Work Programme on Electronic Commerce, in which they had agreed to reinvigorate this work, including by holding structured discussions based on all trade-related topics of interest brought forward by Members. Members had also agreed to extend the moratorium and to report to Ministers at MC12.

5.2. At the July meeting, the Chair provided a report on this matter which was subsequently circulated in document JOB/GC/267. The General Council took note of the Chair's report.<sup>23</sup>

5.3. At the October meeting, the Chair provided a report on this matter which was subsequently circulated in document JOB/GC/275. The General Council took note of the Chair's report.<sup>24</sup>

5.4. At the November meeting, the Chair provided a report on this matter which was subsequently circulated in document JOB/GC/284. The Chair suggested that both draft decisions – WT/GC/W/831/Rev.4 and WT/GC/W/838/Rev.1 be forwarded to the Ministerial Conference for Ministers' consideration. Any additional co-sponsors will be reflected and forwarded to Ministers. The representatives of Panama; Malaysia; Chinese Taipei; Canada; Argentina; Hong Kong, China; Nigeria; South Africa; Chad (LDCs); Nepal; Barbados (CARICOM); Saint Lucia (OECS); Mauritius (African Group); Jamaica (ACP); the United States; Singapore; Brazil; Ecuador; Japan; Norway; Thailand; Colombia; United Kingdom; Guatemala; Sri Lanka; Pakistan; the Russian Federation; the European Union; Indonesia; Australia; the Republic of Korea; Costa Rica; Chile and Mexico. India and Switzerland again took the floor. The General Council took note of the Chair's report and of the statements.

#### **5.2 Work Programme on Electronic Commerce and Moratorium on Imposing Customs Duties on Electronic Transmissions – Request from India and South Africa (WT/GC/M/190; WT/GC/M/191; WT/GC/M/192 and WT/GC/M/193)**

5.5. At the March meeting, the representative of India made a statement on this matter. The representatives of the Philippines; Zimbabwe; Indonesia; Mauritius (African Group); Ukraine; Nigeria; Jamaica (ACP); Thailand; Chile; the United States; Chad (LDCs); Sri Lanka; Chinese Taipei; the European Union; Pakistan; China; Turkey; South Africa; the United Kingdom; the Republic of Moldova; Peru; Norway; Namibia; Japan; Saint Lucia (CARICOM); Australia; Switzerland;

<sup>21</sup> Subsequently circulated in WT/MIN(21)/W/4.

<sup>22</sup> See also Paragraph 2.2 and Footnote 12.

<sup>23</sup> See Paragraph 5.6 for the list of Members that intervened on the items related to the Work Programme on Electronic Commerce.

<sup>24</sup> See Paragraph 3.4 for the list of Members that intervened under all sub-items under Item 5 of the October General Council agenda related to the "Preparations for the Twelfth Session of the Ministerial Conference".

Bangladesh; Singapore and Israel spoke. India again took the floor. The Chair then spoke. The General Council took note of the statements.

5.6. At the May meeting, the representative of India made a statement on this matter. The representatives of the Philippines; the Republic of Korea; Nigeria; Indonesia; Pakistan; Australia; Vanuatu (Pacific Group); Chinese Taipei; Nepal; Norway; Uganda; the United Kingdom; Mauritius (African Group); Chad (LDCs); Bangladesh; South Africa; Chile; Singapore; Saint Lucia (CARICOM); the Republic of Moldova; Hong Kong, China; Japan and Switzerland spoke. India again took the floor. The General Council took note of the statements.<sup>25</sup>

5.7. At the July meeting, the representatives of India and South Africa made their respective statements on this matter. The representatives of the Philippines; Nigeria; Australia; Thailand; Mexico; Costa Rica; Mauritius (African Group); Jamaica (ACP); Chad (LDCs); Saint Lucia (CARICOM); Zimbabwe; Uganda; Morocco; Nepal; Tanzania; Bangladesh; the European Union; Chile; Chinese Taipei; the United Kingdom; Norway; the United States; Japan; Fiji (Pacific Group); Switzerland; the Republic of Korea; South Africa; Indonesia; Sri Lanka; Brazil and Singapore spoke. Pakistan; Colombia and Fiji subsequently provided their statements. The General Council took note of the statements.

5.8. At the October meeting, the representatives of India and South Africa made their respective statements on this matter. The representatives of Nigeria; Sri Lanka; Nepal; Vanuatu (Pacific Group); Mauritius (African Group); Switzerland; Ukraine; the United Kingdom; Jamaica (ACP); Thailand; Canada; Colombia; Tunisia; Japan; China; the Republic of Korea; Pakistan; Zimbabwe; the European Union; the United States; Indonesia; Hong Kong, China; Singapore; Bangladesh; Mongolia; Israel and Australia spoke. Chinese Taipei subsequently provided its statement. The General Council took note of the statements.

**5.3 Communication from Australia; Canada; Chile; Colombia; Costa Rica; Ecuador; El Salvador; Georgia; Guatemala; Hong Kong, China; Iceland; Korea, Republic of; Mexico; New Zealand; Norway; Peru; Singapore; Switzerland; Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu; Thailand; Ukraine; United Kingdom and Uruguay (WT/GC/M/194)**

5.9. At the November meeting, the representative of Switzerland, on behalf of co-sponsors, presented their communication in document WT/GC/W/831/Rev.2. The General Council took note of the statement.<sup>26</sup>

**5.4 The Moratorium on Customs Duties on Electronic Transmissions: Need for Clarity on its Scope and Impact – Communication from India and South Africa (WT/GC/M/194)**

5.10. At the November meeting, the representative of India, on behalf of co-sponsors, presented their communication in document WT/GC/W/833. The General Council took note of the statement.<sup>27</sup>

**6 WORK PROGRAMME ON SMALL ECONOMIES – REPORTS (WT/GC/M/190; WT/GC/M/191; WT/GC/M/192; WT/GC/M/193 AND WT/GC/M/194)**

6.1. At the March meeting, the representative of Guatemala (SVEs) noted their engagement with Members on preparing the report on the work undertaken since MC11 which would also contain the elements of an agreed text for a Ministerial Decision, including on future work. The representatives of Sri Lanka; Saint Lucia (CARICOM); Barbados; Vanuatu (Pacific Group) and Fiji then spoke. The General Council took note of the statements.

6.2. At the May meeting, the CTD Chair reported that the SVE Group had been consulting Members on the possibility of holding a meeting of the Dedicated Session to discuss the impact of natural disasters on the trade of small economies and on preparing the report on the work undertaken since

<sup>25</sup> At its request, the statement of the delegation of Colombia is incorporated in the Minutes of the May General Council meeting and can be found in Annex 1 of document WT/GC/M/191.

<sup>26</sup> See Paragraph 5.4 for the list of Members that intervened under all sub-items under Item 8 of the November General Council agenda related to the "Work Programme on Electronic Commerce".

<sup>27</sup> See Paragraph 5.4 for the list of Members that intervened under all sub-items under Item 8 of the November General Council agenda related to the "Work Programme on Electronic Commerce".

MC11 which would also contain the elements of an agreed text for a Ministerial Decision, including on future work. The representatives of Guatemala (SVEs); Saint Lucia (CARICOM); Barbados; Vanuatu (Pacific Group) and Fiji spoke. The General Council took note of the report of the Chair of the CTD and of the statements.

6.3. At the July meeting, the CTD Chair reported on the dedicated session to discuss the economic and trade impact of natural disasters on small economies and on work towards an MC12 Decision noting that the SVE Group Coordinator would be consulting with Members on the matter with the aim of tabling a draft Ministerial Decision for Members' approval. The representatives of Guatemala (SVEs), Barbados (CARICOM), Mauritius and Fiji spoke. The General Council took note of the report of the Chair of the CTD and of the statements.

6.4. At the October meeting, the CTD Chair reported that the proposal by the SVE Group for a Ministerial Decision at MC12 on the Work Programme on Small Economies would be considered at its meeting on 19 October. The proposed Ministerial Decision would take note of work carried out since the last Ministerial Conference and would propose that the Dedicated Session focus on integrating small economies into the post COVID-19 economy, among others. The representatives of Guatemala (SVEs); Mauritius (African Group); Vanuatu (Pacific Group) and Fiji spoke. The General Council took note of the report of the Chair of the CTD and of the statements.

6.5. At the November meeting, the CTD Chair reported that the Dedicated Session had agreed to the text contained in document WT/COMTD/SE/W/42 – the first text of a Ministerial Decision for MC12 agreed by all Members. The Dedicated Session had also agreed to reflect that text in the other main section of the report – the section titled "Future Work" – in the form of recommendations or proposals to the General Council. The representatives of Guatemala (SVEs); Mauritius (African Group); Antigua and Barbuda (OECS) and Barbados (CARICOM) spoke. The General Council agreed to forward the draft decision in document WT/COMTD/SE/W/42<sup>28</sup> to the Twelfth Ministerial Conference for adoption by Ministers and took note of the report in WT/COMTD/SE/11 and of the statements.

## **7 REVIEW OF THE OPERATION OF THE BALI DECISION ON TRQ ADMINISTRATION – REPORT TO THE GENERAL COUNCIL (WT/GC/M/194)**

7.1. At MC9, Ministers instructed the Committee on Agriculture to review and monitor the implementation of Members' obligations established under the Bali Decision on Tariff Rate Quota Administration to promote a continuing process of improvement in the utilization of TRQs, commencing no later than 2017, taking into account experience gained up until then. The Review was concluded in December 2019 when the General Council approved the recommendations by the Committee on Agriculture contained in Annex 2 to G/AG/29 – where Members agreed to defer the timeline for a decision on paragraph 4 of the Underfill Mechanism by two years to the end of 2021.

7.2. At the November meeting, the Chair of the CoA presented the report on the matter in document G/AG/32 which annexed a draft decision on paragraph 4 and reported that the CoA at its meeting on 9 November had agreed to forward the draft decision for the consideration of the General Council and for its subsequent transmission to the Ministerial Conference. He also noted that some Members needed more time to consult on the draft decision. The representatives of India; the United States; Ukraine; Paraguay; Brazil; Canada; Australia; the European Union and South Africa spoke. The Chair proposed to proceed on the issue accordingly to transmit the draft decision for the consideration of the Ministerial Conference. The General Council took note of the report of the Chair of the CoA in document G/AG/32, of the Chair's statement and of the other statements.

## **8 THE DEVELOPMENT ASSISTANCE ASPECTS OF COTTON - PERIODIC REPORT BY THE DIRECTOR-GENERAL (WT/GC/M/194)**

8.1. In Paragraph 1.b of the 1 August 2004 Decision in WT/L/579, the General Council, inter alia, took note of the bilateral, multilateral, and regional efforts to make progress on the development assistance aspects of the Cotton Initiative, and instructed the Secretariat to continue to work with the development community and to provide the Council with periodic reports on relevant developments. The Council also instructed the Director-General to consult with relevant international

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<sup>28</sup> Subsequently circulated as WT/MIN(21)/W/3.

organizations, including the Bretton Woods Institutions, the Food and Agriculture Organization and the International Trade Centre, to direct effectively existing programmes and any additional resources towards development of the economies where cotton had vital importance. The Nairobi Decision on Cotton (WT/MIN(15)/46 – WT/L/981) reaffirmed this mandate, and invited the Director-General to continue to provide periodic reports on this matter.

8.2. At the November meeting, the Director-General introduced the Ninth Periodic Report on the Developmental Assistance aspects of Cotton (WT/GC/238 – WT/CFMC/DG/9 – WT/MIN(21)/5). The representatives of Burkina Faso (C-4); Chad (LDCs); China; the United States; Cameroon; Nigeria; Australia; the European Union and Mauritius (African Group) spoke. The General Council took note of the statements and of the Director-General's report, which would be before Ministers at the Twelfth Session of the Ministerial Conference.

## **9 ACCESSION MATTERS**

### **9.1 2020 Annual Report by the Director-General (WT/GC/M/190)**

9.1. At the March meeting, Deputy Director-General Alan Wolff, representing all DDGs, presented the 2020 Annual Report on WTO Accessions (WT/ACC/38 – WT/GC/228)<sup>29</sup>, reported the sustained level of accession activities in 2020 and noted that acceding countries had considered WTO membership even more urgently due to the effects of COVID-19. The representatives of Mauritius (African Group); Oman; Afghanistan; China; Kazakhstan; Turkey; the Russian Federation; the Kingdom of Saudi Arabia (Arab Group) and the United States spoke. The General Council took note of the Annual Report on Accessions and of the statements.

### **10 REVIEW OF THE EXEMPTION PROVIDED UNDER PARAGRAPH 3 OF THE GATT 1994 (WT/GC/M/190 AND WT/GC/M/194)**

10.1. At the March meeting, the General Council conducted a review of the exemption granted to the US legislation – the Jones Act – which prohibits the use, sale or lease of foreign-built or foreign-reconstructed ships in US national waters – and takes place in the General Council every two years. In line with the procedure agreed by the Council in 2002, statements made at GC meetings in 2021, questions posed to the United States and related replies would form the basis of the 2021 review, together with the annual report provided by the United States (WT/L/1108). The representatives of the United States; Norway; Panama; the European Union; the Republic of Korea; Hong Kong, China; Japan and China spoke. The United States again took the floor. The General Council took note of the statements and agreed to revert back to the matter at its last regular meeting in 2021.

10.2. At the November meeting, the General Council again considered the exemption provided under paragraph 3 of GATT 1994 for review together with the annual reports provided by the United States in documents WT/L/1108 and WT/L/1121. The representatives of the United States; Norway; the Republic of Korea; Japan; Panama; the European Union and China spoke. The United States again took the floor. The General Council took note of the statements and also took note that the subsequent review under the two-yearly cycle provided in paragraph 3(b) of GATT 1994 would normally be held in 2023.

### **11 PROCEDURE FOR THE INTRODUCTION OF HS 2022 CHANGES TO SCHEDULES OF CONCESSIONS USING THE TARIFF SCHEDULES (CTS) DATABASE – DRAFT DECISION (WT/GC/M/194)**

11.1. At the November meeting, the General Council adopted the draft decision in document G/C/W/802, which was subsequently circulated in WT/L/1123.

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<sup>29</sup> See also the revision of this document in WT/ACC/38/Rev.1 – WT/GC/228/Rev.1.

## **12 WAIVERS**

### **12.1 European Union – Application of Autonomous Preferential Treatment to the Western Balkans – Extension of Waiver – Draft Decision (WT/GC/M/192)**

12.1. At the July meeting, the General Council considered the draft waiver on "European Union – Request for a Waiver Extension – Application of Autonomous Preferential Treatment to the Western Balkans" contained in G/C/W/794. The Chair of the Council for Trade in Goods reported on the consideration of this matter by that Council. The representative of the European Union took the floor. The General Council took note of the report and of the statement, 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, which was subsequently circulated in WT/L/1114.

### **12.2 Introduction of Harmonized System 2002, 2007, 2012 and 2017 Changes into WTO Schedules of Tariff Concessions – Draft Decision (WT/GC/M/194)**

12.2. At the November meeting, the General Council considered the draft waiver decisions, contained in G/C/W/796, G/C/W/797, G/C/W/798 and G/C/W/799 which concerned the Introduction of Harmonized System 2002, 2007, 2012 and 2017 Changes into WTO Schedules of Tariff Concessions, respectively. The Chair of the Council for Trade in Goods reported on the consideration of this matter by that Council. The General Council took note of the report and, in accordance with the Decision-Making Procedures under Articles IX and XII of the WTO Agreement agreed in November 1995 (WT/L/93), adopted the four draft Decisions which were subsequently circulated in WT/L/1124, WT/L/1125, WT/L/1126 and WT/L/1127.

### **12.3 Cuba – Article XV:6 – Extension of Waiver – Draft Decision (WT/GC/M/194)**

12.3. At the November meeting, the General Council considered the draft waiver on "Cuba – Article XV:6 – Extension of Waiver" contained in G/C/W/803. The Chair of the Council for Trade in Goods reported on the consideration of this matter by that Council. The General Council took note of the report and, in accordance with the Decision-Making Procedures under Articles IX and XII of the WTO Agreement agreed in November 1995 (WT/L/93), adopted the draft decision, which was subsequently circulated in WT/L/1128.

### **12.4 Review of Waivers Pursuant to Article IX:4 of the WTO Agreement (WT/GC/M/192 and WT/GC/M/194)**

12.4. Under Article IX:4 of the WTO Agreement, "[a]ny waiver granted for a period of more than one year shall be reviewed by the Ministerial Conference not later than one year after it is granted, and thereafter annually until the waiver terminates."

12.5. At the July meeting, the General Council considered the following waivers for review under Article IX:4:

- a. Least-Developed Country Members – Obligations under Article 70.8 and Article 70.9 of the TRIPS Agreement with respect to Pharmaceutical Products, granted on 30 November 2015 until 1 January 2033 (WT/L/971)
- b. Kimberley Process Certification Scheme for Rough Diamonds, granted on 26 July 2018 through 31 December 2024 (WT/L/1039)
- c. Canada – CARIBCAN, granted on 28 July 2015 until 31 December 2023 (WT/L/958, WT/L/1112)

12.6. In doing so, the General Council considered a report on implementation of the waiver in document WT/L/1112. The representatives of Canada; Jamaica (ACP); Chad (LDCs); Saint Lucia (CARICOM) and the European Union spoke. The General Council took note of the report contained in document WT/L/1112, and of the statements.

12.7. At the November meeting, the General Council considered the following waivers for review under Article IX:4:

- a. Preferential treatment in favour of services and service suppliers of least developed countries, granted on 17 December 2011 until 31 December 2030 (WT/L/847, WT/L/982)
- b. Preferential tariff treatment for least-developed countries, granted on 16 October 2019 until 30 June 2029 (WT/L/1069)
- c. European Union – Application of autonomous preferential treatment to the Western Balkans (WT/L/1116)
- d. United States – African Growth and Opportunity Act, granted on 30 November 2015 until 30 September 2025 (WT/L/970, WT/L/1117)
- e. United States – Caribbean Basin Economic Recovery Act, granted on 16 October 2019 until 30 September 2025 (WT/L/1070, WT/L/1115)
- f. United States – Former trust territory of the Pacific Islands, granted on 7 December 2016 until 31 December 2026 (WT/L/1000, WT/L/1118)
- g. United States – Trade preferences granted to Nepal, granted on 7 December 2016 until 31 December 2025 (WT/L/1001, WT/L/1119)

12.8. In doing so, the General Council considered five reports on implementation of the waiver in documents WT/L/1115, WT/L/1116, WT/L/1117, WT/L/1118 and WT/L/1119. The representatives of Antigua and Barbuda (OECS); Barbados (CARICOM); Mauritius (African Group) and Jamaica (ACP) spoke. The General Council took note of the report contained in documents WT/L/1115, WT/L/1116, WT/L/1117, WT/L/1118 and WT/L/1119, and of the statements.

### **13 TWELFTH SESSION OF THE MINISTERIAL CONFERENCE (WT/GC/M/190; WT/GC/M/192; WT/GC/M/193 AND WT/GC/M/194)**

13.1. At the November meeting, the Chair drew attention to the communication from Kazakhstan in document WT/GC/239 and welcomed the Ministerial Conference Chair, H.E. Mr. Timur Suleimenov, Deputy Chief of President's Administration with the responsibility for economic affairs and President's Envoy for International Trade of Kazakhstan. He also recalled that the Vice Chairs of the Conference would be The Hon. Dan Tehan, Minister for Trade, Tourism and Investment of Australia; The Hon. Jerome Xavier Walcott, Minister for Foreign Affairs and Foreign Trade of Barbados; and The Hon. Harriet Ntabazi, Minister of State for Trade of Uganda.

#### **13.1 Date and Venue (WT/GC/M/190)**

13.2. At the March meeting, the General Council formally agreed that the Twelfth Session of the WTO Ministerial Conference would take place in Geneva at the beginning of December 2021, that was during the week of 29 November 2021<sup>30</sup>. The representatives of Cameroon; Saint Lucia (CARICOM); the Philippines; the Kingdom of Saudi Arabia (Arab Group); Malaysia; Thailand; the United Kingdom; Chinese Taipei; Ecuador; the Russian Federation; Jamaica (ACP and GRULAC); the European Union; Nigeria; Kazakhstan; the Maldives; China; India; Hong Kong, China; Mauritius (African Group); Turkey; Barbados; the Republic of Korea; Namibia; Afghanistan; Chad (LDCs) and Qatar spoke. The General Council took note of the statements.

#### **13.2 Statement by the Chair (WT/GC/M/192)**

13.3. At the July meeting, the Chair reported on the consultations he had been undertaking on MC12 preparations. These had been kicked off in an Informal General Council meeting on 30 March. The Chair's statement at that meeting was circulated in JOB/GC/254. Following this meeting, from 16 April to 12 May, he had consulted Members in various configurations on the preparations for

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<sup>30</sup> In a communication dated 15 April 2021, the General Council Chair confirmed that the Twelfth Ministerial Conference would take place on 30 November to 3 December 2021.

MC12, to hear Member's views on a range of issues, including the substantive issues under the General Council, the format of the Conference and the outcome document. At an Informal General Council meeting on 28 May, the Chair provided a report on his consultations, which was circulated in JOB/GC/259. Thereafter, he continued consulting Members and group coordinators and reported on those discussions at an Informal General Council meeting held on 22 June (JOB/GC/262) and at the July GC meeting (JOB/GC/268). The General Council took note of the Chair's statement.<sup>31</sup>

### **13.3 MC12 Outcome Document – Report by the Chair (WT/GC/M/193 and WT/GC/M/194)**

13.4. At the October meeting, the Chair reported on his consultations on a possible MC12 outcome document. His report was circulated in document JOB/GC/274. His report covered his consultations with individual delegations and group coordinators from 6 to 8 September and on 29 September; meetings in a smaller group format on 14, 21 and 23 September and 5 October; and, two Informal Meetings of the General Council on 16 September and 23 September. The General Council took note of the Chair's report.<sup>32</sup>

13.5. At the November meeting, the Chair reported on the process on a possible MC12 outcome document. His report was circulated in document JOB/GC/282 and referred to the draft in document RD/GC/17/Rev.1. The representatives of Chinese Taipei; Chad (LDCs); Nigeria; Jamaica (ACP); India; Barbados (CARICOM); Mongolia (LLDCs); South Africa; Cambodia; Indonesia; Bangladesh; Malaysia; Liberia (g7+ WTO Accession Group); the European Union; Mauritius (African Group); the United Kingdom; Guatemala; Nepal; Paraguay; the Philippines; the United States; Ecuador; Australia; Chile; Thailand; Tunisia; Vanuatu (Pacific Group); Iceland; Argentina; Uruguay; Norway and Costa Rica spoke. The General Council took note of the Chair's report, the statements made, and that work was continuing in the immediate next few days on the draft MC12 outcome document, and that any results from that work would be before the Ministerial Conference, for consideration.

## **14 SUPPORTING THE CONCLUSION OF FISHERIES SUBSIDIES NEGOTIATIONS FOR THE SUSTAINABILITY OF THE OCEAN AND FISHING COMMUNITIES - DRAFT MINISTERIAL DECISION – COMMUNICATION FROM BRAZIL (WT/GC/M/190; WT/GC/M/191; WT/GC/M/192 AND WT/GC/M/193)**

14.1. At the March meeting, the representative of Brazil presented the communication in document WT/GC/W/815 which contains a proposed draft Ministerial Decision on this matter. The representatives of the Philippines; Costa Rica; Bangladesh; Barbados; Thailand; Norway; Chinese Taipei; the Russian Federation; South Africa; Nigeria; The Gambia; Sri Lanka; Vanuatu (Pacific Group); Indonesia; Jamaica (ACP); Fiji; India; Saint Lucia (CARICOM); Chad (LDCs); the United States; the European Union; Turkey; Namibia and Mauritius (African Group) spoke. The General Council took note of the statements.

14.2. At the May meeting, the representative of Brazil made a statement on this matter. The representatives of the Philippines; Chad (LDCs); Nigeria; Barbados; Cameroon; Jamaica (ACP); Kenya; Vanuatu (Pacific Group); Saint Lucia (CARICOM); the Russian Federation; Mauritius (African Group); the United States; South Africa; Bangladesh; Angola; India; Indonesia; the European Union; Morocco and Pakistan spoke. The General Council took note of the statements.

14.3. At the July meeting, the representative of Brazil made a statement on this matter. The representatives of the United States; Mauritius (African Group); South Africa; India; Chad (LDCs); Jamaica (ACP); Malaysia; Saint Lucia (CARICOM); Fiji (Pacific Group); Bangladesh; Pakistan; Sri Lanka; Thailand; the Central African Republic; Nigeria; Indonesia and Cameroon. Brazil again took the floor. The General Council took note of the statements.

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<sup>31</sup> See Paragraph 3.3 for the list of Members that intervened on Item 7 of the July General Council agenda related to the "Preparations for the Twelfth Session of the Ministerial Conference – Statement by the Chair", Item 7.1 of the July General Council agenda related to the "WTO Response to the Pandemic – Report by the Facilitator and Item 8 of the July General Council agenda related to the "Contributions to the Multilateral Process on the WTO Response to the Pandemic".

<sup>32</sup> See Paragraph 3.4 for the list of Members that intervened under all sub-items under Item 5 of the October General Council agenda related to the "Preparations for the Twelfth Session of the Ministerial Conference".

14.4. At the October meeting, the representative of Brazil made a statement on this matter. The representatives of the Philippines; Mauritius (African Group); Malaysia; Chad (LDCs); Jamaica (ACP); Ukraine; the Russian Federation; Vanuatu (Pacific Group); South Africa; Nigeria; Bangladesh; Ecuador; the United States; India; Pakistan; Chile; Indonesia; Chinese Taipei and the European Union spoke. The General Council took note of the statements.

**15 INTRODUCTION OF A PAPER ON "LEGAL STATUS OF JOINT STATEMENT INITIATIVES AND THEIR NEGOTIATED OUTCOMES" – REQUEST FROM INDIA; SOUTH AFRICA AND NAMIBIA (WT/GC/M/190; WT/GC/M/191; WT/GC/M/192; WT/GC/M/193 AND WT/GC/M/194)**

15.1. At the March meeting, the representatives of India and South Africa presented their communication in document WT/GC/W/819 and made their respective statements on this matter. The representatives of Vanuatu (Pacific Group); Zimbabwe; Nepal; Cuba; Australia; Costa Rica; Chinese Taipei; Colombia; Mexico; the Russian Federation; Japan; the Republic of Korea; the United States; Chile; the Philippines; Turkey; Bangladesh; Uruguay; Pakistan; Brazil; Canada; the European Union; Sri Lanka; Tanzania; the United Kingdom; Hong Kong, China; Norway; Switzerland; Singapore; Israel; Peru; Indonesia; Oman; the Kingdom of Saudi Arabia; Cameroon and Nigeria spoke. India and South Africa again took the floor. The General Council took note of the statements.

15.2. At the May meeting, the representatives of India and South Africa made their respective statements on this matter and referred to the revision of the document in WT/GC/W/819/Rev.1 adding Namibia as co-sponsor. The representatives of Nepal; Tanzania; Costa Rica; Chad (LDCs); Australia; the European Union; the Russian Federation; the United Kingdom; Chinese Taipei; Norway; Indonesia; Nigeria; Chile; Mexico; the Republic of Korea; Pakistan; Turkey; Bangladesh; Hong Kong, China; Singapore; Japan; Sri Lanka; China; Canada; El Salvador; Kazakhstan; Thailand; the Republic of Moldova; Vanuatu (Pacific Group) and Cameroon spoke. During its intervention, the representative of India referred to items 4 and 8 of the May General Council agenda.<sup>33</sup> The General Council took note of the statements.<sup>34</sup>

15.3. At the July meeting, the representatives of India and South Africa made their respective statements on this matter. The representatives of Australia; Nigeria; the Russian Federation; Costa Rica; Tanzania; Chad (LDCs); Nepal; the European Union; the United Kingdom; Turkey; Japan; Chile; the Republic of Korea; the United States; Chinese Taipei; Norway; Brazil; Singapore; New Zealand; Pakistan; Switzerland; Indonesia; Thailand; Hong Kong, China; Israel; Mexico; Sri Lanka; the Philippines; Viet Nam and Paraguay spoke. Argentina; Colombia; the Kingdom of Saudi Arabia and Bangladesh subsequently provided their statements. The General Council took note of the statements.

15.4. At the October meeting, the representatives of India and South Africa made their respective statements on this matter. The representatives of Sri Lanka; Australia; Nepal; Bangladesh; Japan; the Republic of Korea; Chinese Taipei; the European Union; Norway; the United Kingdom; Chile; Colombia; Thailand; Pakistan; the Russian Federation; Paraguay; the United States; Israel; the Philippines; Indonesia; Switzerland; Nigeria; Mexico and Zimbabwe spoke. Tunisia subsequently provided its statement. The General Council took note of the statements.

15.5. At the November meeting, the representatives of India and South Africa made their respective statements on this matter. The representatives of Guatemala; the United Kingdom; Chile; Nepal; Chinese Taipei; Indonesia; the European Union; Japan; Costa Rica; Pakistan; the Russian Federation; Australia; Tunisia and Singapore spoke. India again took the floor. The General Council took note of the statements.

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<sup>33</sup> Item 4 of the May General Council agenda related to the "TRIPS Council Matters - Status Report on the Considerations by the TRIPS Council on the "Proposal for a Waiver from Certain Provisions of the TRIPS Agreement for the Prevention, Containment and Treatment of COVID-19" – Statement by the Chair of the Council for TRIPS", and Item 8 of the May General Council agenda related to the "Paper Titled "The Legal Status of 'Joint Statement Initiatives' and their Negotiated Outcomes" – Request from India and South Africa ".

<sup>34</sup> At its request, the statement of the delegation of Colombia is incorporated in the Minutes of the May General Council meeting and can be found in Annex 1 of document WT/GC/M/191.

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**16 TRADE RELATED CHALLENGES OF THE LEAST-DEVELOPED COUNTRIES AND WAY FORWARD: A DRAFT FOR MC DECISION AND LDC GROUP'S INTERIM ARRANGEMENT SUBMISSION ON LDC GRADUATION – COMMUNICATIONS FROM CHAD ON BEHALF OF THE LDC GROUP (WT/GC/M/190; WT/GC/M/191; WT/GC/M/192; WT/GC/M/193 AND WT/GC/M/194)**

16.1. At the March meeting, the representative of Chad (LDCs) presented again its communications in documents WT/GC/W/806 and WT/GC/W/807. The representatives of Nepal; Bangladesh; Mauritius (African Group); The Gambia; South Africa; the United States; China; Norway the Central African Republic; Japan; Jamaica (ACP); India; the Philippines; Nigeria; Cambodia and Vanuatu (Pacific Group) spoke. Chad (LDCs) again took the floor. The General Council took note of the statements.

16.2. At the May meeting, the Chair reported on his consultations on this matter following the request made by the LDC Group for him to facilitate a conversation on the LDCs' communications. The representatives of Chad (LDCs); Bangladesh; Angola; Nepal; Fiji; Tanzania; Barbados; Vanuatu (Pacific Group); Jamaica (ACP); China; Saint Lucia (CARICOM); South Africa; Mauritius (African Group); India; Indonesia; Uganda; the United States; the Kingdom of Saudi Arabia (Arab Group); Nigeria and the European Union spoke. Bangladesh and Chad (LDCs) again took the floor. The General Council took note of the statements.

16.3. At the July meeting, the representatives of Chad (LDCs) and Bangladesh made their respective statements on this matter. The representatives of Nepal; Tanzania; the United States; China; Mauritius (African Group); South Africa; India and Nigeria spoke. Chad (LDCs) again took the floor. The European Union; Niger and Uganda subsequently provided their statements. The General Council took note of the statements.

16.4. At the October meeting, the representatives of Chad (LDCs) and Bangladesh referred to the revised LDC Graduation Fact Sheet in document WT/GC/W/806/Rev.1 and made their respective statements on this matter. The representatives of the United States; Nepal; Mauritius (African Group); the European Union; South Africa; the United Kingdom; Japan; Vanuatu (Pacific Group); India; Jamaica (ACP); China; Senegal; Nigeria and Turkey spoke. The Director-General also took the floor. The General Council took note of the statements.

16.5. At the November meeting, the representative of Bangladesh made a statement on this matter and presented the LDC communication in document WT/GC/W/829. The representatives of China; Nepal; Chad (LDCs); Mauritius (African Group); Zambia; the United States; Jamaica (ACP); South Africa; Uganda; Cambodia; Tanzania; the United Kingdom; India; the European Union; Australia; Switzerland and Mozambique spoke. The representative of Bangladesh again took the floor. The General Council took note of the statements and of the fact that work would continue on the matter.

**17 PROCEDURAL GUIDELINES FOR WTO COUNCILS AND COMMITTEES ADDRESSING TRADE CONCERNS – COMMUNICATION FROM AND STATEMENT BY CO-SPONSORS (WT/GC/M/191; WT/GC/M/192; WT/GC/M/193 AND WT/GC/M/194)**

17.1. At the May meeting, the representative of the European Union, on behalf of the co-sponsors, provided an update on Members' work on the proposal in document WT/GC/W/777/Rev.5. The representatives of China; Mexico; the Republic of Korea; India; Chinese Taipei; Bangladesh; Chad (LDCs); Mongolia; South Africa; the United Kingdom and the United States spoke. The General Council took note of the statements.

17.2. At the July meeting, the representative of the European Union, on behalf of the co-sponsors, provided an update on this matter and referred to the revision in document WT/GC/W/777/Rev.6. The representatives of Chad (LDCs); Nigeria; India; South Africa; Chinese Taipei; the Republic of Korea; Uruguay; Paraguay; Chile; India; Bangladesh; Jamaica (ACP) and the United States spoke. Uganda subsequently provided its statement. The General Council took note of the statements.

17.3. At the October meeting, the representative of the European Union, on behalf of the co-sponsors, made a statement on this matter. The representatives of the United States; Chad (LDCs); Ukraine; Chinese Taipei; South Africa; Bangladesh; India and the Republic of Korea spoke. The General Council took note of the statements.

17.4. At the November meeting, the representative of the European Union, on behalf of the co-sponsors, made a statement on this matter. The representatives of India; South Africa; Chad (LDCs); Paraguay; Chinese Taipei and the United States spoke. The European Union again took the floor. The General Council took note of the statements.

**18 PROPOSED GENERAL COUNCIL DECISION ON PROCEDURES TO ENHANCE TRANSPARENCY AND IMPROVE COMPLIANCE WITH NOTIFICATION REQUIREMENTS UNDER WTO AGREEMENTS – ARGENTINA; AUSTRALIA; CANADA; CHILE; COSTA RICA; THE EUROPEAN UNION; ICELAND; ISRAEL; JAPAN; REPUBLIC OF KOREA; MEXICO; NEW ZEALAND; NORWAY; PARAGUAY; THE PHILIPPINES; SINGAPORE; SWITZERLAND; THE SEPARATE CUSTOMS TERRITORY OF TAIWAN, PENGHU, KINMEN AND MATSU; UNITED KINGDOM AND THE UNITED STATES (WT/GC/M/192; WT/GC/M/193 AND WT/GC/M/194)**

18.1. At the July meeting, the representative of the United States, on behalf of the co-sponsors, presented their communication on this matter in document JOB/GC/204/Rev.6 – JOB/CTG/14/Rev.6. The representatives of the Republic of Korea; Norway; Chinese Taipei; Canada; Uruguay; the United Kingdom; Mexico; Mauritius (African Group); Switzerland; China; Australia; the European Union; Japan; Chad (LDCs); Tanzania; Costa Rica; Paraguay; Turkey; Bangladesh; Jamaica (ACP); Chile; Pakistan; Saint Lucia (CARICOM); South Africa; Singapore; India; Israel and the Philippines spoke. The United States again took the floor. The General Council took note of the statements.

18.2. At the October meeting, the representative of the United States, on behalf of the co-sponsors, presented the revision of their communication on this matter in document JOB/GC/204/Rev.7 – JOB/CTG/14/Rev.7. The representatives of the United Kingdom; Iceland; the Philippines; Turkey; Chinese Taipei; Paraguay; Brunei Darussalam; South Africa; China; Japan; Mexico; Israel; Mauritius (African Group); Jamaica (ACP); the Republic of Korea; Canada; Pakistan; India; Bangladesh; Indonesia and Singapore spoke. The United States again took the floor. The General Council took note of the statements.

18.3. At the November meeting, the representative of the United States, on behalf of the co-sponsors, presented the revision of their communication on this matter in document JOB/GC/204/Rev.8 – JOB/CTG/14/Rev.8. The representatives of Colombia; Brunei Darussalam; Canada; the United Kingdom; Jamaica (ACP); Mauritius (African Group); Turkey; Nigeria; Chinese Taipei; the European Union; Bangladesh; Japan; South Africa; Barbados (CARICOM); Pakistan; Chad (LDCs); Singapore; China; Paraguay; Australia and India spoke. The United States again took the floor. The General Council took note of the statements.

**19 G90 DECLARATION ON SPECIAL AND DIFFERENTIAL TREATMENT – COMMUNICATION FROM SOUTH AFRICA ON BEHALF OF THE G90 (WT/GC/M/192)**

19.1. At the July meeting, the representative of South Africa, on behalf of the G90, presented their communication entitled "G90 Declaration on Special and Differential Treatment" circulated in document WT/GC/234. The representatives of Nigeria; Mauritius (African Group); Pakistan; Chad (LDCs); Jamaica (ACP); Fiji (Pacific Group); Saint Lucia (CARICOM); the Central African Republic; the European Union; China; Kenya; the United Kingdom; India; the United States; Bangladesh; Cameroon; Zimbabwe; Nepal; Indonesia; Sri Lanka; Vanuatu; Brazil and Norway spoke. South Africa; the United States; Nigeria; Sri Lanka; Cameroon; Mauritius (African Group) and the European Union again spoke. South Africa again took the floor. The Director-General intervened three times during the discussion. Uganda and Fiji subsequently provided their statements. The General Council took note of the statements.

**20 JOINT COMMUNICATION ON SYSTEMIC ISSUES – STATEMENT BY SWITZERLAND (WT/GC/M/192)**

20.1. At the July meeting, the representative of Switzerland, on behalf of co-sponsors, presented their joint communication on systemic issues circulated in document WT/GC/W/827<sup>35</sup>. The representatives of China; the United Kingdom; Uruguay; the Philippines; Chinese Taipei; the Russian Federation; Japan; South Africa; Mauritius (African Group); Tajikistan; the Republic of Korea;

<sup>35</sup> The revisions of this document can be found in WT/GC/W/827/Rev.1 and WT/GC/W/827/Rev.2.

Singapore; Viet Nam; India; Chad (LDCs); Ecuador; Kazakhstan and Mexico spoke. Switzerland again took the floor. The General Council took note of the statements.

## **21 STRENGTHENING THE MULTILATERAL CHARACTER OF THE WORLD TRADE ORGANIZATION – REQUEST FROM THE AFRICAN GROUP (WT/GC/M/192)**

21.1. At the July meeting, the representative of Mauritius, on behalf of the African Group, presented their communication entitled "Strengthening the Multilateral Character of the WTO" circulated in document WT/GC/W/825. The representatives of Botswana; Cameroon; Jamaica (ACP); Chad (LDCs); Pakistan; the European Union; China; India; the Central African Republic; Kenya; the Philippines; Sri Lanka; South Africa; Côte d'Ivoire and Tanzania spoke. Mauritius (African Group) again took the floor. The General Council took note of the statements.

## **22 REINVIGORATING THE WORK OF THE COMMITTEE ON RULES OF ORIGIN ON THE IMPLEMENTATION OF THE BALI AND NAIROBI MINISTERIAL DECISIONS ON PREFERENTIAL RULES OF ORIGIN FOR LDCS – STATEMENT BY THE LDC GROUP (WT/GC/M/194)**

22.1. At the November meeting, the representative of Chad (LDCs), on behalf of the co-sponsors, made a statement and presented some proposed language on this matter. The representatives of Cambodia; Nepal; Tanzania; the United States; Bangladesh; India and Mauritius (African Group) spoke. The Chair said that he understood that additional discussions would take place on this matter between the LDC Group and other Members. The General Council took note of the statements.

## **23 PROPOSED MINISTERIAL DECISION ON STRENGTHENING RESILIENCY AND PREPAREDNESS THROUGH TRADE FACILITATION – BANGLADESH; CANADA; COSTA RICA; JAPAN; MEXICO; NORWAY; PANAMA; THE SEPARATE CUSTOMS TERRITORY OF TAIWAN, PENGHU, KINMEN AND MATSU; TURKEY; THE UNITED STATES AND URUGUAY (WT/GC/M/194)**

23.1. At the November meeting, the representative of the United States, on behalf of the co-sponsors, presented their communication on this matter in document WT/GC/W/836/Rev.2. The representatives of Guatemala; Chad (LDCs); Uruguay; the United Kingdom; Norway; Panama; Mongolia; Turkey; Chinese Taipei; Antigua and Barbuda (OECS); Bangladesh; Kazakhstan; Mexico; Brazil; Mauritius (African Group); Japan; Canada; Barbados (CARICOM); Colombia; Jamaica (ACP); Nigeria; India; the European Union; Pakistan and Switzerland spoke. The United States again took the floor. The Chair said that he understood that discussions would be continuing on the proposal. The General Council took note of the statements.

## **24 PROPOSED SANITARY AND PHYTOSANITARY DECLARATION FOR THE TWELFTH WTO MINISTERIAL CONFERENCE: RESPONDING TO MODERN SPS CHALLENGES – AFRICAN GROUP; ACP GROUP; ARGENTINA; AUSTRALIA; BELIZE; BRAZIL; BURKINA FASO; CABO VERDE; CANADA; CHILE; COLOMBIA; COSTA RICA; CÔTE D'IVOIRE; DOMINICAN REPUBLIC; ECUADOR; EL SALVADOR; THE GAMBIA; GUATEMALA; HONDURAS; JAPAN; MEXICO; NEW ZEALAND; PANAMA; PARAGUAY; PERU; SENEGAL; SINGAPORE; TAJIKISTAN; TOGO; THE UNITED STATES; UKRAINE; URUGUAY AND VIET NAM (WT/GC/M/194)**

24.1. At the November meeting, the representative of Canada, on behalf of the co-sponsors, presented their communication on this matter in document WT/GC/W/835/Rev.1 – G/SPS/GEN/1758/Rev.10. The representatives of Panama; Jamaica (ACP); Japan; the European Union; Mauritius (African Group); Mongolia (LLDCs); Ukraine; Brazil; Nigeria; Chad (LDCs); the Russian Federation; Ecuador, South Africa and the United States spoke. The Chair said that he understood that discussions would be continuing on the proposal towards MC12. The General Council took note of the statements.

**25 SAUDI ARABIA'S RESTRICTIVE POLICIES ON POULTRY IMPORTS – REQUEST FROM BRAZIL (WT/GC/M/192)**

25.1. At the July meeting, the representative of Brazil made a statement on this matter. The representatives of the Kingdom of Saudi Arabia and the United States spoke. The General Council took note of the statements.

**26 USE OF INTERPREFY PLATFORM – STATEMENT BY MOROCCO (WT/GC/M/190)**

26.1. At the March<sup>36</sup> meeting, the representative of Morocco made a statement on this matter. The General Council took note of the statement.

**27 VIRTUAL MEETING OF THE ARAB TRADE MINSTERS – STATEMENT BY THE KINGDOM OF SAUDI ARABIA ON BEHALF OF THE ARAB GROUP (WT/GC/M/194)**

27.1. At the November<sup>37</sup> meeting, the representative of the Kingdom of Saudi Arabia made a statement on this matter. The General Council took note of the statement.

**28 LANDLOCKED DEVELOPING COUNTRIES – STATEMENT BY MONGOLIA ON BEHALF OF LLDCS (WT/GC/M/194)**

28.1. At the November<sup>38</sup> meeting, the representative of Mongolia made a statement on this matter. The General Council took note of the statement.

**29 WTO RESPONSE IN LIGHT OF THE PANDEMIC: TRADE RULES THAT SUPPORT RESILIENCE BUILDING, RESPONSE AND RECOVERY TO FACE DOMESTIC AND GLOBAL CRISES – COMMUNICATION FROM EGYPT, PAKISTAN, SOUTH AFRICA, SRI LANKA, TUNISIA, UGANDA AND THE BOLIVARIAN REPUBLIC OF VENEZUELA**

29.1. At the November<sup>39</sup> meeting, the representative of Pakistan, on behalf of co-sponsors, made a brief statement on this matter and referred to their communication in JOB/GC/278/Rev.2. The General Council took note of the statement.

**30 COMMITTEE ON BUDGET, FINANCE AND ADMINISTRATION****30.1 Reports and Recommendations (WT/GC/M/191; WT/GC/M/192; WT/GC/M/193 and WT/GC/M/194)**

30.1. At the May meeting, the CBFA Chair introduced the report of the CBFA in document WT/BFA/193 including the Committee's recommendation. The General Council approved the Budget Committee's specific recommendation in paragraph 5.11 of WT/BFA/193 urging Members and Observers under Administrative Measures to liquidate their arrears, took note of the CBFA Chair's statement and adopted the report in WT/BFA/193.

30.2. At the July meeting, the CBFA Chair introduced the reports of the CBFA in documents WT/BFA/194, WT/BFA/195 and WT/BFA/196. The representative of India took the floor. The General Council took note of the CBFA Chair's statement and of the other statement made and adopted the reports in WT/BFA/194, WT/BFA/195 and WT/BFA/196.

30.3. At the October meeting, the CBFA Chair introduced the report of the CBFA in document WT/BFA/197. The General Council took note of the CBFA Chair's statement and adopted the report in WT/BFA/197.

30.4. At the November meeting, the CBFA Chair introduced the reports of the CBFA in documents WT/BFA/198 and WT/BFA/198/Corr.1, WT/BFA/199 and WT/BFA/200. The representative of India spoke. The General Council approved the Budget Committee's specific recommendations in

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<sup>36</sup> This item was taken up under "Other Business".

<sup>37</sup> This item was taken up under "Other Business".

<sup>38</sup> This item was taken up under "Other Business".

<sup>39</sup> This item was taken up under "Other Business".

paragraph 4.4 of WT/BFA/198 on transfers between budgetary sections and the approval the WTO Audited Financial Statements for the year ended 31 December 2020; paragraph 9.3 of WT/BFA/198 on the approval of the budget for 2022-2023 of the International Trade Centre UNCTAD/WTO; paragraph 3.5 of WT/BFA/200 on the utilization of the 2020 budgetary surplus; and, paragraphs 4.9 to 4.12 on the approval of the budget for 2022-2023 of the WTO; took note of the CBFA Chair's statement and of other statement; and adopted the reports in WT/BFA/198 and WT/BFA/198/Corr.1, WT/BFA/199 and WT/BFA/200.

### **31 WTO PENSION PLAN**

#### **31.1 Reports (WT/GC/M/192)**

31.1. At the July meeting, the Chair of the WTOPP Management Board presented to the General Council the 2020 Annual Report of the World Trade Organization Pension Plan and the 2020 Report of the External Auditor which could be found in documents WT/L/1111 and WT/L/1113 and WT/L/1113/Corr.1. The General Council took note of the reports and of the WTOPP Management Board Chair's statement.

#### **32 ADMINISTRATIVE MEASURES FOR MEMBERS IN ARREARS (WT/GC/M/190; WT/GC/M/191; WT/GC/M/192; WT/GC/M/193 AND WT/GC/M/194)**

32.1. In October 2012, the General Council approved a recommendation from the Committee on Budget, Finance and Administration regarding revised Administrative Measures for Members in arrears, as contained in WT/BFA/132, Annex I. These new revised Measures entered into force on 1 January 2013. These Measures required that at the end of each meeting of the General Council, the Chair of the Committee on Budget, Finance and Administration should provide information with regard to which Members and Observers were under Administrative Measures; and, the General Council Chair would request Members and Observers in Categories II and III to inform the Secretariat as to when the payment of arrears might be expected.

32.2. At the General Council meetings in March, May, July, October and November<sup>40</sup>, the Chair of the Committee on Budget, Finance and Administration provided information with regard to which Members were under Administrative Measures and the Chair requested Members and Observers in Categories II and III to inform the Secretariat as to when the payment of arrears might be expected. The representative of Cuba spoke at the October meeting. The General Council took note of the statements.

#### **33 INTERNATIONAL TRADE CENTRE UNCTAD/WTO – REPORT OF THE JOINT ADVISORY GROUP ON ITS 54TH SESSION (WT/GC/M/191)**

33.1. At the May meeting, the General Council considered a report of the Joint Advisory Group on the International Trade Centre UNCTAD/WTO on its Fifty-Fourth Session (ITC/AG(LIV)/280), which had been considered initially by the Committee on Trade and Development at its meeting on 29 March where it had been presented by the Chair of the Joint Advisory Group, Ambassador Athaliah Lesiba Molokomme (Botswana). The CTD Chair made a statement on the Committee's consideration of the report. The representatives of Chad (LDCs); Mauritius (African Group); the European Union; Norway; Kenya and the International Trade Centre (Observer) spoke. The Director-General also took the floor. The General Council took note of the CTD Chair's statement and of the other statements, and adopted the report of the Joint Advisory Group.

#### **34 REVIEW OF WTO ACTIVITIES (WT/GC/M/190 AND WT/GC/M/194)**

34.1. At the March meeting, the General Council took note of the Report of the Working Group on Trade, Debt and Finance in document WT/WGTDF/19. The representatives of India; Côte d'Ivoire; Tanzania; Morocco and the United States spoke. The Director-General also took the floor. The General Council took note of the statements.

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<sup>40</sup> This item was taken up under "Other Business" at the March, May, July and October meetings.

34.2. At the November meeting, the General Council considered Annual Reports for 2021 from WTO bodies that had been drawn up in pursuance of the Decision concerning procedures for an annual overview of WTO activities and for reporting under the WTO in document WT/L/105.

34.3. The General Council adopted the report of the Committee on Trade and Development in document WT/COMTD/101, and took note of the reports of the other WTO bodies, including the reports of the Committees under the Plurilateral Trade Agreements, listed in documents WT/DSB/83, WT/TPR/471, G/L/1418, S/C/62, IP/C/92, G/L/1413/Rev.1, G/L/1420, G/L/1421, WT/COMTD/101, WT/CTE/28, WT/BOP/R/119, WT/BFA/201, WT/REG/32, WT/WGTDF/20 and WT/WGTTT/23.

34.4. The General Council adopted the draft Report of the General Council contained in document WT/GC/W/834, on the understanding that the Secretariat would make the necessary adjustments to that Report to include matters that had been considered at that meeting and agreed to forward it to the Twelfth Ministerial Conference.

### **35 CHAIRMANSHIP OF THE COMMITTEE ON GOVERNMENT PROCUREMENT – AUSTRALIA; CANADA; THE EUROPEAN UNION; ISRAEL; JAPAN; MONTENEGRO; NEW ZEALAND; THE SEPARATE CUSTOMS TERRITORY OF TAIWAN, PENGHU, KINMEN AND MATSU; UNITED KINGDOM; AND THE UNITED STATES (WT/GC/M/192 AND WT/GC/M/193)**

35.1. At the July meeting, the representative of the United Kingdom, on behalf of co-sponsors, made a statement on this matter. The representatives of Switzerland; China; Israel; Hong Kong, China; the United States; Japan and Chinese Taipei spoke. The General Council took note of the statements.

35.2. At the October meeting, the representative of the United States, on behalf of the co-sponsors, delivered a statement on this matter circulated in document RD/GC/16. The representatives of Hong Kong, China; China; Chinese Taipei and Japan spoke. Chinese Taipei again took the floor. The General Council took note of the statements.

### **36 APPOINTMENT OF OFFICERS TO THE SUBSIDIARY BODIES OF THE COUNCIL FOR TRADE IN GOODS – REPORT BY THE CHAIR OF THE COUNCIL FOR TRADE IN GOODS**

36.1. At the July meeting<sup>41</sup>, the Chair and the CTG Chair reported on this matter. The representative of India spoke. The General Council took note of the consensus on the proposed slate of names for the appointment of officers to the subsidiary bodies of the Goods Council, as attached to the convening notice sent to all delegations on 27 July with the understanding that he, as Chair of the General Council, would undertake consultations on the overall exercise on the appointment of officers to avoid a repeat of such a situation in the future. The representatives of Mongolia; the Russian Federation; the United States; the Kingdom of Saudi Arabia; Mexico and Chile spoke. The General Council took note of the statements.<sup>42</sup>

### **37 APPOINTMENT OF OFFICERS TO WTO BODIES (WT/GC/M/190; WT/GC/M/193 AND WT/GC/M/194)**

37.1. At the March meeting, the Chair recalled that in accordance with the Guidelines for Appointment of Officers to WTO Bodies approved by the General Council in 2002 (WT/L/510), and the related practical steps to improve their implementation (JOB/GC/22), he, together with the Chair of the Dispute Settlement Body, Ambassador Dacio Castillo (Honduras), and the former General Council Chair, Ambassador Sunanta Kangvalkulkij (Thailand), had conducted consultations on a slate of names for the appointment of Chairpersons to WTO regular bodies listed in Groups 1, 2, 4 and 5 in the Annex to the Guidelines. The process had included an Informal General Council meeting which had been held on 24 February where he had presented a slate of Chairs for the bodies in Group 1, that was the General Council, the Dispute Settlement Body and the Trade Policy Review Body. For the bodies in Groups 2, 4 and 5, he had noted that they had a single candidate for most of them but

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<sup>41</sup> Before taking up this item, an Informal GC meeting was convened on 28 July to discuss the appointment of officers for subsidiary bodies of the Council for Trade in Goods. The Chair's statement, the report of the CTG Chair and statements of Members who requested that those be reflected in the minutes of the July General Council meeting can be found in Annex 4 of document WT/GC/M/192.

<sup>42</sup> At its request, the statement of the delegation of Colombia is incorporated in the Minutes of the July General Council meeting and can be found in Annex 4 of document WT/GC/M/192.

that he had been informed very recently of another nomination for a competing candidate for the TRIPS Council. He had indicated that he would engage with group coordinators ahead of that meeting with a view to finding a solution. Since then, he had been advised of the withdrawal of the candidature. He had then sent a communication on 26 February informing all Members that they would be in a position to present a complete slate of names for the General Council's consideration.

37.2. The full slate of names for the WTO regular bodies in Groups 1, 2, 4 and 5 resulting from the consultations read as followed:

General Council	H.E. Mr. Dacio Castillo (Honduras)
Dispute Settlement Body	H.E. Mr. Didier Chambovey (Switzerland)
Trade Policy Review Body	H.E. Dr. Athaliah Lesiba Molokomme (Botswana)
Council for Trade in Goods	H.E. Mr. Lundeg Purevsuren (Mongolia)
Council for Trade in Services	H.E. Mr. Ángel Villalobos Rodríguez (Mexico)
Council for TRIPS	H.E. Mr. Dagfinn Sørli (Norway)
Committee on Trade and Development	H.E. Dr. Muhammad Mujtaba Piracha (Pakistan)
Committee on Balance-of-Payments Restrictions	H.E. Mr. Dmitry Lyakishev (Russian Federation)
Committee on Budget, Finance and Administration	H.E. Dr. Bettina Waldmann (Germany)
Committee on Trade and Environment	H.E. Mr. Manuel A.J. Teehankee (Philippines)
Committee on Regional Trade Agreements	H.E. Dr. Cleopa Kilonzo Mailu (Kenya)
Working Group on Trade, Debt and Finance	H.E. Ms. Cheryl K. Spencer (Jamaica)
Working Group on Trade and Transfer of Technology	H.E. Mrs. Le Thi Tuyet Mai (Viet Nam)

37.3. The General Council took note of the Chair's statement and of the consensus on the slate of names for the appointment of officers in the WTO bodies. The Chairs of the CTG and CTS then made statements on the consultations on the Chairmanships of the subsidiary bodies of the two Councils in accordance with the relevant guidelines. The representative of India spoke. The General Council took note of the statements.

37.4. At the October meeting, the Chair recalled that, as part of the agreed solution to resolve the impasse in the appointment process for Chairs of CTG subsidiary bodies it was decided that the Chair should urgently begin consultations on the overall process of the appointment of officers. He therefore reported on his consultations on this matter, and his report was subsequently circulated in document JOB/GC/277. The representatives of India; the European Union; the Russian Federation and Mauritius (African Group) spoke. The General Council took note of the statements.

37.5. At the November meeting, the Chair reported on his consultations on the overall process of the appointment of officers and proposed propose that he would continue his consultations and discussion on the matter after the Ministerial Conference. His report was subsequently circulated in document JOB/GC/285. The Chair also said that in accordance with the Guidelines for the Appointment of Officers to WTO bodies in document WT/L/510 and the practical steps to improve the implementation of the Guidelines (JOB/GC/22), he would be starting the selection process for the appointment of chairpersons to the WTO bodies in Groups 1, 2, 4 and 5 of the Annex to the Guidelines. In accordance with paragraph 7.1(b) of the Guidelines, he would be assisted in the selection process by the serving Chair of the Dispute Settlement Body, Ambassador Didier Chambovey (Switzerland). The representative of the Russian Federation spoke. The General Council took note of the Chair's statement and of the other statement.

### **38 APPOINTMENT OF THE NEXT DIRECTOR-GENERAL (WT/GC/M/189)**

38.1. At the February special meeting, following the formal recommendation of the Chair, supported by the Facilitators, in accordance with Paragraph 19 of the Procedures, the General Council agreed to appoint Dr. Ngozi Okonjo-Iweala of Nigeria as the Director-General of the WTO, starting on 1 March 2021 until 31 August 2025. The appointment was made pursuant to Paragraph 21 of the Procedures in document WT/L/509, mutatis mutandis, and the understanding reached by the General Council in July 2020 regarding interim arrangements that would continue to apply until the beginning of the term of office of the DG-designate, on 1 March 2021.

38.2. The newly elected Director-General, Dr. Ngozi Okonjo-Iweala; the Chair; and Deputy Director-General Karl Brauner, representing all DDGs, spoke. The representatives of Nigeria; Gabon; Mauritius (African Group); the Central African Republic; Chad (LDCs); Switzerland; the Kingdom of Saudi Arabia (Arab Group); Barbados; the United States; Singapore; Indonesia; Brazil; China; Argentina; Saint Lucia (CARICOM); Israel; the Russian Federation; Sri Lanka; Japan; Panama (El Salvador, Honduras, Panama and Dominican Republic); Turkey; Morocco; the European Union; Mozambique; Brunei Darussalam (ASEAN); India; Honduras; Ecuador; New Zealand; Iceland; Colombia; South Africa (ACP); Mongolia (Asian Group of Developing Countries and LLDCs); Ghana; Norway; Mexico; Cambodia; the Republic of Korea; Jamaica; Panama (GRULAC); Tanzania; Zambia; Nepal; Chinese Taipei; Lao PDR; Viet Nam; Bangladesh; Uruguay; Costa Rica; the Maldives; Burkina Faso; Hong Kong, China; Afghanistan; the United Kingdom; Australia; Cameroon; Vanuatu; The Gambia; Angola; the Republic of Moldova; Botswana; Albania; Canada; Thailand; Pakistan; Ukraine; Peru; Cuba; Malaysia; Togo; Kenya; the Philippines; Namibia; Zimbabwe; Oman; Côte d'Ivoire; Liechtenstein; Chile; Uganda; Tunisia; Fiji (Pacific Group); Tajikistan; Djibouti; the Plurinational State of Bolivia; Madagascar; Mali; Kazakhstan; Egypt; the Kyrgyz Republic; Benin; the Bolivarian Republic of Venezuela and the Syrian Arab Republic (Observer) then took the floor to welcome Dr. Ngozi Okonjo-Iweala's appointment. The General Council took note of the statements.

### **39 ELECTION OF CHAIRPERSON (WT/GC/M/190)**

39.1. At the March meeting, the Chair, H.E. Dr. David Walker (New Zealand), as the outgoing presiding officer of the General Council, made a statement. The General Council then unanimously elected H.E. Mr. Dacio Castillo (Honduras) to the Chair.

39.2. The Director-General and the newly elected Chair spoke. The General Council took note of the statements. The representatives of Mauritius (African Group); Thailand; the Kingdom of Saudi Arabia; India; Jamaica (GRULAC and ACP); Sri Lanka; Peru; Singapore; Pakistan; Chad (LDCs); Guatemala; Cambodia; Vanuatu; Barbados; Botswana; Cameroon; Honduras; Bangladesh; China; Nigeria; the Philippines; South Africa; Chinese Taipei; Turkey; Malaysia; Nepal and Oman spoke. The General Council took note of the statements.

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