



19 December 2017

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**Committee on Sanitary and Phytosanitary Measures**

**PROPOSED PROCESS FOR THE FIFTH REVIEW OF THE OPERATION AND  
IMPLEMENTATION OF THE AGREEMENT ON THE APPLICATION  
OF SANITARY AND PHYTOSANITARY MEASURES**

**NOTE BY THE SECRETARIAT<sup>1</sup>**

At the Fourth Session of the Ministerial Conference, Ministers instructed the Committee to review the operation and implementation of the SPS Agreement at least once every four years, pursuant to the provisions of Article 12.7 of the Agreement.<sup>2</sup> The Fourth Review, which started in October 2013, was concluded by the Committee in July 2017 (G/SPS/62). In order to facilitate an efficient review process, the Secretariat, at the request of Members and in consultation with the Chairperson, has prepared the following procedure. The Committee is invited to consider this procedure at its meeting of 1-2 March 2018.

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1. The Fifth Review will initially be conducted through open-ended informal meetings of the Committee. The informal meetings will normally be scheduled back-to-back with the regular meetings of the Committee. Interpretation will be provided at the informal meetings. If necessary, further informal and special meetings of the Committee may be scheduled.

2. Members will be invited to identify issues for discussion as part of the Review, and subsequently to submit papers and propose specific actions on the issues under consideration. The Chairperson will propose the order in which issues will be considered at each informal meeting of the Committee, in light of the proposals and submissions received.

3. An item relating to the Review will be included in the agenda of each regular meeting of the Committee during the Review period, under which the Chairperson will provide an oral report on the informal Review process, including the issues discussed and conclusions reached. On the basis of this report, the SPS Committee will consider what further action may be appropriate.

4. The Secretariat will prepare a background document summarizing information regarding the implementation of the Agreement (e.g., notifications, technical assistance, dispute resolution), as well as the work of the Committee since the end of the period covered by the Report of the Fourth Review (e.g., specific trade concerns, issues considered by the Committee, decisions adopted), including the Committee's work since October 2014.<sup>3</sup> This document will be revised to also include background information on any specific issues proposed for consideration, and may serve as the basis for the Committee's report on the Fifth Review.

5. The Review process will be conducted on the basis of the following calendar, recognizing that some of the dates may need to be modified in light of other activities and resource constraints.

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<sup>1</sup> This document has been prepared under the Secretariat's own responsibility and is without prejudice to the positions of Members or to their rights and obligations under the WTO.

<sup>2</sup> Implementation-Related Issues and Concerns, Decision of 14 November 2001, WT/MIN(01)/17, paragraph 3.4.

<sup>3</sup> In accordance with the procedures for the Fourth Review, the Committee considered the revised report of the Review for adoption at its October 2014 meeting. Further to the submission of Members' comments and suggestions, as well as discussions in several Committee meetings, the report was subsequently adopted in July 2017 (G/SPS/62). As such, the report of the Fourth Review largely reflects the work of the Committee as of October 2014, except where stated otherwise.

**Informal and formal meetings of 28 February – 2 March 2018**

- Consideration by the Committee, and possible adoption, of the procedure for the Fifth Review
- Initial identification and discussion by Members of issues they wish to be considered during the Review

**3 April 2018**

- Written submission by Members of the issues they wish to be considered during the Review

**4 May 2018**

- Circulation by the Secretariat of a background document

**1 June 2018**

- Submission by Members of any written comments on the background document prepared by the Secretariat and/or requests for background information on additional specific issues
- Submission by Members of papers on the issues proposed for consideration
- Identification by Members of any other issues they wish to be considered during the Review

**22 June 2018**

- Circulation by the Secretariat of updated background document
- Circulation by the Secretariat of overview of proposals received

**Informal meeting of 11 July 2018**

- Discussions on issues identified

**8 August 2018**

- Submission by Members, in writing, of proposals for actions on issues under consideration

**14 September 2018**

- Comments by other Members, in writing, on proposed actions on issues under consideration

**8 October 2018**

- Circulation by the Secretariat of a compilation of the comments submitted by Members

**Informal meeting of 30 October 2018**

- Discussion of Members' specific proposals for actions on issues under consideration
- Identification and discussion on issues for further work by the Committee

**4 December 2018**

- Circulation by the Secretariat of the draft report of the Fifth Review

**31 January 2019**

- Submission of written comments by Members on the draft report of the Fifth Review

**Informal meeting of March 2019**

- Discussion of the draft report of the Fifth Review

**April 2019 (4 weeks after previous step)**

- Submission of additional written comments by Members on the draft report of the Fifth Review

**June 2019 (6 weeks after previous step)**

- Circulation by the Secretariat of the revised draft report of the Fifth Review

**Informal meeting of July 2019**

- Consideration and, if possible, finalization of the report of the Fifth Review

**Formal meeting of July 2019**

- Adoption of the report on the Fifth Review
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