

Trade Policy Review Body

**RULES OF PROCEDURE FOR MEETINGS OF
THE TRADE POLICY REVIEW BODY**

Revision

The following revised rules of procedure for the Trade Policy Review Body were approved by the Body at its meeting on 27 January 2012 to take account of the results of the Fourth Appraisal of the Trade Policy Review Mechanism.¹ Revisions in the rules of procedure stemming from the Fourth Appraisal shall be implemented on a provisional basis until the Fifth Appraisal has been concluded.

1. When the General Council convenes as the Trade Policy Review Body (TPRB), it shall follow the rules of procedure of the General Council, except as set out below.

Chapter I - Meetings

2. The TPRB shall meet, as appropriate, to conduct Trade Policy Reviews of Members, including the European Union considered as one trading entity. The TPRB shall also meet to undertake the Annual Overview of Developments in the International Trading Environment and in addition to consider the trade policy monitoring reports by the Director-General.

3. The cycle of reviews provided for in Paragraph C (ii) of the Agreement on the Trade Policy Review Mechanism (TPRM)² shall be applied with a general flexibility of up to six months, if and as may be necessary. Schedules of subsequent reviews shall be established counting from the date of the previous review meeting. Members should adhere strictly to the timetables for the preparation of reviews, once agreed.

Chapter II - Agenda

4. The convening notice containing the proposed agenda for each review meeting of the TPRB shall be circulated to all Members not later than five weeks for current timelines and seven weeks for alternative timelines before the relevant meeting. Matters to be raised under "Other Business" shall be communicated to the Chairperson or the Secretariat not less than ten calendar days before the relevant meeting.

¹ WT/MIN(11)/6.

² Annex 3 to the Marrakesh Agreement establishing the World Trade Organization.

Chapter V - Officers

5. The TPRB shall elect its own Chairperson from among the representatives of Members. The TPRB may also elect a Vice-Chairperson. The election shall take place at the first meeting of the year and shall take effect at the end of the meeting. The Chairperson and the Vice-Chairperson shall hold office until the end of the first meeting of the following year.

6. If the Chairperson is absent from any meeting or part thereof, the Vice-Chairperson shall perform the functions of the Chairperson. If a Vice-Chairperson is not elected or available, the Chairperson of the General Council, or in the latter's absence, the Chairperson of the Dispute Settlement Body shall perform the functions of the Chairperson. If the Chairpersons of the General Council and of the Dispute Settlement Body are also absent, the TPRB shall elect an interim Chairperson for the meeting or that part of the meeting.

7. If the Chairperson and the Vice-Chairperson can no longer perform the functions of the office, the TPRB shall designate an interim Chairperson in accordance with paragraph 6 to perform those functions pending the election of a new Chairperson.

Chapter VI - Conduct of Business

8. The TPRB shall adopt a programme of reviews for each year, as referred to in Section C(iv) of the Agreement on the TPRM, by the middle of the previous calendar year.

9. There shall be no requirement of a quorum for the TPRB to conduct trade policy reviews.

10. A TPRB meeting shall normally take place in two sessions (each typically half a day) with a day in between. Upon request by a Member under review, the Chairperson shall consult with Members on the possibility of holding a one-day meeting for that Member on a pilot basis (with the first session in the morning and the second in the afternoon).

11. Current timelines for submission of written questions and answers shall be maintained. However, Members under review may volunteer to apply the alternative timelines (shown in Annex 1) on a pilot basis. Volunteers should inform the TPRB, through the Secretariat, of their choice of the alternative timelines at the time the dates for their TPRB meetings are set.

12. Documentation relating to each review meeting shall be circulated in all working languages not less than five weeks in advance of the relevant meetings under the current timelines, or seven weeks in advance in the case of Members under review having volunteered to apply the alternative timelines.

13. Reports by Members under review shall be in the form of policy statements, whose form and length is essentially to be determined by the Member under review. Secretariat reports should focus principally on the trade policies and practices of the Member under review, seen, to the extent necessary, in the context of overall macro-economic and structural policies.

14. Members should submit written questions to the Member under review at least two weeks before the TPRB meeting under the current timelines, or four weeks in advance under the alternative timelines, to allow time to prepare replies.

15. Members are encouraged to submit their written questions in as few batches as possible, and ideally in just one batch. In order to improve the coherence of their written questions, Members should group them into the following three categories: those related to the Secretariat report; those concerning the Government report; and other questions (as per template in Annex 2). Where the

questions relate to the Secretariat or Government reports, they should refer to the paragraph numbers in these reports.

16. The Secretariat should identify the main points contained in the questions submitted at least two weeks before a review meeting under the current timelines or four weeks under the alternative timelines, post them on the Members' Website one week before the meeting, and distribute a revised list of main points during the first session of a review when questions received after the two- or four-week deadline give rise to significantly new issues.

17. The Chairperson's Introductory Remarks should identify key themes for discussion, covering in particular issues of importance to the multilateral trading system. The Chairperson's Concluding Remarks should be consistent across all TPRs. These remarks should not deal with matters being addressed by the Dispute Settlement Body. Nor shall they have any legal force.

18. During the first session of the TPRB Meeting, initial remarks by Members under review should be limited to 15 minutes and should provide an overview of policies, noting any new developments since the completion of the Secretariat and Government reports. Discussants' statements should not exceed in length that by Members under review. Members' statements from the floor should not exceed seven minutes.

19. Delegations that have submitted written questions will be invited by the Chairperson to speak first, in the order in which the written questions were received. In the event of more than one batch of questions, the timing of the receipt of the final batch will determine the order of speakers. Delegations not submitting written questions will continue to speak second, in the order in which their flags are raised.

20. In accordance with the current timelines, advance questions submitted by the two-week deadline before the TPRB meeting should be answered in writing by Member under review by the start of the meeting. As regards the alternative timelines, advance questions submitted by the four-week deadline before the TPRB meeting should be answered in writing by Members under review one week prior to the meeting to enable dissemination of written answers four working days prior to the meeting. Written questions posed subsequent to either of these deadlines should be answered, to the extent possible, before the start of the second session of the meeting.

21. The statement by Members under review at the beginning of the second session should be comprehensive and structured according to the main themes identified in consultation with the Chairperson, discussants and Secretariat; these themes, based on the revised list of main points identified by the Secretariat in Members' advance written questions as well as their statements during the first session, should be distributed to Members in advance of the second session of a TPRB meeting, where time will be given for discussion by discussants and Members of each theme.

22. Questions left unanswered at the end of the second session should be answered in writing no later than one month after the meeting with some latitude in the Chair's discretion for Members receiving a very large number of questions. Members under review are obliged to respond only to questions that are submitted or received within the TPRB's prescribed deadlines.

23. Members on a six-year frequency, especially least-developed countries, can request a follow-up to their TPRs. This follow-up could involve a workshop/seminar to discuss and disseminate the results of the review as well as to identify the trade-related technical assistance and capacity-building needs of the reviewed Members.

24. The possibility of video-conferencing, web-linking or podcasting TPRB Meetings should be offered to Members under review as long as the Secretariat is able to provide this service within existing budget limitations.

Chapter IX - Records

25. Reports by the Member under review and by the Secretariat shall be derestricted immediately on the expiry of the relevant press embargo; a Member under review may request the Chair to de-restrict the two reports at an earlier date.

26. The Annual Report by the Director-General on the Overview of Developments in the International Trading Environment and minutes of TPRB meetings shall be issued as unrestricted documents.

Annex 1

Timelines for Distribution and Receipt of Documents

	Weeks (working days)before TPRB	
	Current	Alternative
Secretariat and Government Reports to translation	9	11
Distribution of Reports to Members	5	7
Receipt of Written Questions from Members	2	4
Receipt of Written Answers from Member under Review	By the start of the meeting	1
Dissemination of Written Answers, Notes, etc. ^a (working days)	(0)	(4)

a: Secretariat's List of subjects covered by advance written questions and Addendum (if necessary) as well as Secretariat and Government Reports.

Annex 2

Proposed Format of Written Questions for Reference

TRADE POLICY REVIEW OF MEMBER A

WRITTEN QUESTIONS FROM MEMBER B

PART I: QUESTIONS REGARDING THE SECRETARIAT REPORT
II TRADE POLICY REGIME: FRAMEWORK AND OBJECTIVES
<u>Page 11 (Para 1)</u> Member A's overall trade policy aim has remained unchanged since its previous Trade Policy Review; it is to accelerate the opening of its economy to the outside world, to introduce foreign technology and know-how, develop foreign trade, and promote economic development that is "mutually beneficial" with its trading partners. In this context, Member A has recently concentrated more on the opening up of its services sectors. <u>Questions:</u> 1. Does Member A have any plans to unilaterally liberalise the services sectors? 2. If so, could Member A please elaborate on these plans and the anticipated timeframes?
PART II: QUESTIONS REGARDING THE GOVERNMENT REPORT
<u>Page 18 (Para 65)</u> In April 2009, Member A decided to launch a pilot program to settle the cross-border trade in the local currency in five cities. The implementation measures followed up in July that year. <u>Questions:</u> 3. Would Member A please explain the effectiveness of the pilot program on settlement of cross-border trade in the local currency? 4. How does the Government of Member A intend to enhance the utility of this settlement program?
PART III: OTHER QUESTIONS
<u>Reference No., title and date of law, decree, regulation, etc.</u> <u>Description and specific information</u> <u>Questions:</u> 5.