

27 October 2023

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Committee on Sanitary and Phytosanitary Measures

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

NOTE BY THE SECRETARIAT1

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.² The Fifth Review, which started in March 2018, was concluded by the Committee in 2020.³ 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 for the Sixth Review. The Committee is invited to consider this procedure at its meeting of 15-17 November 2023.

- 1. The Sixth Review will initially be conducted through open-ended informal meetings and thematic sessions/workshop of the Committee. These meetings will normally be scheduled back-to-back with the formal meetings of the Committee. Interpretation will be provided at all formal and 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 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 formal 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 Fifth Review (e.g., specific trade concerns, issues considered by the Committee, decisions adopted), including the Committee's work since January 2020.⁴ This document will serve as the basis for the Committee's report on the Sixth Review, which will also include information on any specific issues proposed for consideration during the Review.

¹ 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.

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

³ At its June 2020 formal meeting, the Committee adopted the Report of the Fifth Review of the Operation and Implementation of the SPS Agreement (<u>G/SPS/64</u> and <u>G/SPS/64/Add.1</u>).

⁴ In accordance with the procedures for the Fifth Review, the report of the Fifth Review reflects the work undertaken by the SPS Committee during the period 2014 to 2019, except where stated otherwise in the report.

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.

Informal and formal meetings of 15-17 November 2023

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

19 January 2024

- Written submission by Members of the issues they wish to be considered during the Review
- Submission by Members of papers/proposals on the issues for consideration

7 February 2024

Circulation by the Secretariat of overview of issues/papers/proposals received

Informal meeting of 20-22 March 2024

• Discussion on issues identified and papers/proposals submitted

19 April 2024

• Submission by Members of additional papers/proposals on the issues for consideration, and specific proposals for actions

30 April 2024

• Circulation by the Secretariat of updated overview of issues/papers/proposals received

8 May 2024

• Circulation by the Secretariat of the background document

17 May 2024

 Submission of comments by Members, in writing, on papers/proposals on issues under consideration

5 June 2024

- Submission by Members of any written comments on the background document prepared by the Secretariat
- Circulation by the Secretariat of a compilation of the comments submitted by Members on papers/proposals on issues under consideration

Informal meeting of 26 June 2024

- Discussion of Member's specific proposals for actions on the issues under consideration
- Identification and discussion on issues for further work by the Committee
- · Discussion of the background document

Early September 2024

- Circulation by the Secretariat of the draft report of the Sixth Review
- Circulation by the Secretariat of the updated background document

4 October 2024

- Submission of written comments by Members on the draft report of the Sixth Review
- Submission by Members of any additional written comments on the updated background document prepared by the Secretariat

23 October 2024

• Circulation by the Secretariat of a compilation of the comments submitted by Members on the draft report of the Sixth Review

Informal meeting of 13 November 2024

- · Discussion of the draft report of the Sixth Review
- Discussion of the updated background document

13 December 2024

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

December 2024/January 2025

• Circulation by the Secretariat of a compilation of the additional comments submitted by Members on the draft report of the Sixth Review

January/February 2025

• Circulation by the Secretariat of the revised draft report of the Sixth Review

Informal meeting of March 2025

• Consideration and, if possible, finalization of the report of the Sixth Review

Formal meeting of March 2025

· Adoption of the report on the Sixth Review