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WORLD TRADE ORGANIZATION

WT/MIN(01)/DEC/1

20 November 2001
(01-5859)

**MINISTERIAL CONFERENCE
Fourth Session
Doha, 9 - 14 November 2001**

MINISTERIAL DECLARATION

Adopted on 14 November 2001

1. The multilateral trading system embodied in the World Trade Organization has contributed significantly to economic growth, development and employment throughout the past fifty years. We are determined, particularly in the light of the global economic slowdown, to maintain the process of reform and liberalization of trade policies, thus ensuring that the system plays its full part in promoting recovery, growth and development. We therefore strongly reaffirm the principles and objectives set out in the Marrakesh Agreement Establishing the World Trade Organization, and pledge to reject the use of protectionism.

2. International trade can play a major role in the promotion of economic development and the alleviation of poverty. We recognize the need for all our peoples to benefit from the increased opportunities and welfare gains that the multilateral trading system generates. The majority of WTO Members are developing countries. We seek to place their needs and interests at the heart of the Work Programme adopted in this Declaration. Recalling the Preamble to the Marrakesh Agreement, we shall continue to make positive efforts designed to ensure that developing countries, and especially the least-developed among them, secure a share in the growth of world trade commensurate with the needs of their economic development. In this context, enhanced market access, balanced rules, and well targeted, sustainably financed technical assistance and capacity-building programmes have important roles to play.

3. We recognize the particular vulnerability of the least-developed countries and the special structural difficulties they face in the global economy. We are committed to addressing the marginalization of least-developed countries in international trade and to improving their effective participation in the multilateral trading system. We recall the commitments made by Ministers at our meetings in Marrakesh, Singapore and Geneva, and by the international community at the Third UN Conference on Least-Developed Countries in Brussels, to help least-developed countries secure beneficial and meaningful integration into the multilateral trading system and the global economy. We are determined that the WTO will play its part in building effectively on these commitments under the Work Programme we are establishing.

4. We stress our commitment to the WTO as the unique forum for global trade rule-making and liberalization, while also recognizing that regional trade agreements can play an important role in promoting the liberalization and expansion of trade and in fostering development.

5. We are aware that the challenges Members face in a rapidly changing international environment cannot be addressed through measures taken in the trade field alone. We shall continue to work with the Bretton Woods institutions for greater coherence in global economic policy-making.

6. We strongly reaffirm our commitment to the objective of sustainable development, as stated in the Preamble to the Marrakesh Agreement. We are convinced that the aims of upholding and safeguarding an open and non-discriminatory multilateral trading system, and acting for the protection of the environment and the promotion of sustainable development can and must be mutually supportive. We take note of the efforts by Members to conduct national environmental assessments of trade policies on a voluntary basis. We recognize that under WTO rules no country should be prevented from taking measures for the protection of human, animal or plant life or health, or of the environment at the levels it considers appropriate, subject to the requirement that they are not applied in a manner which would constitute a means of arbitrary or unjustifiable discrimination between countries where the same conditions prevail, or a disguised restriction on international trade, and are otherwise in accordance with the provisions of the WTO Agreements. We welcome the WTO's continued cooperation with UNEP and other inter-governmental environmental organizations. We encourage efforts to promote cooperation between the WTO and relevant international environmental and developmental organizations, especially in the lead-up to the World Summit on Sustainable Development to be held in Johannesburg, South Africa, in September 2002.

7. We reaffirm the right of Members under the General Agreement on Trade in Services to regulate, and to introduce new regulations on, the supply of services.

8. We reaffirm our declaration made at the Singapore Ministerial Conference regarding internationally recognized core labour standards. We take note of work under way in the International Labour Organization (ILO) on the social dimension of globalization.

9. We note with particular satisfaction that this Conference has completed the WTO accession procedures for China and Chinese Taipei. We also welcome the accession as new Members, since our last Session, of Albania, Croatia, Georgia, Jordan, Lithuania, Moldova and Oman, and note the extensive market-access commitments already made by these countries on accession. These accessions will greatly strengthen the multilateral trading system, as will those of the 28 countries now negotiating their accession. We therefore attach great importance to concluding accession proceedings as quickly as possible. In particular, we are committed to accelerating the accession of least-developed countries.

10. Recognizing the challenges posed by an expanding WTO membership, we confirm our collective responsibility to ensure internal transparency and the effective participation of all Members. While emphasizing the intergovernmental character of the organization, we are committed to making the WTO's operations more transparent, including through more effective and prompt dissemination of information, and to improve dialogue with the public. We shall therefore at the national and multilateral levels continue to promote a better public understanding of the WTO and to communicate the benefits of a liberal, rules-based multilateral trading system.

11. In view of these considerations, we hereby agree to undertake the broad and balanced Work Programme set out below. This incorporates both an expanded negotiating agenda and other important decisions and activities necessary to address the challenges facing the multilateral trading system.

WORK PROGRAMME

IMPLEMENTATION-RELATED ISSUES AND CONCERNS

12. We attach the utmost importance to the implementation-related issues and concerns raised by Members and are determined to find appropriate solutions to them. In this connection, and having regard to the General Council Decisions of 3 May and 15 December 2000, we further adopt the Decision on Implementation-Related Issues and Concerns in document WT/MIN(01)/17 to address a number of implementation problems faced by Members. We agree that negotiations on outstanding implementation issues shall be an integral part of the Work Programme we are establishing, and that agreements reached at an early stage in these negotiations shall be treated in accordance with the provisions of paragraph 47 below. In this regard, we shall proceed as follows: (a) where we provide a specific negotiating mandate in this Declaration, the relevant implementation issues shall be addressed under that mandate; (b) the other outstanding implementation issues shall be addressed as a matter of priority by the relevant WTO bodies, which shall report to the Trade Negotiations Committee, established under paragraph 46 below, by the end of 2002 for appropriate action.

AGRICULTURE

13. We recognize the work already undertaken in the negotiations initiated in early 2000 under Article 20 of the Agreement on Agriculture, including the large number of negotiating proposals submitted on behalf of a total of 121 Members. We recall the long-term objective referred to in the Agreement to establish a fair and market-oriented trading system through a programme of fundamental reform encompassing strengthened rules and specific commitments on support and protection in order to correct and prevent restrictions and distortions in world agricultural markets. We reconfirm our commitment to this programme. Building on the work carried out to date and without prejudging the outcome of the negotiations we commit ourselves to comprehensive negotiations aimed at: substantial improvements in market access; reductions of, with a view to phasing out, all forms of export subsidies; and substantial reductions in trade-distorting domestic support. We agree that special and differential treatment for developing countries shall be an integral part of all elements of the negotiations and shall be embodied in the Schedules of concessions and commitments and as appropriate in the rules and disciplines to be negotiated, so as to be operationally effective and to enable developing countries to effectively take account of their development needs, including food security and rural development. We take note of the non-trade concerns reflected in the negotiating proposals submitted by Members and confirm that non-trade concerns will be taken into account in the negotiations as provided for in the Agreement on Agriculture.

14. Modalities for the further commitments, including provisions for special and differential treatment, shall be established no later than 31 March 2003. Participants shall submit their comprehensive draft Schedules based on these modalities no later than the date of the Fifth Session of the Ministerial Conference. The negotiations, including with respect to rules and disciplines and related legal texts, shall be concluded as part and at the date of conclusion of the negotiating agenda as a whole.

SERVICES

15. The negotiations on trade in services shall be conducted with a view to promoting the economic growth of all trading partners and the development of developing and least-developed countries. We recognize the work already undertaken in the negotiations, initiated in January 2000 under Article XIX of the General Agreement on Trade in Services, and the large number of proposals submitted by Members on a wide range of sectors and several horizontal issues, as well as on movement of natural persons. We reaffirm the Guidelines and Procedures for the Negotiations adopted by the Council for Trade in Services on 28 March 2001 as the basis for continuing the negotiations, with a view to achieving the objectives of the General Agreement on Trade in Services, as stipulated in the Preamble, Article IV and Article XIX of that Agreement. Participants shall submit initial requests for specific commitments by 30 June 2002 and initial offers by 31 March 2003.

MARKET ACCESS FOR NON-AGRICULTURAL PRODUCTS

16. We agree to negotiations which shall aim, by modalities to be agreed, to reduce or as appropriate eliminate tariffs, including the reduction or elimination of tariff peaks, high tariffs, and tariff escalation, as well as non-tariff barriers, in particular on products of export interest to developing countries. Product coverage shall be comprehensive and without *a priori* exclusions. The negotiations shall take fully into account the special needs and interests of developing and least-developed country participants, including through less than full reciprocity in reduction commitments, in accordance with the relevant provisions of Article XXVIII *bis* of GATT 1994 and the provisions cited in paragraph 50 below. To this end, the modalities to be agreed will include appropriate studies and capacity-building measures to assist least-developed countries to participate effectively in the negotiations.

TRADE-RELATED ASPECTS OF INTELLECTUAL PROPERTY RIGHTS

17. We stress the importance we attach to implementation and interpretation of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement) in a manner supportive of public health, by promoting both access to existing medicines and research and development into new medicines and, in this connection, are adopting a separate Declaration.

18. With a view to completing the work started in the Council for Trade-Related Aspects of Intellectual Property Rights (Council for TRIPS) on the implementation of Article 23.4, we agree to negotiate the establishment of a multilateral system of notification and registration of geographical indications for wines and spirits by the Fifth Session of the Ministerial Conference. We note that issues related to the extension of the protection of geographical indications provided for in Article 23 to products other than wines and spirits will be addressed in the Council for TRIPS pursuant to paragraph 12 of this Declaration.

19. We instruct the Council for TRIPS, in pursuing its work programme including under the review of Article 27.3(b), the review of the implementation of the TRIPS Agreement under Article 71.1 and the work foreseen pursuant to paragraph 12 of this Declaration, to examine, *inter alia*, the relationship between the TRIPS Agreement and the Convention on Biological Diversity, the protection of traditional knowledge and folklore, and other relevant new developments raised by Members pursuant to Article 71.1. In undertaking this work, the TRIPS Council shall be guided by the objectives and principles set out in Articles 7 and 8 of the TRIPS Agreement and shall take fully into account the development dimension.

RELATIONSHIP BETWEEN TRADE AND INVESTMENT

20. Recognizing the case for a multilateral framework to secure transparent, stable and predictable conditions for long-term cross-border investment, particularly foreign direct investment, that will contribute to the expansion of trade, and the need for enhanced technical assistance and capacity-building in this area as referred to in paragraph 21, we agree that negotiations will take place after the Fifth Session of the Ministerial Conference on the basis of a decision to be taken, by explicit consensus, at that Session on modalities of negotiations.

21. We recognize the needs of developing and least-developed countries for enhanced support for technical assistance and capacity building in this area, including policy analysis and development so that they may better evaluate the implications of closer multilateral cooperation for their development policies and objectives, and human and institutional development. To this end, we shall work in cooperation with other relevant intergovernmental organisations, including UNCTAD, and through appropriate regional and bilateral channels, to provide strengthened and adequately resourced assistance to respond to these needs.

22. In the period until the Fifth Session, further work in the Working Group on the Relationship Between Trade and Investment will focus on the clarification of: scope and definition; transparency; non-discrimination; modalities for pre-establishment commitments based on a GATS-type, positive list approach; development provisions; exceptions and balance-of-payments safeguards; consultation and the settlement of disputes between Members. Any framework should reflect in a balanced manner the interests of home and host countries, and take due account of the development policies and objectives of host governments as well as their right to regulate in the public interest. The special development, trade and financial needs of developing and least-developed countries should be taken into account as an integral part of any framework, which should enable Members to undertake obligations and commitments commensurate with their individual needs and circumstances. Due regard should be paid to other relevant WTO provisions. Account should be taken, as appropriate, of existing bilateral and regional arrangements on investment.

INTERACTION BETWEEN TRADE AND COMPETITION POLICY

23. Recognizing the case for a multilateral framework to enhance the contribution of competition policy to international trade and development, and the need for enhanced technical assistance and capacity-building in this area as referred to in paragraph 24, we agree that negotiations will take place after the Fifth Session of the Ministerial Conference on the basis of a decision to be taken, by explicit consensus, at that Session on modalities of negotiations.

24. We recognize the needs of developing and least-developed countries for enhanced support for technical assistance and capacity building in this area, including policy analysis and development so that they may better evaluate the implications of closer multilateral cooperation for their development policies and objectives, and human and institutional development. To this end, we shall work in cooperation with other relevant intergovernmental organisations, including UNCTAD, and through appropriate regional and bilateral channels, to provide strengthened and adequately resourced assistance to respond to these needs.

25. In the period until the Fifth Session, further work in the Working Group on the Interaction between Trade and Competition Policy will focus on the clarification of: core principles, including transparency, non-discrimination and procedural fairness, and provisions on hardcore cartels; modalities for voluntary

cooperation; and support for progressive reinforcement of competition institutions in developing countries through capacity building. Full account shall be taken of the needs of developing and least-developed country participants and appropriate flexibility provided to address them.

TRANSPARENCY IN GOVERNMENT PROCUREMENT

26. Recognizing the case for a multilateral agreement on transparency in government procurement and the need for enhanced technical assistance and capacity building in this area, we agree that negotiations will take place after the Fifth Session of the Ministerial Conference on the basis of a decision to be taken, by explicit consensus, at that Session on modalities of negotiations. These negotiations will build on the progress made in the Working Group on Transparency in Government Procurement by that time and take into account participants' development priorities, especially those of least-developed country participants. Negotiations shall be limited to the transparency aspects and therefore will not restrict the scope for countries to give preferences to domestic supplies and suppliers. We commit ourselves to ensuring adequate technical assistance and support for capacity building both during the negotiations and after their conclusion.

TRADE FACILITATION

27. Recognizing the case for further expediting the movement, release and clearance of goods, including goods in transit, and the need for enhanced technical assistance and capacity building in this area, we agree that negotiations will take place after the Fifth Session of the Ministerial Conference on the basis of a decision to be taken, by explicit consensus, at that Session on modalities of negotiations. In the period until the Fifth Session, the Council for Trade in Goods shall review and as appropriate, clarify and improve relevant aspects of Articles V, VIII and X of the GATT 1994 and identify the trade facilitation needs and priorities of Members, in particular developing and least-developed countries. We commit ourselves to ensuring adequate technical assistance and support for capacity building in this area.

WTO RULES

28. In the light of experience and of the increasing application of these instruments by Members, we agree to negotiations aimed at clarifying and improving disciplines under the Agreements on Implementation of Article VI of the GATT 1994 and on Subsidies and Countervailing Measures, while preserving the basic concepts, principles and effectiveness of these Agreements and their instruments and objectives, and taking into account the needs of developing and least-developed participants. In the initial phase of the negotiations, participants will indicate the provisions, including disciplines on trade distorting practices, that they seek to clarify and improve in the subsequent phase. In the context of these negotiations, participants shall also aim to clarify and improve WTO disciplines on fisheries subsidies, taking into account the importance of this sector to developing countries. We note that fisheries subsidies are also referred to in paragraph 31.

29. We also agree to negotiations aimed at clarifying and improving disciplines and procedures under the existing WTO provisions applying to regional trade agreements. The negotiations shall take into account the developmental aspects of regional trade agreements.

DISPUTE SETTLEMENT UNDERSTANDING

30. We agree to negotiations on improvements and clarifications of the Dispute Settlement Understanding. The negotiations should be based on the work done thus far as well as any additional proposals by Members, and aim to agree on improvements and clarifications not later than May 2003, at which time we will take steps to ensure that the results enter into force as soon as possible thereafter.

TRADE AND ENVIRONMENT

31. With a view to enhancing the mutual supportiveness of trade and environment, we agree to negotiations, without prejudging their outcome, on:

- (i) the relationship between existing WTO rules and specific trade obligations set out in multilateral environmental agreements (MEAs). The negotiations shall be limited in scope to the applicability of such existing WTO rules as among parties to the MEA in question. The negotiations shall not prejudice the WTO rights of any Member that is not a party to the MEA in question;
- (ii) procedures for regular information exchange between MEA Secretariats and the relevant WTO committees, and the criteria for the granting of observer status;
- (iii) the reduction or, as appropriate, elimination of tariff and non-tariff barriers to environmental goods and services.

We note that fisheries subsidies form part of the negotiations provided for in paragraph 28.

32. We instruct the Committee on Trade and Environment, in pursuing work on all items on its agenda within its current terms of reference, to give particular attention to:

- (i) the effect of environmental measures on market access, especially in relation to developing countries, in particular the least-developed among them, and those situations in which the elimination or reduction of trade restrictions and distortions would benefit trade, the environment and development;
- (ii) the relevant provisions of the Agreement on Trade-Related Aspects of Intellectual Property Rights; and
- (iii) labelling requirements for environmental purposes.

Work on these issues should include the identification of any need to clarify relevant WTO rules. The Committee shall report to the Fifth Session of the Ministerial Conference, and make recommendations, where appropriate, with respect to future action, including the desirability of negotiations. The outcome of this work as well as the negotiations carried out under paragraph 31(i) and (ii) shall be compatible with the open and non-discriminatory nature of the multilateral trading system, shall not add to or diminish the rights and obligations of Members under existing WTO agreements, in particular the Agreement on the Application of

Sanitary and Phytosanitary Measures, nor alter the balance of these rights and obligations, and will take into account the needs of developing and least-developed countries.

33. We recognize the importance of technical assistance and capacity building in the field of trade and environment to developing countries, in particular the least-developed among them. We also encourage that expertise and experience be shared with Members wishing to perform environmental reviews at the national level. A report shall be prepared on these activities for the Fifth Session.

ELECTRONIC COMMERCE

34. We take note of the work which has been done in the General Council and other relevant bodies since the Ministerial Declaration of 20 May 1998 and agree to continue the Work Programme on Electronic Commerce. The work to date demonstrates that electronic commerce creates new challenges and opportunities for trade for Members at all stages of development, and we recognize the importance of creating and maintaining an environment which is favourable to the future development of electronic commerce. We instruct the General Council to consider the most appropriate institutional arrangements for handling the Work Programme, and to report on further progress to the Fifth Session of the Ministerial Conference. We declare that Members will maintain their current practice of not imposing customs duties on electronic transmissions until the Fifth Session.

SMALL ECONOMIES

35. We agree to a work programme, under the auspices of the General Council, to examine issues relating to the trade of small economies. The objective of this work is to frame responses to the trade-related issues identified for the fuller integration of small, vulnerable economies into the multilateral trading system, and not to create a sub-category of WTO Members. The General Council shall review the work programme and make recommendations for action to the Fifth Session of the Ministerial Conference.

TRADE, DEBT AND FINANCE

36. We agree to an examination, in a Working Group under the auspices of the General Council, of the relationship between trade, debt and finance, and of any possible recommendations on steps that might be taken within the mandate and competence of the WTO to enhance the capacity of the multilateral trading system to contribute to a durable solution to the problem of external indebtedness of developing and least-developed countries, and to strengthen the coherence of international trade and financial policies, with a view to safeguarding the multilateral trading system from the effects of financial and monetary instability. The General Council shall report to the Fifth Session of the Ministerial Conference on progress in the examination.

TRADE AND TRANSFER OF TECHNOLOGY

37. We agree to an examination, in a Working Group under the auspices of the General Council, of the relationship between trade and transfer of technology, and of any possible recommendations on steps that might be taken within the mandate of the WTO to increase flows of technology to developing countries. The

General Council shall report to the Fifth Session of the Ministerial Conference on progress in the examination.

TECHNICAL COOPERATION AND CAPACITY BUILDING

38. We confirm that technical cooperation and capacity building are core elements of the development dimension of the multilateral trading system, and we welcome and endorse the New Strategy for WTO Technical Cooperation for Capacity Building, Growth and Integration. We instruct the Secretariat, in coordination with other relevant agencies, to support domestic efforts for mainstreaming trade into national plans for economic development and strategies for poverty reduction. The delivery of WTO technical assistance shall be designed to assist developing and least-developed countries and low-income countries in transition to adjust to WTO rules and disciplines, implement obligations and exercise the rights of membership, including drawing on the benefits of an open, rules-based multilateral trading system. Priority shall also be accorded to small, vulnerable, and transition economies, as well as to Members and Observers without representation in Geneva. We reaffirm our support for the valuable work of the International Trade Centre, which should be enhanced.

39. We underscore the urgent necessity for the effective coordinated delivery of technical assistance with bilateral donors, in the OECD Development Assistance Committee and relevant international and regional intergovernmental institutions, within a coherent policy framework and timetable. In the coordinated delivery of technical assistance, we instruct the Director-General to consult with the relevant agencies, bilateral donors and beneficiaries, to identify ways of enhancing and rationalizing the Integrated Framework for Trade-Related Technical Assistance to Least-Developed Countries and the Joint Integrated Technical Assistance Programme (JITAP).

40. We agree that there is a need for technical assistance to benefit from secure and predictable funding. We therefore instruct the Committee on Budget, Finance and Administration to develop a plan for adoption by the General Council in December 2001 that will ensure long-term funding for WTO technical assistance at an overall level no lower than that of the current year and commensurate with the activities outlined above.

41. We have established firm commitments on technical cooperation and capacity building in various paragraphs in this Ministerial Declaration. We reaffirm these specific commitments contained in paragraphs 16, 21, 24, 26, 27, 33, 38-40, 42 and 43, and also reaffirm the understanding in paragraph 2 on the important role of sustainably financed technical assistance and capacity-building programmes. We instruct the Director-General to report to the Fifth Session of the Ministerial Conference, with an interim report to the General Council in December 2002 on the implementation and adequacy of these commitments in the identified paragraphs.

LEAST-DEVELOPED COUNTRIES

42. We acknowledge the seriousness of the concerns expressed by the least-developed countries (LDCs) in the Zanzibar Declaration adopted by their Ministers in July 2001. We recognize that the integration of the LDCs into the multilateral trading system requires meaningful market access, support for the diversification of their production and export base, and trade-related technical assistance and capacity building. We agree that the meaningful integration of LDCs into the trading system and the global economy will involve efforts by all WTO Members. We commit ourselves to the objective of duty-free, quota-free market access for products originating from LDCs. In this regard, we welcome the significant market access improvements by WTO Members in advance of the Third UN Conference on LDCs (LDC-III), in Brussels, May 2001. We further commit ourselves to consider additional measures for progressive improvements in market access for LDCs. Accession of LDCs remains a priority for the Membership. We agree to work to facilitate and accelerate negotiations with acceding LDCs. We instruct the Secretariat to reflect the priority we attach to LDCs' accessions in the annual plans for technical assistance. We reaffirm the commitments we undertook at LDC-III, and agree that the WTO should take into account, in designing its work programme for LDCs, the trade-related elements of the Brussels Declaration and Programme of Action, consistent with the WTO's mandate, adopted at LDC-III. We instruct the Sub-Committee for Least-Developed Countries to design such a work programme and to report on the agreed work programme to the General Council at its first meeting in 2002.

43. We endorse the Integrated Framework for Trade-Related Technical Assistance to Least-Developed Countries (IF) as a viable model for LDCs' trade development. We urge development partners to significantly increase contributions to the IF Trust Fund and WTO extra-budgetary trust funds in favour of LDCs. We urge the core agencies, in coordination with development partners, to explore the enhancement of the IF with a view to addressing the supply-side constraints of LDCs and the extension of the model to all LDCs, following the review of the IF and the appraisal of the ongoing Pilot Scheme in selected LDCs. We request the Director-General, following coordination with heads of the other agencies, to provide an interim report to the General Council in December 2002 and a full report to the Fifth Session of the Ministerial Conference on all issues affecting LDCs.

SPECIAL AND DIFFERENTIAL TREATMENT

44. We reaffirm that provisions for special and differential treatment are an integral part of the WTO Agreements. We note the concerns expressed regarding their operation in addressing specific constraints faced by developing countries, particularly least-developed countries. In that connection, we also note that some Members have proposed a Framework Agreement on Special and Differential Treatment (WT/GC/W/442). We therefore agree that all special and differential treatment provisions shall be reviewed with a view to strengthening them and making them more precise, effective and operational. In this connection, we endorse the work programme on special and differential treatment set out in the Decision on Implementation-Related Issues and Concerns.

ORGANIZATION AND MANAGEMENT OF THE WORK PROGRAMME

45. The negotiations to be pursued under the terms of this Declaration shall be concluded not later than 1 January 2005. The Fifth Session of the Ministerial Conference will take stock of progress in the negotiations, provide any necessary political guidance, and take decisions as necessary. When the results of the negotiations in all areas have been established, a Special Session of the Ministerial Conference will be held to take decisions regarding the adoption and implementation of those results.

46. The overall conduct of the negotiations shall be supervised by a Trade Negotiations Committee under the authority of the General Council. The Trade Negotiations Committee shall hold its first meeting not later than 31 January 2002. It shall establish appropriate negotiating mechanisms as required and supervise the progress of the negotiations.

47. With the exception of the improvements and clarifications of the Dispute Settlement Understanding, the conduct, conclusion and entry into force of the outcome of the negotiations shall be treated as parts of a single undertaking. However, agreements reached at an early stage may be implemented on a provisional or a definitive basis. Early agreements shall be taken into account in assessing the overall balance of the negotiations.

48. Negotiations shall be open to:

- (i) all Members of the WTO; and
- (ii) States and separate customs territories currently in the process of accession and those that inform Members, at a regular meeting of the General Council, of their intention to negotiate the terms of their membership and for whom an accession working party is established.

Decisions on the outcomes of the negotiations shall be taken only by WTO Members.

49. The negotiations shall be conducted in a transparent manner among participants, in order to facilitate the effective participation of all. They shall be conducted with a view to ensuring benefits to all participants and to achieving an overall balance in the outcome of the negotiations.

50. The negotiations and the other aspects of the Work Programme shall take fully into account the principle of special and differential treatment for developing and least-developed countries embodied in: Part IV of the GATT 1994; the Decision of 28 November 1979 on Differential and More Favourable Treatment, Reciprocity and Fuller Participation of Developing Countries; the Uruguay Round Decision on Measures in Favour of Least-Developed Countries; and all other relevant WTO provisions.

51. The Committee on Trade and Development and the Committee on Trade and Environment shall, within their respective mandates, each act as a forum to identify and debate developmental and environmental aspects of the negotiations, in order to help achieve the objective of having sustainable development appropriately reflected.

52. Those elements of the Work Programme which do not involve negotiations are also accorded a high priority. They shall be pursued under the overall supervision of the General Council, which shall report on progress to the Fifth Session of the Ministerial Conference.

WORLD TRADE ORGANIZATION

WT/MIN(01)/DEC/2

20 November 2001
(01-5860)

**MINISTERIAL CONFERENCE
Fourth Session
Doha, 9 - 14 November 2001**

DECLARATION ON THE TRIPS AGREEMENT AND PUBLIC HEALTH

Adopted on 14 November 2001

1. We recognize the gravity of the public health problems afflicting many developing and least-developed countries, especially those resulting from HIV/AIDS, tuberculosis, malaria and other epidemics.
2. We stress the need for the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement) to be part of the wider national and international action to address these problems.
3. We recognize that intellectual property protection is important for the development of new medicines. We also recognize the concerns about its effects on prices.
4. We agree that the TRIPS Agreement does not and should not prevent Members from taking measures to protect public health. Accordingly, while reiterating our commitment to the TRIPS Agreement, we affirm that the Agreement can and should be interpreted and implemented in a manner supportive of WTO Members' right to protect public health and, in particular, to promote access to medicines for all.

In this connection, we reaffirm the right of WTO Members to use, to the full, the provisions in the TRIPS Agreement, which provide flexibility for this purpose.

5. Accordingly and in the light of paragraph 4 above, while maintaining our commitments in the TRIPS Agreement, we recognize that these flexibilities include:
 - (a) In applying the customary rules of interpretation of public international law, each provision of the TRIPS Agreement shall be read in the light of the object and purpose of the Agreement as expressed, in particular, in its objectives and principles.

- (b) Each Member has the right to grant compulsory licences and the freedom to determine the grounds upon which such licences are granted.
- (c) Each Member has the right to determine what constitutes a national emergency or other circumstances of extreme urgency, it being understood that public health crises, including those relating to HIV/AIDS, tuberculosis, malaria and other epidemics, can represent a national emergency or other circumstances of extreme urgency.
- (d) The effect of the provisions in the TRIPS Agreement that are relevant to the exhaustion of intellectual property rights is to leave each Member free to establish its own regime for such exhaustion without challenge, subject to the MFN and national treatment provisions of Articles 3 and 4.

6. We recognize that WTO Members with insufficient or no manufacturing capacities in the pharmaceutical sector could face difficulties in making effective use of compulsory licensing under the TRIPS Agreement. We instruct the Council for TRIPS to find an expeditious solution to this problem and to report to the General Council before the end of 2002.

7. We reaffirm the commitment of developed-country Members to provide incentives to their enterprises and institutions to promote and encourage technology transfer to least-developed country Members pursuant to Article 66.2. We also agree that the least-developed country Members will not be obliged, with respect to pharmaceutical products, to implement or apply Sections 5 and 7 of Part II of the TRIPS Agreement or to enforce rights provided for under these Sections until 1 January 2016, without prejudice to the right of least-developed country Members to seek other extensions of the transition periods as provided for in Article 66.1 of the TRIPS Agreement. We instruct the Council for TRIPS to take the necessary action to give effect to this pursuant to Article 66.1 of the TRIPS Agreement.

WORLD TRADE ORGANIZATION

WT/MIN(01)/17

20 November 2001
(01-5858)

MINISTERIAL CONFERENCE
Fourth Session
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IMPLEMENTATION-RELATED ISSUES AND CONCERNS

Decision of 14 November 2001

The Ministerial Conference,

Having regard to Articles IV.1, IV.5 and IX of the Marrakesh Agreement Establishing the World Trade Organization (WTO);

Mindful of the importance that Members attach to the increased participation of developing countries in the multilateral trading system, and of the need to ensure that the system responds fully to the needs and interests of all participants;

Determined to take concrete action to address issues and concerns that have been raised by many developing-country Members regarding the implementation of some WTO Agreements and Decisions, including the difficulties and resource constraints that have been encountered in the implementation of obligations in various areas;

Recalling the 3 May 2000 Decision of the General Council to meet in special sessions to address outstanding implementation issues, and to assess the existing difficulties, identify ways needed to resolve them, and take decisions for appropriate action not later than the Fourth Session of the Ministerial Conference;

Noting the actions taken by the General Council in pursuance of this mandate at its Special Sessions in October and December 2000 (WT/L/384), as well as the review and further discussion undertaken at the Special Sessions held in April, July and October 2001, including the referral of additional issues to relevant WTO bodies or their chairpersons for further work;

Noting also the reports on the issues referred to the General Council from subsidiary bodies and their chairpersons and from the Director-General, and the discussions as well as the clarifications provided and

understandings reached on implementation issues in the intensive informal and formal meetings held under this process since May 2000;

Decides as follows:

1. General Agreement on Tariffs and Trade 1994 (GATT 1994)

- 1.1 Reaffirms that Article XVIII of the GATT 1994 is a special and differential treatment provision for developing countries and that recourse to it should be less onerous than to Article XII of the GATT 1994.
- 1.2 Noting the issues raised in the report of the Chairperson of the Committee on Market Access (WT/GC/50) concerning the meaning to be given to the phrase "substantial interest" in paragraph 2(d) of Article XIII of the GATT 1994, the Market Access Committee is directed to give further consideration to the issue and make recommendations to the General Council as expeditiously as possible but in any event not later than the end of 2002.

2. Agreement on Agriculture

- 2.1 Urges Members to exercise restraint in challenging measures notified under the green box by developing countries to promote rural development and adequately address food security concerns.
- 2.2 Takes note of the report of the Committee on Agriculture (G/AG/11) regarding the implementation of the Decision on Measures Concerning the Possible Negative Effects of the Reform Programme on Least-Developed and Net Food-Importing Developing Countries, and approves the recommendations contained therein regarding (i) food aid; (ii) technical and financial assistance in the context of aid programmes to improve agricultural productivity and infrastructure; (iii) financing normal levels of commercial imports of basic foodstuffs; and (iv) review of follow-up.
- 2.3 Takes note of the report of the Committee on Agriculture (G/AG/11) regarding the implementation of Article 10.2 of the Agreement on Agriculture, and approves the recommendations and reporting requirements contained therein.
- 2.4 Takes note of the report of the Committee on Agriculture (G/AG/11) regarding the administration of tariff rate quotas and the submission by Members of addenda to their notifications, and endorses the decision by the Committee to keep this matter under review.

3. Agreement on the Application of Sanitary and Phytosanitary Measures

- 3.1 Where the appropriate level of sanitary and phytosanitary protection allows scope for the phased introduction of new sanitary and phytosanitary measures, the phrase "longer time-frame for compliance" referred to in Article 10.2 of the Agreement on the Application of

Sanitary and Phytosanitary Measures, shall be understood to mean normally a period of not less than 6 months. Where the appropriate level of sanitary and phytosanitary protection does not allow scope for the phased introduction of a new measure, but specific problems are identified by a Member, the Member applying the measure shall upon request enter into consultations with the country with a view to finding a mutually satisfactory solution to the problem while continuing to achieve the importing Member's appropriate level of protection.

- 3.2 Subject to the conditions specified in paragraph 2 of Annex B to the Agreement on the Application of Sanitary and Phytosanitary Measures, the phrase "reasonable interval" shall be understood to mean normally a period of not less than 6 months. It is understood that timeframes for specific measures have to be considered in the context of the particular circumstances of the measure and actions necessary to implement it. The entry into force of measures which contribute to the liberalization of trade should not be unnecessarily delayed.
- 3.3 Takes note of the Decision of the Committee on Sanitary and Phytosanitary Measures (G/SPS/19) regarding equivalence, and instructs the Committee to develop expeditiously the specific programme to further the implementation of Article 4 of the Agreement on the Application of Sanitary and Phytosanitary Measures.
- 3.4 Pursuant to the provisions of Article 12.7 of the Agreement on the Application of Sanitary and Phytosanitary Measures, the Committee on Sanitary and Phytosanitary Measures is instructed to review the operation and implementation of the Agreement on Sanitary and Phytosanitary Measures at least once every four years.
- 3.5 (i) Takes note of the actions taken to date by the Director-General to facilitate the increased participation of Members at different levels of development in the work of the relevant international standard setting organizations as well as his efforts to coordinate with these organizations and financial institutions in identifying SPS-related technical assistance needs and how best to address them; and
- (ii) urges the Director-General to continue his cooperative efforts with these organizations and institutions in this regard, including with a view to according priority to the effective participation of least-developed countries and facilitating the provision of technical and financial assistance for this purpose.
- 3.6 (i) Urges Members to provide, to the extent possible, the financial and technical assistance necessary to enable least-developed countries to respond adequately to the introduction of any new SPS measures which may have significant negative effects on their trade; and
- (ii) urges Members to ensure that technical assistance is provided to least-developed countries with a view to responding to the special problems faced by them in implementing the Agreement on the Application of Sanitary and Phytosanitary Measures.

4. Agreement on Textiles and Clothing

Reaffirms the commitment to full and faithful implementation of the Agreement on Textiles and Clothing, and agrees:

- 4.1 that the provisions of the Agreement relating to the early integration of products and the elimination of quota restrictions should be effectively utilised.
- 4.2 that Members will exercise particular consideration before initiating investigations in the context of antidumping remedies on textile and clothing exports from developing countries previously subject to quantitative restrictions under the Agreement for a period of two years following full integration of this Agreement into the WTO.
- 4.3 that without prejudice to their rights and obligations, Members shall notify any changes in their rules of origin concerning products falling under the coverage of the Agreement to the Committee on Rules of Origin which may decide to examine them.

Requests the Council for Trade in Goods to examine the following proposals:

- 4.4 that when calculating the quota levels for small suppliers for the remaining years of the Agreement, Members will apply the most favourable methodology available in respect of those Members under the growth-on-growth provisions from the beginning of the implementation period; extend the same treatment to least-developed countries; and, where possible, eliminate quota restrictions on imports of such Members;
- 4.5 that Members will calculate the quota levels for the remaining years of the Agreement with respect to other restrained Members as if implementation of the growth-on-growth provision for stage 3 had been advanced to 1 January 2000;

and make recommendations to the General Council by 31 July 2002 for appropriate action.

5. Agreement on Technical Barriers to Trade

- 5.1 Confirms the approach to technical assistance being developed by the Committee on Technical Barriers to Trade, reflecting the results of the triennial review work in this area, and mandates this work to continue.
- 5.2 Subject to the conditions specified in paragraph 12 of Article 2 of the Agreement on Technical Barriers to Trade, the phrase "reasonable interval" shall be understood to mean normally a period of not less than 6 months, except when this would be ineffective in fulfilling the legitimate objectives pursued.
- 5.3 (i) Takes note of the actions taken to date by the Director-General to facilitate the increased participation of Members at different levels of development in the work of the relevant international standard setting organizations as well as his efforts to coordinate with these organizations and financial institutions in identifying TBT-related technical assistance needs and how best to address them; and

(ii) urges the Director-General to continue his cooperative efforts with these organizations and institutions, including with a view to according priority to the effective participation of least-developed countries and facilitating the provision of technical and financial assistance for this purpose.

- 5.4 (i) Urges Members to provide, to the extent possible, the financial and technical assistance necessary to enable least-developed countries to respond adequately to the introduction of any new TBT measures which may have significant negative effects on their trade; and
- (ii) urges Members to ensure that technical assistance is provided to least-developed countries with a view to responding to the special problems faced by them in implementing the Agreement on Technical Barriers to Trade.

6. Agreement on Trade-Related Investment Measures

- 6.1 Takes note of the actions taken by the Council for Trade in Goods in regard to requests from some developing-country Members for the extension of the five-year transitional period provided for in Article 5.2 of Agreement on Trade-Related Investment Measures.
- 6.2 Urges the Council for Trade in Goods to consider positively requests that may be made by least-developed countries under Article 5.3 of the TRIMs Agreement or Article IX.3 of the

WTO Agreement, as well as to take into consideration the particular circumstances of least-developed countries when setting the terms and conditions including time-frames.

7. Agreement on the Implementation of Article VI of the General Agreement on Tariffs and Trade 1994

- 7.1 Agrees that investigating authorities shall examine with special care any application for the initiation of an anti-dumping investigation where an investigation of the same product from the same Member resulted in a negative finding within the 365 days prior to the filing of the application and that, unless this pre-initiation examination indicates that circumstances have changed, the investigation shall not proceed.

- 7.2 Recognizes that, while Article 15 of the Agreement on the Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 is a mandatory provision, the modalities for its application would benefit from clarification. Accordingly, the Committee on Anti-Dumping Practices is instructed, through its working group on Implementation, to examine this issue and to draw up appropriate recommendations within twelve months on how to operationalize this provision.
- 7.3 Takes note that Article 5.8 of the Agreement on the Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 does not specify the time-frame to be used in determining the volume of dumped imports, and that this lack of specificity creates uncertainties in the implementation of the provision. The Committee on Anti-Dumping Practices is instructed, through its working group on Implementation, to study this issue and draw up recommendations within 12 months, with a view to ensuring the maximum possible predictability and objectivity in the application of time frames.
- 7.4 Takes note that Article 18.6 of the Agreement on the Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 requires the Committee on Anti-Dumping Practices to review annually the implementation and operation of the Agreement taking into account the objectives thereof. The Committee on Anti-dumping Practices is instructed to draw up guidelines for the improvement of annual reviews and to report its views and recommendations to the General Council for subsequent decision within 12 months.
8. Agreement on the Implementation of Article VII of the General Agreement on Tariffs and Trade 1994
- 8.1 Takes note of the actions taken by the Committee on Customs Valuation in regard to the requests from a number of developing-country Members for the extension of the five-year transitional period provided for in Article 20.1 of Agreement on the Implementation of Article VII of the General Agreement on Tariffs and Trade 1994.
- 8.2 Urges the Council for Trade in Goods to give positive consideration to requests that may be made by least-developed country Members under paragraphs 1 and 2 of Annex III of the Customs Valuation Agreement or under Article IX.3 of the WTO Agreement, as well as to take into consideration the particular circumstances of least-developed countries when setting the terms and conditions including time-frames.
- 8.3 Underlines the importance of strengthening cooperation between the customs administrations of Members in the prevention of customs fraud. In this regard, it is agreed that, further to the 1994 Ministerial Decision Regarding Cases Where Customs Administrations Have Reasons to Doubt the Truth or Accuracy of the Declared Value, when the customs administration of an importing Member has reasonable grounds to doubt the truth or accuracy of the declared value, it may seek assistance from the customs administration of an exporting Member on the value of the good concerned. In such cases, the exporting Member shall offer cooperation and assistance, consistent with its domestic laws and procedures, including furnishing information on the export value of the good concerned. Any information provided in this context shall be treated in accordance with Article 10 of the

Customs Valuation Agreement. Furthermore, recognizing the legitimate concerns expressed by the customs administrations of several importing Members on the accuracy of the declared value, the Committee on Customs Valuation is directed to identify and assess practical means to address such concerns, including the exchange of information on export values and to report to the General Council by the end of 2002 at the latest.

9. Agreement on Rules of Origin

- 9.1 Takes note of the report of the Committee on Rules of Origin (G/RO/48) regarding progress on the harmonization work programme, and urges the Committee to complete its work by the end of 2001.
- 9.2 Agrees that any interim arrangements on rules of origin implemented by Members in the transitional period before the entry into force of the results of the harmonisation work programme shall be consistent with the Agreement on Rules of Origin, particularly Articles 2 and 5 thereof. Without prejudice to Members' rights and obligations, such arrangements may be examined by the Committee on Rules of Origin.

10. Agreement on Subsidies and Countervailing Measures

- 10.1 Agrees that Annex VII(b) to the Agreement on Subsidies and Countervailing Measures includes the Members that are listed therein until their GNP per capita reaches US \$1,000 in constant 1990 dollars for three consecutive years. This decision will enter into effect upon the adoption by the Committee on Subsidies and Countervailing Measures of an appropriate methodology for calculating constant 1990 dollars. If, however, the Committee on Subsidies and Countervailing Measures does not reach a consensus agreement on an appropriate methodology by 1 January 2003, the methodology proposed by the Chairman of the Committee set forth in G/SCM/38, Appendix 2 shall be applied. A Member shall not leave Annex VII(b) so long as its GNP per capita in current dollars has not reached US \$1000 based upon the most recent data from the World Bank.
- 10.2 Takes note of the proposal to treat measures implemented by developing countries with a view to achieving legitimate development goals, such as regional growth, technology research and development funding, production diversification and development and implementation of environmentally sound methods of production as non-actionable subsidies, and agrees that this issue be addressed in accordance with paragraph 13 below. During the course of the negotiations, Members are urged to exercise due restraint with respect to challenging such measures.
- 10.3 Agrees that the Committee on Subsidies and Countervailing Measures shall continue its review of the provisions of the Agreement on Subsidies and Countervailing Measures regarding countervailing duty investigations and report to the General Council by 31 July 2002.
- 10.4 Agrees that if a Member has been excluded from the list in paragraph (b) of Annex VII to the Agreement on Subsidies and Countervailing Measures, it shall be re-included in it when its GNP per capita falls back below US\$ 1,000.

- 10.5 Subject to the provisions of Articles 27.5 and 27.6, it is reaffirmed that least-developed country Members are exempt from the prohibition on export subsidies set forth in Article 3.1(a) of the Agreement on Subsidies and Countervailing Measures, and thus have flexibility to finance their exporters, consistent with their development needs. It is understood that the eight-year period in Article 27.5 within which a least-developed country Member must phase out its export subsidies in respect of a product in which it is export-competitive begins from the date export competitiveness exists within the meaning of Article 27.6.
- 10.6 Having regard to the particular situation of certain developing-country Members, directs the Committee on Subsidies and Countervailing Measures to extend the transition period, under the rubric of Article 27.4 of the Agreement on Subsidies and Countervailing Measures, for certain export subsidies provided by such Members, pursuant to the procedures set forth in document G/SCM/39. Furthermore, when considering a request for an extension of the transition period under the rubric of Article 27.4 of the Agreement on Subsidies and Countervailing Measures, and in order to avoid that Members at similar stages of development and having a similar order of magnitude of share in world trade are treated differently in terms of receiving such extensions for the same eligible programmes and the length of such extensions, directs the Committee to extend the transition period for those developing countries, after taking into account the relative competitiveness in relation to other developing-country Members who have requested extension of the transition period following the procedures set forth in document G/SCM/39.

11. Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS)

- 11.1 The TRIPS Council is directed to continue its examination of the scope and modalities for complaints of the types provided for under subparagraphs 1(b) and 1(c) of Article XXIII of GATT 1994 and make recommendations to the Fifth Session of the Ministerial Conference. It is agreed that, in the meantime, Members will not initiate such complaints under the TRIPS Agreement.
- 11.2 Reaffirming that the provisions of Article 66.2 of the TRIPS Agreement are mandatory, it is agreed that the TRIPS Council shall put in place a mechanism for ensuring the monitoring and full implementation of the obligations in question. To this end, developed-country Members shall submit prior to the end of 2002 detailed reports on the functioning in practice of the incentives provided to their enterprises for the transfer of technology in pursuance of their commitments under Article 66.2. These submissions shall be subject to a review in the TRIPS Council and information shall be updated by Members annually.

12. Cross-cutting Issues

12.1 The Committee on Trade and Development is instructed:

- (i) *to identify those special and differential treatment provisions that are already mandatory in nature and those that are non-binding in character, to consider the legal and practical implications for developed and developing Members of converting special and differential treatment measures into mandatory provisions, to identify those that Members consider should be made mandatory, and to report to the General Council with clear recommendations for a decision by July 2002;*
- (ii) to examine additional ways in which special and differential treatment provisions can be made more effective, to consider ways, including improved information flows, in which developing countries, in particular the least-developed countries, may be assisted to make best use of special and differential treatment provisions, and to report to the General Council with clear recommendations for a decision by July 2002; and
- (iii) to consider, in the context of the work programme adopted at the Fourth Session of the Ministerial Conference, how special and differential treatment may be incorporated into the architecture of WTO rules.

The work of the Committee on Trade and Development in this regard shall take fully into consideration previous work undertaken as noted in WT/COMTD/W/77/Rev.1. It will also be without prejudice to work in respect of implementation of WTO Agreements in the General Council and in other Councils and Committees.

12.2 Reaffirms that preferences granted to developing countries pursuant to the Decision of the Contracting Parties of 28 November 1979 ("Enabling Clause")¹ should be generalised, non-reciprocal and non-discriminatory.

13. Outstanding Implementation Issues²

Agrees that outstanding implementation issues be addressed in accordance with paragraph 12 of the Ministerial Declaration (WT/MIN(01)/DEC/1).

14. Final Provisions

Requests the Director-General, consistent with paragraphs 38 to 43 of the Ministerial Declaration (WT/MIN(01)/DEC/1), to ensure that WTO technical assistance focuses, on a priority basis, on assisting developing countries to implement existing WTO obligations as well as on increasing their capacity to participate more effectively in future multilateral trade negotiations. In carrying out this mandate, the WTO Secretariat should cooperate more closely with international and regional intergovernmental organisations so as to increase efficiency and synergies and avoid duplication of programmes.

¹ BISD 26S/203.

²A list of these issues is compiled in document Job(01)/152/Rev.1.

U.S. SUBMISSIONS TO THE WTO IN SUPPORT OF THE DOHA DEVELOPMENT AGENDA

Committee on Agriculture, Special Session

- Export Competition, Market Access & Domestic Support (JOB(02)/122)

Council on Trade in Services, Special Session

- Modalities for the Special Treatment For Least-Developed Country Members in the Negotiations on Trade In Services – JOB (03)/133
- US Government Points of Contact in Least-Developed Country Members – JOB (03)/33
- Small and Medium Sized Enterprises (TN/S/W/5)
- Initial Offer (TN/S/O/USA)
- An Assessment of Services Trade and Liberalization in the United States and Developing Economies (TN/S/W/12)

Negotiating Group on Market Access

- Tariffs & Trade Data Needs Assessment (TN/MA/W/2)
- Environmental Goods (TN/MA/W/3)
- Modalities Proposal (TN/MA/W/18)
- Proposal on modalities for addressing Non-Tariff Barriers (NTBs) (TN/MA/W/18/Add.1)
- Revenue Implications of Trade Liberalization (TN/MA/W/18/Add.2)
- Vertical NTB Modality (TN/MA/W/18/Add.3)
- Contribution on an Environmental Goods Modality (TN/TE/W/38) & (TN/MA/W/18/Add.5)
- Liberalizing Environmental Goods In The WTO: Approaching The Definition Issue (TN/TE/W/34) & (TN/MA/W/18/Add.4)
- Non-Agricultural Market Access: Modalities (TN/MA/W/44)
Joint communication from the United States, Canada, and the EU

Negotiating Group on Rules

- Fisheries Subsidies (TN/RL/W/3)
Joint communication from the United States, Australia, Chile, Ecuador, Iceland, New Zealand, Peru, and the Philippines
- Fisheries Subsidies (TN/RL/W/21)
- OECD Steel Paper (TN/RL/W/24)
- Questions on Papers Submitted to Rules Negotiating Group (TN/RL/W/25)
- Basic Concepts of the Trade Remedies Rules (TN/RL/W/27)
- Special and Differential Treatment and the Subsidies Agreement (TN/RL/W/33)
- Second Set of Questions from the United States on Papers Submitted to the Rules Negotiating Group (TN/RL/W/34)
- Investigatory Procedures Under The Antidumping and Subsidies Agreements (TN/RL/W/35)
- Communication From The United States Attaching A Communiqué From The Organization For Economic Cooperation And Development (OECD) (TN/RL/W/49)
- Circumvention (TN/RL/W/50)

- Replies To Questions Presented To The United States On Submission TN/R1/W/27 (TN/RL/W/53)
- Third Set Of Questions From The United States On Papers Submitted To The Rules Negotiating Group (TN/RL/W/54)
- Responses By The United States To Questions From Australia On Investigatory Procedures Under The Anti-Dumping And Subsidies Agreements (TN/RL/W/71)
- Identification Of Certain Major Issues Under The Anti-Dumping And Subsidies Agreements (TN/RL/W/72)
- Possible Approaches To Improved Disciplines On Fisheries Subsidies (TN/RL/W/77)
- Subsidies Disciplines Requiring Clarification And Improvement (TN/RL/W/78)
- Elements Of A Steel Subsidies Agreement (TN/RL/W/95)
- Identification of Additional Issues under the Anti-dumping and Subsidies Agreements (TN/RL/W/98)
- Fourth Set Of Questions From The United States On Papers Submitted To The Rules Negotiating Group (TN/RL/W/103)
- Further Issues Identified Under The Anti-Dumping And Subsidies Agreements For Discussion By the Negotiating Group On Rules (TN/RL/W/130)

Committee on Antidumping Practices

- Proposal for Operationalization of Art. 15 (G/ADP/AHG/W/138)
- Draft Recommendation on Operationalizing Art. 15 (G/ADP/AHG/W/143)
- Para. 7.4: Annual Reviews of the Antidumping Agreement (G/ADP/W/427)

Committee on Subsidies and Countervailing Measures

- Approval of Qualifying Requests under SCM Article. 27.4 (G/SCM/W/521)
Joint communication from the United States, Australia, Canada, the EU, Japan and Switzerland

Dispute Settlement Body, Special Session

- Contribution of the United States to the Improvement of the Dispute Settlement Understanding of the WTO-Related to Transparency (TN/DS/W/13)
- Negotiations on Improvements And Clarifications of the Dispute Settlement Understanding on Improving Flexibility and Member Control in WTO Dispute Settlement (TN/DS/W/28)
Joint communication from United States and Chile
- Further Contribution of The United States to The Improvement of The Dispute Settlement Understanding of the WTO Related to Transparency – suggested text (TN/DS/W/46)
- Negotiations on Improvements and Clarifications of the Dispute Settlement Understanding on Improving Flexibility and Member Control in WTO Dispute Settlement – suggested text (TN/DS/W/52)
Joint communication from United States and Chile

Committee on Trade and Environment, Regular and Special Session

- Para. 31 (ii) WTO - Multilateral Environmental Agreements (MEAs) Co-operation (TN/TE/W/5)
- Para. 31 (iii) Environmental Goods (TN/TE/W/8)
- Para. 31 (i) Multilateral Environmental Agreements (MEAs) (TN/TE/W/20)
- Paragraph 33 of the Doha Declaration (WT/CTE/W/227)

(Dual submissions on Environmental Goods are listed under the Negotiating Group on Market Access)

Council on TRIPS, Regular & Special Session

- Proposal on GIs for Wine & Spirits (TN/IP/W/6)
- Questions and Answers: Comparison of Proposals (TN/IP/W/1)
- Issues for Discussion, Article 23.4 (TN/IP/W/2)
- Second submission on TRIPS & Public Health, Paragraph.6 (IP/C/W/358)
- Implications of Article 23 Extension (IP/C/W/386)
- Moratorium to Address Needs of Developing and Least-Developed Members With No or Insufficient Manufacturing Capacities in the Pharmaceutical Sector (IP/C/W/396)

Committee on Trade and Development, Special Session

- Remarks on the review of Special and Differential Treatment (TN/CTD/W/9)
- Monitoring Mechanism (TN/CTD/W/19)
- Approach to Agreement-Specific Proposals (TN/CTD/W/27)

Working Group on Transparency in Government Procurement

- Capacity Building Questions (WT/WGTGP/W/34)
- Workplan Proposal (WT/WGTGP/W/35)
- Considerations Related to Enforcement of an Agreement on Transparency in Government Procurement (WT/WGTGP/W/38)

Trade Facilitation

- Article VIII - Fees and Formalities (G/C/W/384)
- Article X - Publication and Administration (G/C/W/400)
- Integrated and Comprehensive Approach to Special and Differential Treatment (G/C/W/451)

Work Program on Electronic Commerce

- Work Program on Electronic Commerce (WT/GC/W/493/Rev.1)

Working Group on the Relationship between Trade and Investment

- Covering FDI & Portfolio Investment in an Agreement (WT/WGTI/W/142)

Working Group on the Interaction between Trade and Competition Policy

- Technical Assistance (WT/WGTCP/W/185)
- Hardcore Cartels (WT/WGTCP/W/203)
- Voluntary Cooperation (WT/WGTCP/W/204)
- Transparency & Non-discrimination (WT/WGTCP/W/218)
- Procedural Fairness (WT/WGTCP/W/219)
- The Benefits of Peer Review in the WTO Competition Context (WT/WGTCP/W/233)

MEMBERSHIP OF THE WORLD TRADE ORGANIZATION
as of January 1, 2004 (146 Members)*

Government	Entry into Force/ Membership	Government	Entry into Force/ Membership
Albania	September 8, 2000	Dominican Republic	March 9, 1995
Angola	November 23, 1996	Ecuador	January 21, 1996
Antigua and Barbuda	January 1, 1995	Egypt	June 30, 1995
Argentina	January 1, 1995	El Salvador	May 7, 1995
Armenia	February 5, 2003	Estonia	November 13, 1999
Australia	January 1, 1995	European Union	January 1, 1995
Austria	January 1, 1995	Fiji	January 14, 1996
Bahrain	January 1, 1995	Finland	January 1, 1995
Bangladesh	January 1, 1995	Former Yugoslav Republic of Macedonia	April 4, 2003
Barbados	January 1, 1995	France	January 1, 1995
Belgium	January 1, 1995	Gabon	January 1, 1995
Belize	January 1, 1995	Georgia	June 14, 2000
Benin	February 22, 1996	Germany	January 1, 1995
Bolivia	September 12, 1995	Ghana	January 1, 1995
Botswana	May 31, 1995	Greece	January 1, 1995
Brazil	January 1, 1995	Grenada	February 22, 1996
Brunei Darussalam	January 1, 1995	Guatemala	July 21, 1995
Bulgaria	December 1, 1996	Guinea	October 25, 1995
Burkina Faso	June 3, 1995	Guinea Bissau	May 31, 1995
Burundi	July 23, 1995	Guyana	January 1, 1995
Cameroon	December 13, 1995	Haiti	January 30, 1996
Canada	January 1, 1995	Honduras	January 1, 1995
Central African Republic	May 31, 1995	Hong Kong, China	January 1, 1995
Chad	October 19, 1996	Hungary	January 1, 1995
Chile	January 1, 1995	Iceland	January 1, 1995
China	December 11, 2001	India	January 1, 1995
Colombia	April 30, 1995	Indonesia	January 1, 1995
Congo	March 27, 1997	Ireland	January 1, 1995
Costa Rica	January 1, 1995	Israel	April 21, 1995
Côte d'Ivoire	January 1, 1995	Italy	January 1, 1995
Croatia	November 30, 2000	Jamaica	March 9, 1995
Cuba	April 20, 1995	Japan	January 1, 1995
Cyprus	July 30, 1995	Jordan	April 11, 2000
Czech Republic	January 1, 1995	Kenya	January 1, 1995
Democratic Republic of the Congo	January 1, 1997	Korea, Republic of	January 1, 1995
Denmark	January 1, 1995	Kuwait	January 1, 1995
Djibouti	May 31, 1995	Kyrgyz Republic	December 20, 1998
Dominica	January 1, 1995	Latvia	February 10, 1999

Government	Entry into Force/ Membership	Government	Entry into Force/ Membership
Lesotho	May 31, 1995	Rwanda	May 22, 1996
Liechtenstein	September 1, 1995	Saint Kitts and Nevis	February 21, 1996
Lithuania	May 31, 2001	Saint Lucia	January 1, 1995
Luxembourg	January 1, 1995	Saint Vincent and the Grenadines	January 1, 1995
Macao, China	January 1, 1995	Senegal	January 1, 1995
Madagascar	November 17, 1995	Sierra Leone	July 23, 1995
Malawi	May 31, 1995	Singapore	January 1, 1995
Malaysia	January 1, 1995	Slovak Republic	January 1, 1995
Maldives	May 31, 1995	Slovenia	July 30, 1995
Mali	May 31, 1995	Solomon Islands	July 26, 1996
Malta	January 1, 1995	South Africa	January 1, 1995
Mauritania	May 31, 1995	Spain	January 1, 1995
Mauritius	January 1, 1995	Sri Lanka	January 1, 1995
Moldova	July 26, 2001	Suriname	January 1, 1995
Mongolia	January 29, 1997	Swaziland	January 1, 1995
Morocco	January 1, 1995	Sweden	January 1, 1995
Mozambique	August 26, 1995	Switzerland	July 1, 1995
Myanmar	January 1, 1995	Taiwan (referred to in the WTO as Chinese Taipei)	January 1, 2002
Namibia	January 1, 1995	Tanzania	January 1, 1995
Netherlands	January 1, 1995	Thailand	January 1, 1995
New Zealand	January 1, 1995	The Gambia	October 23, 1996
Nicaragua	September 3, 1995	Togo	May 31, 1995
Niger	December 13, 1996	Trinidad and Tobago	March 1, 1995
Nigeria	January 1, 1995	Mexico	January 1, 1995
Norway	January 1, 1995	Tunisia	March 9, 1995
Oman	November 9, 2000	Turkey	March 26, 1995
Pakistan	January 1, 1995	Uganda	January 1, 1995
Panama	September 6, 1997	United Arab Emirates	April 10, 1996
Papua New Guinea	June 9, 1996	United Kingdom	January 1, 1995
Paraguay	January 1, 1995	United States	January 1, 1995
Peru	January 1, 1995	Uruguay	January 1, 1995
Philippines	January 1, 1995	Venezuela	January 1, 1995
Poland	July 1, 1995	Zambia	January 1, 1995
Portugal	January 1, 1995	Zimbabwe	March 5, 1995
Qatar	January 13, 1996		
Romania	January 1, 1995		

*During 2003, Cambodia and Nepal completed their accession process, but domestic ratification requirements have not yet been completed. Membership will occur 30 days after the instrument of acceptance is deposited with the WTO.

PROPOSED REVISED SCALE OF CONTRIBUTIONS FOR 2004
(Minimum contribution of 0.015 per cent)

MEMBERS	2003 Contribution	2004 Contribution	Interest Earned ¹	2004 net Contribution
	CHF	%	CHF	CHFCHF
Albania	23,070	0.015	24,084	3424,050
Angola	106,122	0.080	128,448	103128,345
Antigua and Barbuda	23,070	0.015	24,084	24,084
Argentina	713,632	0.462	741,787	741,787
Armenia		0.015	24,084	24,084
Australia	1,757,934	1.154	1,852,862	3,6311,849,231
Austria	2,111,674	1.376	2,209,306	4,2272,205,079
Bahrain	106,122	0.073	117,209	160117,049
Bangladesh	163,028	0.105	168,588	43168,545
Barbados	30,760	0.019	30,506	3930,467
Belgium	4,107,998	2.682	4,306,219	5,3414,300,878
Belize	23,070	0.015	24,084	24,084
Benin	23,070	0.015	24,084	24,084
Bolivia	38,450	0.025	40,140	6940,071
Botswana	58,444	0.035	56,196	8456,112
Brazil	1,424,188	0.950	1,525,320	8421,524,478
Brunei Darussalam	63,058	0.041	65,830	11065,720
Bulgaria	144,572	0.097	155,743	45155,698
Burkina Faso	23,070	0.015	24,084	24,084
Burundi	23,070	0.015	24,084	24,084
Cameroon	38,450	0.026	41,746	8441,662
Canada	6,067,410	3.940	6,326,064	10,8066,315,258
Central African Republic	23,070	0.015	24,084	24,084
Chad	23,070	0.015	24,084	24,084
Chile	446,020	0.311	499,342	384498,958
China, People's Republic of	4,852,390	3.261	5,235,862	7,6875,228,175
Colombia	324,518	0.219	351,626	6351,620
Congo	35,374	0.024	38,534	38,534
Costa Rica	149,186	0.101	162,166	270161,896
Côte d'Ivoire	96,894	0.063	101,153	101,153
Croatia	204,554	0.138	221,573	276221,297
Cuba	107,660	0.064	102,758	200102,558
Cyprus	93,818	0.061	97,942	15097,792
Czech Republic	767,462	0.510	818,856	1,598817,258
Democratic Republic of the Congo	24,608	0.019	30,506	30,506
Denmark	1,462,638	0.954	1,531,742	2,6231,529,119
Djibouti	23,070	0.015	24,084	24,084
Dominica	23,070	0.015	24,084	24,084
Dominican Republic	196,864	0.125	200,700	200,700

Ecuador	118,426	0.082	131,659	201131,458
Egypt	398,342	0.258	414,245	784413,461
El Salvador	90,742	0.060	96,336	10596,231
Estonia	98,432	0.064	102,758	192102,566
European Communities	0	0.000	0	0
Fiji	23,070	0.016	25,690	4125,649
Finland	987,396	0.635	1,019,556	1,9821,017,574
Former Yugoslave Republic of Macedonia		0.025	40,140	40,140
France	8,108,336	5.212	8,368,387	14,0408,354,347
Gabon	52,292	0.035	56,196	56,196
Gambia	23,070	0.015	24,084	24,084
Georgia	23,070	0.015	24,084	24,084
Germany	13,718,960	8.885	14,265,756	14,96114,250,795
Ghana	66,134	0.038	61,013	61,013
Greece	632,118	0.409	656,690	502656,188
Grenada	23,070	0.015	24,084	4224,042
Guatemala	96,894	0.063	101,153	152101,001
Guinea	23,070	0.015	24,084	24,084
Guinea-Bissau	23,070	0.015	24,084	24,084
Guyana	23,070	0.015	24,084	24,084
Haiti	23,070	0.015	24,084	224,082
Honduras	59,982	0.038	61,013	9760,916
Hong Kong, China	4,869,308	3.196	5,131,498	10,0835,121,415
Hungary	641,346	0.427	685,591	528685,063
Iceland	69,210	0.043	69,041	13868,903
India	1,307,300	0.799	1,282,874	7861,282,088
Indonesia	1,190,412	0.811	1,302,142	1,3141,300,828
Ireland	1,847,138	1.149	1,844,834	3,5711,841,263
Israel	873,584	0.563	903,953	1,185902,768
Italy	6,361,168	4.156	6,672,874	9,6766,663,198
Jamaica	83,052	0.055	88,308	6688,242
Japan	9,780,142	6.394	10,266,206	4,34010,261,866
Jordan	93,818	0.064	102,758	98102,660
Kenya	67,672	0.045	72,252	10972,143
Korea, Republic of	3,640,446	2.415	3,877,524	6,5823,870,942
Kuwait	292,220	0.196	314,698	314,698
Kyrgyz Republic	23,070	0.015	24,084	24,084
Latvia	75,362	0.050	80,280	14780,133
Lesotho	23,070	0.015	24,084	24,084
Liechtenstein	38,450	0.025	40,140	8340,057
Lithuania	116,888	0.081	130,054	206129,848
Luxembourg	530,610	0.343	550,721	856549,865
Macao, China	95,356	0.064	102,758	178102,580

Madagascar	23,070	0.015	24,084	4424,040
Malawi	23,070	0.015	24,084	24,084
Malaysia	1,948,646	1.302	2,090,491	3,7072,086,784
Maldives	23,070	0.015	24,084	1524,069
Mali	23,070	0.015	24,084	24,084
Malta	75,362	0.047	75,463	14075,323
Mauritania	23,070	0.015	24,084	24,084
Mauritius	58,444	0.039	62,618	12162,497
Mexico	3,486,646	2.231	3,582,094	1,7603,580,334
Moldova	23,070	0.015	24,084	4,86419,220
Mongolia	23,070	0.015	24,084	2924,055
Morocco	239,928	0.155	248,868	253248,615
Mozambique	23,070	0.015	24,084	424,080
Myanmar, Union of	49,216	0.033	52,985	6952,916
Namibia	41,526	0.027	43,351	4743,304
Netherlands, Kingdom of the	5,353,778	3.422	5,494,363	6,5895,487,774
New Zealand	373,734	0.250	401,400	736400,664
Nicaragua	30,760	0.019	30,506	6330,443
Niger	23,070	0.015	24,084	24,084
Nigeria	292,220	0.191	306,670	306,670
Norway	1,261,160	0.855	1,372,788	2,3691,370,419
Oman	161,490	0.111	178,222	239177,983
Pakistan	235,314	0.157	252,079	212251,867
Panama	175,332	0.115	184,644	228184,416
Papua New Guinea	47,678	0.030	48,168	6348,105
Paraguay	79,976	0.051	81,886	81,886
Peru	193,788	0.130	208,728	208,728
Philippines	850,514	0.562	902,347	4902,343
Poland	1,068,910	0.701	1,125,526	1,8201,123,706
Portugal	879,736	0.567	910,375	472909,903
Qatar	127,654	0.070	112,392	112,392
Romania	256,846	0.176	282,586	492282,094
Rwanda	23,070	0.015	24,084	24,084
Saint Lucia	23,070	0.015	24,084	2624,058
Senegal	33,836	0.022	35,323	7235,251
Sierra Leone	23,070	0.015	24,084	24,084
Singapore	3,034,474	2.022	3,246,523	3,5873,242,936
Slovak Republic	304,524	0.191	306,670	504306,166
Slovenia	246,080	0.159	255,290	467254,823
Solomon Islands	23,070	0.015	24,084	24,084
South Africa	739,778	0.488	783,533	279783,254
Spain	3,740,416	2.411	3,871,102	3,2183,867,884

Sri Lanka	144,572	0.093	149,321	100149,221
St. Kitts and Nevis	23,070	0.015	24,084	4124,043
St. Vincent and the Grenadines	23,070	0.015	24,084	2624,058
Suriname	23,070	0.015	24,084	24,084
Swaziland	24,608	0.016	25,690	5425,636
Sweden	2,208,568	1.397	2,243,023	4,5022,238,521
Switzerland	2,251,632	1.463	2,348,993	4,3142,344,679
Chinese Taipei	3,123,678	2.000	3,211,200	6353,210,565
Tanzania	36,912	0.024	38,534	38,534
Thailand	1,461,100	0.991	1,591,150	2,9191,588,231
Togo	23,070	0.015	24,084	24,084
Trinidad and Tobago	63,058	0.040	64,224	4764,177
Tunisia	195,326	0.129	207,122	353206,769
Turkey	1,150,424	0.740	1,188,144	7701,187,374
Uganda	27,684	0.017	27,295	827,287
United Arab Emirates	855,128	0.523	839,729	678839,051
United Kingdom of Great Britain and Northern Ireland	8,800,436	5.689	9,134,258	17,6309,116,628
United States of America	24,452,662	15.735	25,264,116	4,72525,259,391
Uruguay	89,204	0.057	91,519	191,518
Venezuela	486,008	0.326	523,426	523,426
Zambia	23,070	0.016	25,690	25,690
Zimbabwe	69,210	0.044	70,646	6970,577
TOTAL	153,800,000	100.000	160,560,000	181,224160,378,776

2004 PROPOSED REVISED BUDGET FOR THE WTO SECRETARIAT
(in Swiss francs)

2004 Budget					
Part	Section	Item	Original Proposal 2004	Reductions	Revised Proposal 2004
A	Sect 1 Work Years	(a) Salary	71,705,600	(691,600)	71,014,000
		(b) Pension	14,421,400	(154,200)	14,267,200
		(c) Common Staff Costs	13,885,300	(455,300)	13,430,000
	Sect 2 Temporary Assistance		16,928,950	(1,165,800)	15,763,150
B	Sect 3 Communications	(a) Telecommunications	778,000	(30,000)	748,000
		(b) Postal Charges	1,585,000	(130,000)	1,455,000
	Sect 4 Building Facilities	(a) Rental	312,400	(10,000)	302,400
		(b) Utilities	1,632,500	(13,000)	1,619,500
		(c) Maintenance and Insurance	1,223,000	(30,000)	1,193,000
	Sect 5 Permanent Equipt		3,594,350	(374,500)	3,219,850
	Sect 6 Expendable		1,390,000	(37,000)	1,353,000
	Sect 7 Contractual Serv.	(a) Reproduction	1,430,000	(50,000)	1,380,000
		(b) Office Automation	2,253,800	(61,000)	2,192,800
		(c) Other	267,000	0	267,000
C	Sect 8 Staff Overheads	(a) Training	520,000	(30,000)	490,000
		(b) Insurance	1,897,000	(35,300)	1,861,700
		(c) Joint Services	647,000	(15,000)	632,000
		(d) Miscellaneous	116,500	(30,000)	86,500
	Sect 9 Missions	(a) Missions Official	1,181,100	0	1,181,100
		(b) Missions Technical	1,383,200	0	1,383,200
	Sect 10 TPTC		3,881,000	0	3,881,000
	Sect 11 Various	(a) Representation and Hospitality	283,000	0	283,000
		(b) Dispute Settlement Panels	1,287,000	(70,000)	1,217,000
		(e) Library	609,000	(30,100)	578,900
		(f) Publications	285,000	(10,000)	275,000
		(g) Public Information Activities	210,000	0	210,000
		(h) External Auditors	50,000	(10,000)	40,000
		(i) Ministerial Operating Fund	700,000	(100,000)	600,000
		(j) ISO	57,000	0	57,000
		(k) Other	90,000	0	90,000
	Sect 12 Unforeseen		100,000	0	100,000
D	Sect 13 ITC		16,125,250	(235,850)	15,889,400
Grand Total			160,829,350	(3,768,650)	157,060,700

2004 PROPOSED REVISED BUDGET FOR THE APPELLATE BODY AND ITS SECRETARIAT
(in Swiss francs)

**2004
Budget**

Part	Section	Item	Original Proposal 2004	Reductions	Revised Proposal 2004
A	Sect 1 Work Years	(a)Salary	1,684,900	0	1,684,900
		(b)Pension	350,100	0	350,100
		(c)Common Staff Costs	290,500	0	290,500
	Sect 2 Temporary Assistance		36,000	0	36,000
B	Sect 3 Communications	(a) Telecommunications	6,500	0	6,500
	Sect 4 Building Facilities	(b) Utilities	13,000	0	13,000
		(c) Maintenance and Insurance	5,000	0	5,000
	Sect 5 Permanent Equipt		23,000	0	23,000
	Sect 6 Expendable		20,000	0	20,000
	Sect 7 Contractual Serv.	(a) Reproduction	15,000	0	15,000
C	Sect 8 Staff Overheads	(a) Training	25,000	0	25,000
		(b) Insurance	9,000	0	9,000
		(d) Miscellaneous	2,000	0	2,000
	Sect 9 Missions	(a)Missions Official	10,000	0	10,000
	Sect 11 Various	(a) Representation and Hospitality	1,000	0	1,000
		(d) Appellate Body Members	620,000	0	620,000
		(e) Library	8,000	0	8,000
		(l) Appellate Body Operating Fund	1,696,800	(100,000)	1,596,800
G r a n d Total			4,815,800	(100,000)	4,715,800

2005 PROPOSED BUDGET FOR THE WTO SECRETARIAT
(in Swiss francs)

2005 Budget

Part	Section	Item	Original Proposal	Reductions	Revised Proposal
			2005	2005	2005
A	Sect 1 Work Years	(a)Salary	77,117,100	(1,690,300)	75,426,800
		(b)Pension	15,569,000	(356,200)	15,212,800
		(c)Common Staff Costs	14,449,700	(970,300)	13,479,400
	Sect 2 Temporary Assistance	17,417,950	(2,170,800)	15,247,150	
B	Sect 3 Communications	(a) Telecommunications	798,000	(50,000)	748,000
		(b) Postal Charges	1,605,000	(150,000)	1,455,000
	Sect 4 Building Facilities	(a) Rental	312,400	(10,000)	302,400
		(b) Utilities	1,651,500	(32,000)	1,619,500
		(c) Maintenance and Insurance	1,170,000	23,000	1,193,000
	Sect 5 Permanent Equipt	3,185,850	(38,000)	3,147,850	
	Sect 6 Expendable		1,430,000	(77,000)	1,353,000
	Sect 7 Contractual Serv.	(a) Reproduction	1,430,000	(50,000)	1,380,000
		(b) Office Automation	2,395,300	(210,500)	2,184,800
		(c)Other	277,000	(10,000)	267,000
C	Sect 8 Staff Overheads	(a) Training	710,000	(220,000)	490,000
		(b) Insurance	1,988,900	(45,200)	1,943,700
		(c) Joint Services	647,000	(15,000)	632,000
		(d) Miscellaneous	94,000	(47,500)	46,500
	Sect 9 Missions	(a)Missions Official	1,217,100	(36,000)	1,181,100
		(b)Missions Technical	1,424,200	(41,000)	1,383,200
	Sect 10 TPTC		3,881,000	0	3,881,000
	Sect 11 Various	(a) Representation and Hospitality	283,000	0	283,000
		(b) Dispute Settlement Panels	1,316,000	(99,000)	1,217,000
		(e) Library	642,000	(63,100)	578,900
		(f) Publications	285,000	(10,000)	275,000
		(g) Public Information Activities	210,000	0	210,000
		(h) External Auditors	50,000	(10,000)	40,000
		(i) Ministerial Operating Fund	700,000	(100,000)	600,000
		(j) ISO	57,000	0	57,000
		(k) Other	95,000	(5,000)	90,000
			Sect 12 Unforeseen		100,000
D	Sect 13 ITC		16,306,450	(297,150)	16,009,300
Grand Total		168,815,450	(6,781,050)	162,034,400	

**2005 PROPOSED BUDGET FOR THE APPELLATE BODY AND ITS SECRETARIAT
(in Swiss francs)**

2005 Budget

Part	Section	Item	Original Proposal 2005	Reductions	Revised Proposal 2005
A	Sect 1 Work Years	(a)Salary	1,725,200	0	1,725,200
		(b)Pension	357,900	0	357,900
		(c)Common Staff Costs	296,400	0	296,400
	Sect 2 Temporary Assistance		36,000	0	36,000
B	Sect 3 Communications	(a) Telecommunications	6,500	0	6,500
	Sect 4 Building Facilities	(b) Utilities	13,000	0	13,000
		(c) Maintenance and Insurance	5,000	0	5,000
	Sect 5 Permanent Equipt		23,000	0	23,000
	Sect 6 Expendable		20,000	0	20,000
	Sect 7 Contractual Serv.	(a) Reproduction	15,000	0	15,000
C	Sect 8 Staff Overheads	(a) Training	30,000	(5,000)	25,000
		(b) Insurance	9,000	0	9,000
		(d) Miscellaneous	2,000	0	2,000
	Sect 9 Missions	(a)Missions Official	10,000	0	10,000
	Sect 11 Various	(a) Representation and Hospitality	1,000	0	1,000
		(d) Appellate Body Members	620,000	0	620,000
		(e) Library	8,000	0	8,000
		(l) Appellate Body Operating Fund	1,696,800	(100,000)	1,596,800
Grand Total			4,874,800	(105,000)	4,769,800

Waivers Currently in Force

The following waivers, granted under Article IX: 3 of the Agreement Establishing the World Trade Organization, are currently in effect. Waivers granted for a period exceeding one year are reviewed annually by the General Council. The General Council may extend, modify, or terminate a waiver as part of the annual review process. The last review of multi-year waivers took place on December 20, 2001.

WAIVERS IN FORCE AS OF JANUARY 1, 2003	GRANTED	EXPIRES
<i>Introduction of the Harmonized System 2002 changes into WTO Schedules of Tariff Concessions:</i> Argentina, Australia, Bulgaria, Canada, China, Croatia, Czech Republic, Estonia, European Communities, Hungary, Iceland, India, Korea, Latvia, Lithuania, Mexico, Nicaragua, Norway, Romania, Singapore, Slovak Republic, Slovenia, Switzerland, Thailand, United States, Uruguay and Hong Kong, China and Macao, China	December 12, 2002	December 31, 2003
Switzerland — Preferences for Albania and Bosnia-Herzegovina	July 18, 2001	March 31, 2004
Argentina — Introduction of the Harmonized System 1996 changes into WTO Schedules of Tariff Concessions	July 24, 2003	April 30, 2004
Israel — Introduction of the Harmonized System 1996 changes into WTO Schedules of Tariff Concessions	December 16, 2003	April 30, 2004
Thailand - Introduction of the Harmonized System 1996 changes into WTO Schedules of Tariff Concessions	December 16, 2003	April 30, 2004
Sri Lanka — Establishment of a new Schedule VI	December 16, 2003	April 30, 2004
El Salvador — Agreement on the Implementation of Article VII of the GATT 1994	July 8, 2002	March 7, 2005
United States — Caribbean Basin Economic Recovery Act	November 15, 1995	December 31, 2005
EC — Transitional Regime for the EC Autonomous Tariff Rate Quotas on Imports of Bananas	November 14, 2001	December 31, 2005
United States — Former Trust Territory of the Pacific Islands	October 14, 1996	December 31, 2006
Canada - CARIBCAN	October 14, 1996	December 31, 2006
Turkey — Preferential Treatment for Bosnia-Herzegovina	December 8, 2000	December 31, 2006
EC — Autonomous Preferential Treatment to the Countries of the Western Balkans	December 8, 2000	December 31, 2006
Cuba — Article XV:6 of the GATT 1994	December 20, 2001	December 31, 2006
<i>Kimberley Process Certification Scheme for rough diamonds:</i> Australia, Brazil, Canada, Czech Republic, European Communities, Israel, Japan, Korea, Philippines, Sierra Leone, Switzerland, Thailand, United Arab Emirates and the United States. <i>Countries covered by Paragraph 3 of the Decision:</i> Bulgaria, Croatia, Czech Republic, European Communities, Hungary, Mauritius, Romania; Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu; Slovenia, Switzerland, Venezuela	May 15, 2003	December 31, 2006
EC — The ACP-EC Partnership Agreement	November 14, 2001	December 31, 2007
Preferential Tariff Treatment for Least-Developed Countries	June 15, 1999	June 30, 2009
LDCs — Article 70.9 of the TRIPS Agreement with respect to pharmaceutical products	July 8, 2002	January 1, 2016
<i>Introduction of the Harmonized System 2002 changes into WTO Schedules of Tariff Concessions:</i> Argentina, Australia, Bulgaria, Canada, China, Colombia, Croatia, Czech Republic, Estonia,	May 13, 2002	Expires 1 year after the date of implementation of

European Communities, Hungary, Iceland, India, Korea, Latvia, Lithuania, Malaysia, Mexico, New Zealand, Norway, Romania, Singapore, Slovak Republic, Slovenia, Switzerland, Thailand, Turkey, United States, Uruguay and Hong Kong, China		HS2002 changes.
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WTO SECRETARIAT PERSONNEL STATISTICS

Number of Staff Members by Job Category

Country	Senior	Professional	Support	Total
Argentina		4	3	7
Australia		8	3	11
Austria		4	2	6
Belgium		3	1	4
Benin		1		1
Bolivia		2	1	3
Brazil	1	3	2	6
Cameroon		1		1
Canada		24	3	27
Chile		2	4	6
China		5		5
Colombia		5	1	6
Congo, RDC		1		1
Costa Rica		1		1
Cote d'Ivoire			1	1
Cuba			1	1
Denmark		1	1	2
Ecuador		1		1
Egypt		5		5
Estonia		1		1
Ethiopia			1	1
Finland		2	2	4
France		46	107	153
Germany		13	3	16
Ghana		3		3
Greece		4		4
Honduras			1	1
Hong Kong		1		1
Hungary	1	2		3
India		9	4	13
Ireland		3	8	11
Italy		10	3	13
Japan		4		4
Kenya	1			1
Korea, Republic of		1		1
Lebanon		1		1
Malawi		1		1
Malaysia		1	1	2
Mauritius		1	1	2
Mexico		6		6
Morocco		2		2

WTO ACCESSION APPLICATIONS AND STATUS (as of 12-31-03)¹

Applicant	Status of Multilateral and Bilateral Work
Afghanistan*	Application for accession to the WTO circulated in April 2003.
Algeria (1987)	Working Party (WP) meeting was held December 28, 2003. Factual Summary circulated.
Andorra (1997)	WP meeting on October 13, 1999 reviewed legislative implementation schedule and goods and services market access offers. Awaiting information on legislative implementation and circulation of revised market access offers.
Armenia (1993)	Armenia became the 145 th Member of the WTO on February 5, 2003.
Azerbaijan (1997)	First WP meeting held June 2002 to review initial documentation. No market access offers to date.
Bahamas (2001)	Application accepted at July 2001 General Council meeting; has not yet submitted initial documentation to activate the accession negotiations.
Belarus (1993)	Fourth WP meeting held January 24, 2003 to review outstanding issues from March 2001 meeting and status of bilateral negotiations on goods and services market access. Revised offers circulated March 2003. Next meeting likely in early 2004. Factual Summary in development.
Bosnia Herzegovina (1999)	First WP meeting held November 4. No market access offers to date.
Bhutan * (1999)	Application accepted at October 1999 General Council meeting. Initial documentation circulated in February 2003. Responses to initial questions in development.
Cambodia * (1995)	Final formal WP meeting adopted the protocol package on July 22, 2003. Package approved by Fifth Ministerial Conference September 11, 2003.
Cape Verde * (2000)	Application accepted at July 2000 General Council meeting. Initial documentation circulated July 2003. First WP meeting likely in early 2004.
Ethiopia* (2003)	Application accepted at February 2003 General Council meeting. No documentation or market access offers to date.
Iran	Application for accession to the WTO circulated in September 1996; under consideration in the General Council since July 2001.
Kazakhstan (1996)	Last WP meeting held December 13, 2002 to review legislative implementation and plans for removal of WTO-inconsistent measures. Revised goods and services market access offers circulated March and April 2003. Next WP meeting likely in first part of 2004.
Laos * (1998)	Initial documentation submitted in March 2001. No WP meetings or market access offers to date.
Lebanon (1999)	Second WP meeting scheduled for December 4, 2003 to continue review initial documentation. Initial goods and services offers tabled in October and December, respectively.
Libya	Application for accession to the WTO circulated in December 2001. No General Council review to date.

* Designates "least developed country" applicant.

¹ "Applicant" column Includes date the Working Party was formed. Pre-1995 dates indicate that the original WP was formed under the GATT 1947, but was reformed as a WTO Working Party in 1995.

Applicant	Status of Multilateral and Bilateral Work
Former Yugoslav Republic of Macedonia (1995)	Macedonia became the 146 th Member of the WTO on April 4, 2003.
Nepal * (1989)	Final formal WP meeting adopted the protocol package on August 15, 2003. Package approved by Fifth Ministerial Conference September 11, 2003. requests.
Russia (1993)	Revised draft WP report text undergoing section by section review to establish the factual basis for commitments. Intensive bilateral and multilateral work on protocol, agriculture, and goods and services market access continues. Legislative implementation ongoing. Next meeting likely in February 2004.
Samoa * (1998)	Informal WP meeting wee held July and November 2003 to review initial draft WP report and continue negotiations on market access offers on goods and services. Revised draft WP report in development.
Saudi Arabia (1993)	Last WP meeting and bilateral negotiations held October 23-24, 2003. Revised draft WP report in development. Saudi Arabia providing additional information on the status of legislative implementation. Based on intensive bilateral work, significant progress achieved in goods and services market access negotiations. Next WP meeting scheduled for late February.
Serbia and Montenegro (2001)	Initial documentation submitted in June 2002. Responses to initial questions in development. No market access offers to date. First WP meeting anticipated in first part of 2004. Responses to initial questions and comments delayed by development of a Constitution and domestic governing structure.
Seychelles (1995)	WP meeting held in March 1998 continued review of the foreign trade regime. Next WP meeting to review status of legislative implementation. Further negotiations on goods and services market access awaiting revised offers.
Sudan * (1995)	First WP meeting held on July 11, 2003. No market access offers to date.
Syria	Application for accession to the WTO first circulated in October 2001. No Council review to date.
Tajikistan (2001)	Application accepted at July 2001 General Council meeting. Initial documentation circulated in March 2003. Responses to initial questions in development.
Tonga (1995)	Informal WP meeting held July 17, 2003 to review comments provided on draft WP report and Tongan inputs. Meeting November 11, 2003 reviewed revised WP report and action plans for WTO implementation and revised market access offers. Tongan responses outstanding.
Ukraine (1993)	Last WP meeting held on October 27-28, 2003. Review based on elements of a draft WP report text and information on legislative implementation. Bilateral work on elimination of nontariff barriers to trade in goods. Work on goods and services market access schedules well advanced. Next WP meeting likely in first quarter 2004.
Uzbekistan (1995)	First WP meeting held July 17, 2002 to review initial documentation. No market access offers to date.
Vanuatu * (1995)	Formal WP meeting October 29, 2001 adopted the protocol package. General Council approval delayed pending reconsideration of status by ni-Vanuatu Government.
Vietnam (1995)	Last WP meeting held on December 10-11, 2003. Review initiated of action plans for legislative implementing of WTO provisions. Goods and services market access negotiations continue.

Applicant	Status of Multilateral and Bilateral Work
Yemen * (2000)	Initial documentation submitted in November 2002. No market access offers to date. First WP meeting to be scheduled after circulation of written responses to initial questions and comments.

**INDICATIVE LIST OF GOVERNMENTAL AND
NON-GOVERNMENTAL PANELISTS**

1. To assist in the selection of panelists, the DSU provides in Article 8.4 that the Secretariat shall maintain an indicative list of governmental and non-governmental individuals.
2. In accordance with the proposals for the administration of the indicative list of panelists approved by the DSB on 31 May 1995, the list should be completely updated every two years. For practical purposes, the proposals for the administration of the indicative list approved by the DSB on 31 May 1995 are reproduced as an Annex to this document.
3. The attached is an updated consolidated list of governmental and non-governmental panelists.² The list contains the names included in the previous indicative list (WT/DSB/17) circulated by the Secretariat on 3 November 1999 and takes into account all the modifications made to that list by Members in accordance with the requirement that the list should be updated every two years. The new names approved by the DSB in the period between 28 October 1999 and 20 March 2000 are also included in the attached list.

² Curricula vitae containing more detailed information are available on request from the WTO Secretariat (Council Division – Room 2025). The curricula vitae which have been submitted on diskette are also available on the Document Dissemination Facility.

COUNTRY	NAME	SECTORAL EXPERIENCE
AUSTRALIA	ARNOTT, Mr. R.J.	Trade in Goods
	CHESTER, Mr. D.O.	TRIPS
	CHURCHE, Mr. M.	Trade in Goods
	GASCOINE, Mr. D.F.	Trade in Goods
	HAWES, Mr. D.C.	Trade in Goods and Services
	HIRD, Miss J.M.	Trade in Goods
	HUSSIN, Mr. P.A.	Trade in Goods
	MAY, Mr. P.H.	Trade in Goods
	O'CONNOR, Mr. P.R.	Trade in Goods
	SMITH, Mr. P.A.	TRIPS
	THOMSON, Mr. G.A.	Trade in Goods and Services
	WAINCYMER, Mr. J.	Trade in Goods
	YOUNG, Ms. E.	Trade in Goods
	CANADA	BERNIER, Mr. I.
BRADFORD, Mr. M.V.M.		Trade in Goods and Services
BROWN, Ms. C.A.		Trade in Goods and Services; TRIPS
CLARK, Mr. P.J.		Trade in Goods and Services
CLOSE, Ms. P.		Trade in Goods
DE MESTRAL, Mr. A.		Trade in Goods
EYTON, Mr. A.T.		Trade in Goods
GHERSON, Mr. R.		Trade in Goods
GOODWIN, Ms. K.M.		Trade in Goods and Services; TRIPS
HALLIDAY, Mr. A.L.		Trade in Goods and Services
HERMAN, Mr. L.L.		Trade in Goods
HINES, Mr. W.R.		Trade in Goods
MACMILLAN, Ms. K.E.		Trade in Goods
MCRAE, Mr. D.		Trade in Goods
OSTRY, Ms. S.		Trade in Goods
RICHIE, Mr. G.		Trade in Goods
THOMAS, Mr. J.C.		Trade in Goods and Services
WINHAM, Mr. M.M.	Trade in Goods	

CHILE	BIGGS, Mr. G.	Trade in Goods
	JARA, Mr. A.	Trade in Goods and Services
	MATUS, Mr. M.	Trade in Goods
	PEÑA, Ms. G.	Trade in Goods
	SAEZ, Mr. S.	Trade in Goods and Services
	SATELER, Mr. R.	TRIPS
	TIRONI, Mr. E.	Trade in Goods
COLOMBIA	CÁRDENAS, Mr. M.J.	Trade in Goods and Services; TRIPS
	IBARRA PARDO, Mr. G.	Trade in Goods
	JARAMILLO, Mr. F.	Trade in Goods and Services
	LEAL ANGARITA, Mr. M.	Trade in Goods and Services
	OROZCO JARAMILLO, Ms. C.Y.	Trade in Goods
CUBA	CABALLERO RODRÍGUEZ, Mr. E.	Trade in Goods and Services
CZECH REP.	JUNG, Mr. Z.	Trade in Goods and Services
	PALEČKA, Mr. P.	Trade in Goods and Services
	PRAVDA, Mr. M.	Trade in Goods
	ŠRONĚK, Mr. I.	TRIPS
EGYPT	ABOUL-ENEIN, Mr. M.I.M.	Trade in Goods and Services
	HATEM, Mr. S.A.	Trade in Goods and Services
	SHAHIN, Ms. M.	Trade in Goods and Services; TRIPS
	SHARAFELDIN, Mr. A.	Trade in Goods; TRIPS
	ZAHRAN, Mr. M.M.	Trade in Goods and Services; TRIPS
EUROPEAN COMMUNITIES		
	AUSTRIA	
	BENEDEK, Mr. W.	Trade in Goods
	MARTINS, Mr. R.	Trade in Goods
	REITERER, Mr. M.G.K.	Trade in Goods and Services; TRIPS
	WEISS, Mr. J.F.	Trade in Goods and Services; TRIPS
	ZEHETNER, Mr. F.	Trade in Goods

EUROPEAN**COMMUNITIES (cont'd)****BELGIUM**

DASSESE, Mr. M.P.A. Trade in Goods and Services
DIDIER, Mr. P. Trade in Goods
VANDER SCHUEREN, Ms. P. Trade in Goods and Services

DENMARK

BOESGAARD, Mr. H. Trade in Goods

FINLAND

BERGHOLM, Mr. K.A. Trade in Goods
JULIN, Mr. J.K.J. Trade in Goods and Services
LUOTONEN, Mr. Y.K.D. Trade in Goods
PULLINEN, Mr. M.Y. Trade in Goods
RANTANEN, Mr. P.I. Trade in Goods

FRANCE

ARMAIGNAC, Ms. M.-C. Trade in Services; TRIPS
BEAURAIN, Mr. C. Trade in Services
COMBALDIEU, Mr. J.C. TRIPS
DELLEUR, Mr. P. Trade in Services
JENNY, Mr. F.Y. Trade in Goods and Services; TRIPS
METZGER, Mr. J-M. Trade in Goods

GERMANY

BARTH, Mr. D. Trade in Services
BARTKOWSKI, Mr. D.H.H. Trade in Services
DELBRÜCK, Mr. K. Trade in Goods
HILF, Mr. M. Trade in Goods and Services
MENG, Mr. W. Trade in Goods, TRIPS
MÖHLER, Mr. R. Trade in Goods
von MÜHLEND AHL, Mr. A. TRIPS
OPPERMANN, Mr. T. Trade in Goods; TRIPS
PETERSMANN, Mr. E-U Trade in Goods and Services; TRIPS
TANGERMANN, Mr. S. Trade in Goods
WITT, Mr. P.J. Trade in Goods

GREECE

MYROGIANNIS, Mr. G. Trade in Goods
STANGOS, Mr. P.N. Trade in Goods and Services; TRIPS

EUROPEAN**COMMUNITIES (cont'd)****IRELAND**

LONG, Mr. R. Trade in Goods; TRIPS
MATTHEWS, Mr. A.H. Trade in Goods
MOCKLER, Mr. T.F. Trade in Goods

ITALY

GERBINO, Mr. M. Trade in Goods
GIARDINA, Mr. A. Trade in Goods and Services

	SACERDOTI, Mr. G.	Trade in Goods and Services
	SCHIRATTI, Mr. G.	Trade in Goods
NETHERLANDS		
	BLOKKER, Mr. N.M.	Trade in Goods
	HOEKMAN, Mr. B.M.	Trade in Goods and Services; TRIPS
	van de LOCHT, Mr. P.	Trade in Goods and Services
SPAIN		
	CASTILLO URRUTIA, Mr. J.A.	Trade in Goods
SWEDEN		
	ANDERSSON, Mr. T.M.	Trade in Goods
	ANELL, Mr. L.	Trade in Goods; TRIPS
	FALLENIOUS, Mr. C.H.	Trade in Goods
	HÅKANSSON, Mr. G.P.-O.	Trade in Services
	HOLGERSSON, Mr. J.	Trade in Goods and Services
	KLEEN, Mr. P.	Trade in Goods
	LINDSTRÖM, Mr. J.M.	Trade in Goods
	MANHUSEN, Mr. C.	Trade in Goods and Services
	RISINGGÅRD, Mr. A.B.	Trade in Goods
	RODIN, Mr. A.	Trade in Goods; TRIPS
	STÅLBERG, Mr. L.A.	Trade in Goods
UNITED KINGDOM		
	ARKELL, Mr. J.	Trade in Services
	CROFT, Mr. R.H.F.	Trade in Services
	HINDLEY, Mr. B.V.	Trade in Goods and Services
	JOHNSON, Mr. M.D.C.	Trade in Goods
	MUIR, Mr. T.	Trade in Goods and Services; TRIPS
	PLENDER, Mr. R.	Trade in Goods
EUROPEAN		
COMMUNITIES (cont'd)		
UNITED KINGDOM (cont'd)		
	ROBERTS, Mr. C.W.	Trade in Goods and Services
	TOULMIN, Mr. J.K.	Trade in Services
HONG KONG, CHINA		
	CARTLAND, Mr. M.D.	Trade in Goods and Services
	FOOTMAN, Mr. R.	Trade in Goods and Services
	LO, Mr. P.Y.F.	Trade in Goods
	MILLER, Mr. J.A.	Trade in Goods and Services
	SZE, Mr. M.C.C.	Trade in Goods
HUNGARY		
	FURULYÁS, Mr. F.	Trade in Goods
	LAKATOS, Mr. A.	Trade in Goods and Services
ICELAND		
	BJÖRGVINSSON, Mr. D.T.	Trade in Goods and Services

	JÓHANSSON, Mr. E.M.	Trade in Goods
	SANDHOLT, Mr. B.	Trade in Goods
INDIA	AGARWAL, Mr. V.K.	Trade in Goods; TRIPS
	BHATTACHARYA, Mr. G.C.	Trade in Goods
	CHANDRASEKHAR, Mr. K.M	Trade in Goods and Services; TRIPS
	DAS, Mr. B.L.	Trade in Goods
	DASGUPTA, Mr. J.	Trade in Goods
	GANESAN, Mr. A.V.	Trade in Goods, Services; TRIPS
	GOYAL, Mr. A.	Trade in Services
	KUMAR, Mr. M.	Trade in Goods and Services
	MOHANTY, Mr. P.K.	Trade in Goods
	MUKERJI, Mr. A.	Trade in Goods and Services; TRIPS
	PRASAD, Ms. A.	Trade in Goods and Services; TRIPS
	RAI, Mr. P.	TRIPS
	RAMAKRISHNAN, Mr. N.	Trade in Goods
	RAO, Mr. P.S.	Trade in Goods
	REGE, Mr. N.V.	Trade in Goods
	SAJJANHAR, Mr. A.	Trade in Goods
	SHARMA, Mr. L.	Trade in Goods and Services; TRIPS
INDIA (cont'd)	VENUGOPAL, Mr. E.	Trade in Goods; TRIPS
	WATAL, Mrs. J.	TRIPS
	ZUTSHI, Mr. B.K.	Trade in Goods and Services; TRIPS
ISRAEL	ALTUVIA, Mr. M.	Trade in Goods
	GABAY, Mr. M.	TRIPS
	HARAN, Mr. E.F.	Trade in Services
	SEMADAR, Mr. M.	Trade in Goods
	SHATON, Mr. M.	Trade in Goods and Services
	TALBAR, Mr. M.A.	Trade in Goods
	WEILER, Mr. J.	Trade in Goods
JAPAN	ARAKI, Mr. I	Trade in Goods and Services; TRIPS
	ASAKURA, Mr. H.	Trade in Goods
	ISHIGURO, Mr. K.	Trade in Goods and Services; TRIPS
	IWASAWA, Mr. Y.	Trade in Goods
	KANDA, Mr. H.	Trade in Services
	KEMMOCHI, Mr. N.	Trade in Goods and Services
	KOTERA, Mr. A.	Trade in Goods and Services
	OHARA, Mr. Y.	Trade in Goods; TRIPS
	SHIMIZU, Mr. A.	Trade in Goods
	TAKASE, Mr. T.	Trade in Goods and Services
	TSURUOKA, Mr. K.	Trade in Services

KOREA	CHANG, Mr. S.W.	Trade in Goods
	CHO, Mr. D.Y.	Trade in Goods and Services
	CHO, Mr. T-U	Trade in Goods
	CHOI, Mr. B.I.	Trade in Services
	KIM, Mr. J.B.	Trade in Goods
	LEE, Mr. J.	Trade in Goods
	PARK, Mr. N.	Trade in Goods
MADAGASCAR	YUN, Mr. Y. G.	Trade in Goods
	ANDRIANARIVONY, Mr. M.	Trade in Goods and Services; TRIPS
MAURITIUS	BHUGLAH, Mr. A.	Trade in Goods and Services
NEW ZEALAND	ARMSTRONG, Mr. W.M.V.	Trade in Goods; TRIPS
	CARSON, Mr. C.B.	Trade in Goods
	FALCONER, Mr. C.D.	Trade in Goods
	FALCONER, Mr. W.J.	Trade in Goods and Services; TRIPS
	GROSER, Mr. T.	Trade in Goods
	HAMILTON, Mr. P.W	Trade in Goods
	HARVEY, Mr. M.W.	Trade in Goods
	HIGGIE, Ms. D.C.	Trade in Goods
	KENNEDY, Mr. P.D.	Trade in Goods
	MACEY, Mr. A.	Trade in Goods; TRIPS
	MCPHAIL, Mr. A.H.	Trade in Goods
	NOTTAGE, Mr. M.J.	Trade in Goods
	SLADE, Ms. M.	Trade in Goods and Services; TRIPS
	TRAINOR, Mr. M.J.	Trade in Goods; TRIPS
WALKER, Mr. D.J.	Trade in Goods and Services	
WOODFIELD, Mr. E.A.	Trade in Goods	
NORWAY	LILLERUD, Mr. K.	Trade in Goods
	LUNDBY, Mr. O.	Trade in Goods and Services; TRIPS
	SELAND, Mr. H.A.	Trade in Goods and Services; TRIPS
	TØNSETH, Mr. D.	Trade in Goods and Services; TRIPS
PANAMA	GONZALEZ, Mr. C.E.	Trade in Goods and Services
POLAND	PIETRAS, Mr. J.	Trade in Services
QATAR	MAKKI, Mr. F.	Trade in Goods and Services
SRI LANKA	JAYASEKERA, Mr. D.	Trade in Goods; TRIPS
SWITZERLAND	BALDI, Mr. M.	Trade in Services

	BLATTNER, Mr. N.	Trade in Services
	CHAMBOVEY, Mr. D.	Trade in Goods
	COTTIER, Mr. Th.	Trade in Goods and Services; TRIPS
	GETAZ, Mr. H.A.	Trade in Services
SWITZERLAND (cont'd)	HÄBERLI, Mr. C	Trade in Goods
	INEICHEN-FLEISCH, Ms. M.-G.	Trade in Goods and Services
	KRAFFT, Mr. —C.	Trade in Goods
	TRAN, Ms. T.T.-L.	TRIPS
	WASESCHA, Mr. L.	Trade in Goods and Services; TRIPS
	WEBER, Mr. R.	Trade in Services
UNITED STATES		
	BIRENBAUM, Mr. D.E.	Trade in Goods
	GORDON, Mr. M.W.	Trade in Goods
	GREENWALD, Mr. J.A.	Trade in Goods; TRIPS
	HUDEEC, Mr. R.E.	Trade in Goods and Services
	KASSINGER, Mr. T.W.	Trade in Goods and Services
	KIRK, Mr. M.K.	TRIPS
	LICHTENSTEIN, Ms. C.C.	Trade in Services
	PARTAN, Mr. D.G.	Trade in Goods
	REYNA, Mr. J.V.	Trade in Goods and Services
	VERRILL, Jr. Mr. C.O.	Trade in Goods
URUGUAY		
	AMORÍN, Mr. C.	Trade in Goods; TRIPS
	ROSSELLI, Mr. A.O.	Trade in Goods
	VANERIO, Mr. G.	Trade in Goods and Services
VENEZUELA		
	ESCOBAR, Mr. J.B.	Trade in Services
	MARQUEZ, Mr. G.	Trade in Services

ANNEX

Administration of the Indicative List

4. To assist in the selection of panelists, the DSU provides in Article 8.4 that the Secretariat shall maintain an indicative list of qualified governmental and non-governmental individuals. Accordingly, the Chairman of the DSB proposed at the 10 February meeting that WTO Members review the roster of non-governmental panelists established on 30 November 1984 (BISD 31S/9) (hereinafter referred to as the “1984 GATT Roster”) and submit nominations for the indicative list by mid-June 1995. On 14 March, The United States delegation submitted an informal paper discussing, amongst other issues, what information should accompany the nomination of individuals, and how names might be removed from the list. The DSB further discussed the matter in informal consultations on 15 and 24 March, and at the DSB meeting on 29 March. This note puts forward some proposals for the administration of the indicative list, based on the previous discussions in the DSB.

General DSU requirements

2. The DSU requires that the indicative list initially include “the roster of governmental and non-governmental panelists established on 30 November 1984 (BISD 31S/9) and other rosters and indicative lists established under any of the covered agreements, and shall retain names of persons on those rosters and indicative lists at the time of entry into force of the WTO Agreement” (DSU 8.4). Additions to the indicative list are to be made by Members who may “periodically suggest names of governmental and non-governmental individuals for inclusion on the indicative list, providing relevant information on their knowledge of international trade and of the sectors or subject matter of the covered agreements.” The names “shall be added to the list upon approval by the DSB” (DSU 8.4).

Submission of information

3. As a minimum, the information to be submitted regarding each nomination should clearly reflect the requirements of the DSU. These provide that the list “shall indicate specific areas of experience or expertise of the individuals in the sectors or subject matter of the covered agreements” (DSU 8.4). The DSU also requires that panelists be “well-qualified governmental and/or non-governmental individuals, including persons who have served on or presented a case to a panel, served as a representative of a Member or of a contracting party to GATT 1947 or as a representative to the Council or Committee of any covered agreement or its predecessor agreement, or in the Secretariat, taught or published on international trade law or policy, or served as a senior trade policy official of a Member” (DSU 8.1).

4. The basic information required for the indicative list could best be collected by use of a standardized form. Such a form, which could be called a Summary Curriculum Vitae, would be filled out by all nominees to ensure that relevant information is obtained. This would also permit information on the indicative list to be stored in an electronic database, making the list easily updateable and readily available to Members and the Secretariat. As well as supplying a completed Summary Curriculum Vitae form, persons proposed for inclusion on the indicative list could also, if they wished, supply a full Curriculum Vitae. This would not, however, be entered into the electronic part of the database.

Updating of indicative list

5. The DSU does not specifically provide for the regular updating of the indicative list. In order to maintain the credibility of the list, it should however be completely updated every two years. Within the first month of each two-year period, Members would forward updated Curricula Vitae of persons appearing on the indicative list. At any time, Members would be free to modify the indicative list by proposing new

names for inclusion, or specifically requesting removal of names of persons proposed by the Member who were no longer in a position to serve, or by updating the summary Curriculum Vitae.

6. Names on the 1984 GATT Roster that are not specifically resubmitted, together with up-to-date summary Curriculum Vitae, by a Member before 31 July 1995 would not appear after that date on the indicative list.

Other rosters

7. The Decision on Certain Dispute Settlement Procedures for the GATS (S/L/2 of 4 April 1995), adopted by the Council for Trade in Services on 1 March 1995, provides for a special roster of panelists with sectoral expertise. It states that "panels for disputes regarding sectoral matters shall have the necessary expertise relevant to the specific services sectors which the dispute concerns." It directs the Secretariat to maintain the roster and "develop procedures for its administration in consultation with the Chairman of the Council." A working document (S/C/W/1 of 15 February 1995) noted by the Council for Trade in Services states that "the roster to be established under the GATS pursuant to this Decision would form part of the indicative list referred to in the DSU." The specialized roster of panelists under the GATS should therefore be integrated into the indicative list, taking care that the latter provides for a mention of any service sectoral expertise of persons on the list.

8. A suggested format for the Summary Curriculum Vitae form for the purposes of maintaining the Indicative List is attached as an Annex.

**Summary Curriculum Vitae
for Persons Proposed for the Indicative List**

- | | | |
|-----|----------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
| 1. | Name: | full name |
| 2. | Sectoral Experience | |
| | | List here any particular sectors of expertise: (e.g. technical barriers, dumping, financial services, intellectual property, etc.) |
| 3. | Nationality(ies) | all citizenships |
| 4. | Nominating Member: | the nominating Member |
| 5. | Date of birth: | full date of birth |
| 6. | Current occupations: | year beginning, employer, title, responsibilities |
| 7. | Post-secondary education | year, degree, name of institution |
| 8. | Professional qualifications | year, title |
| 9. | Trade-related experience in Geneva in the WTO/GATT system | |
| | a. Served as a panelist | year, dispute name, role as chairperson/member |
| | b. Presented a case to a panel | year, dispute name, representing which party |
| | c. Served as a representative of a contracting party or member to a WTO or GATT body, or as an officer thereof | year, body, role |
| | d. Worked for the WTO or GATT Secretariat | year, title, activity |
| 10. | Other trade-related experience | |
| | a. Government trade work | year, employer, activity |
| | b. Private sector trade work | year, employer, activity |
| 11. | Teaching and publications | |
| | a. Teaching in trade law and policy | year, institution, course title |
| | b. Publications in trade law and policy | year, title, name of periodical/book, author/editor (if book) |

INDICATIVE LIST OF GOVERNMENTAL AND NON-GOVERNMENTAL PANELISTS

Addendum

5. At its meetings on 18 May, 26 September, 23 October, 12 December 2000 and 1 February, 16 May and 20 June 2001, the Dispute Settlement Body approved the following names for inclusion on the Indicative List of Governmental and Non-Governmental Panelists.¹

COUNTRY	NAME	SECTORAL EXPERIENCE
CÔTE D'IVOIRE	GOSSET, Mme. M.	Trade in Goods; TRIPS
EGYPT	RIAD, Mr. T.F.	Trade in Goods and Services; TRIPS
EUROPEAN COMMUNITIES		
AUSTRIA	WAAS, Mr. G.	Trade in Goods and Services; TRIPS
BELGIUM	VAN DER BORGHT, Mr. K.	Trade in Goods
FRANCE	PHAN VAN PHI, Mr. R.	Trade in Goods
NETHERLANDS	BRONCKERS, Mr. M. ENGERING, Mr. F.A.	Trade in Goods and Services; TRIPS Trade in Goods and Services
INDIA	CHAUDHURI, Mr. S. KAUSHIK, Mr. A. PRABHU, Mr. P.P.	Trade in Goods and Services Trade in Goods; TRIPS Trade in Goods; TRIPS
MAURITIUS	BEEKARRY, Mr. N.	Trade in Goods and Services
PERU	DIEZ LIZARDO, Mr. J.	Trade in Goods

¹ WT/DSB/19.

COUNTRY	NAME	SECTORAL EXPERIENCE
TURKEY	KAÇAR, Mr. B.	Trade in Goods

WORLD TRADE ORGANIZATION

WT/DSB/19/Add.2
21 January 2002
(02-0280)

INDICATIVE LIST OF GOVERNMENTAL AND NON-GOVERNMENTAL PANELISTS

Addendum

1. At its meetings on 15 October, 5 November and 18 December 2001, the Dispute Settlement Body approved the following names for inclusion on the Indicative List of Governmental and Non-Governmental Panelists.²

COUNTRY	NAME	SECTORAL EXPERIENCE
AUSTRALIA	KENYON, Mr. D.	Trade in Goods and Services
ARGENTINA	MAKUC, Mr. A.	Trade in Goods and Services
	PÉREZ GABILONDO, Mr. J.L.	Trade in Goods; TRIPS
	RUIZ, Mr. J.A.	Trade in Goods and Services
E U R O P E A N COMMUNITIES		
FRANCE	STERN, Mme. B.	Trade in Goods and Services
INDIA	NARAYANAN, Mr. S.	Trade in Goods; TRIPS
ISRAEL	HOROVITZ, Mr. D.	Trade in Goods and Services

² WT/DSB/19 and Add.1.

	POLINER, Mr. H.Z.	TRIPS
MEXICO	AGUILAR ÁLVAREZ, Mr. G.	Trade in Goods and Services; TRIPS
	AMIGO CASTAÑEDA, Mr. J.	TRIPS
	DE MATEO VENTURINI, Mr. F.	Trade in Services
	JASSO TORRES, Mr. H.	Trade in Goods
MEXICO (cont'd)	ORTEGA GÓMEZ, Mr. A.	Trade in Goods and Services; TRIPS
	PEREZCANO DÍAZ, Mr. H.	Trade in Goods and Services; TRIPS
	RAMÍREZ HERNÁNDEZ, Mr. R.	Trade in Goods and Services
	REYES, Ms. L.H.	Trade in Goods
	TRASLOSHEROS HERNÁNDEZ, Mr. J.G.	Trade in Goods and Services; TRIPS
	ZABLUDOVSKY KUPER, Mr. J.	Trade in Goods and Services; TRIPS
NIGER	TANKOANO, Mr. A.	Trade in Goods and Services; TRIPS

WORLD TRADE ORGANIZATION

WT/DSB/19/Add.3

3 April 2002

(02-1654)

INDICATIVE LIST OF GOVERNMENTAL AND NON-GOVERNMENTAL PANELISTS

Addendum

At its meeting on 8 March 2002, the Dispute Settlement Body approved the following names for inclusion on the Indicative List of Governmental and Non-Governmental Panelists.³

COUNTRY	NAME	SECTORAL EXPERIENCE
BRAZIL	ABREU, Mr. M.	Trade in Goods and Services
	ARAÚJO, Mr. J.T.	Trade in Goods
	BARRAL, Mr. W.O.	Trade in Goods
	BASSO, Ms. M.	Trade in Goods; TRIPS
	LEMME, Ms. M.C.	Trade in Goods
	MAGALHÃES, Mr. J.C.	Trade in Goods
	MARCONINI, Mr. M.	Trade in Services
	MOTTA VEIGA, Mr. P.L.C.	Trade in Goods and Services
	MOURA ROCHA, Mr. B.	Trade in Services
	NAIDIN, Ms. L.C.	Trade in Goods
	OLIVEIRA FILHO, Mr. G.J.	Trade in Goods
	RIOS, Ms. S.M.	Trade in Goods
	SOARES, Mr. G.F.	TRIPS
THORSTENSEN, Ms. V.H.	Trade in Goods	

³ WT/DSB/19 and Add.1 and Add.2.

**EUROPEAN
COMMUNITIES**

SPAIN

DÍAZ MIER, Mr. M.Á.

Trade in Services

LÓPEZ DE SILANES MARTÍNEZ Mr. J.P.

Trade in Goods and Services

INDIA

AGRAWAL, Mr. R.P.

Trade in Goods and Services; TRIPS

WORLD TRADE ORGANIZATION

WT/DSB/19/Add.4
3 July 2002
(02-3726)

INDICATIVE LIST OF GOVERNMENTAL AND NON-GOVERNMENTAL PANELISTS

Addendum

At its meetings on 22 May and 24 June 2002, the Dispute Settlement Body approved the following names for inclusion on the Indicative List of Governmental and Non-Governmental Panelists.⁴

COUNTRY	NAME	SECTORAL EXPERIENCE
ARGENTINA	NISCOVOLOS, Mr. L.P.	Trade in Services
CUBA	HERNÁNDEZ, Mr. A.	Trade in Goods and Services
	MARZIOTA DELGADO, Mr. E.A.	Trade in Goods and Services
PAKISTAN	NAYYAR, Mr. S.I.M.	Trade in Goods; TRIPS
PANAMA	FRANCIS LANUZA, Ms. Y.	Trade in Goods and Services
	HARRIS ROTKIN, Mr. N.	Trade in Goods and Services
	SALAZAR FONG, Ms. D.	Trade in Goods
UNITED STATES	BROWN-WEISS, Ms. E.	Trade in Goods and Services
	GANTZ, Mr. D.	Trade in Goods
	HELPER, Ms. R.T.	Trade in Services

⁴ WT/DSB/19 and Add.1, Add.2 and Add.3.

LAYTON, Mr. D.

Trade in Goods

McGINNIS, Mr. J.

Trade in Goods; TRIPS

SHERMAN, Mr. S.

Trade in Goods

WORLD TRADE ORGANIZATION

WT/DSB/19/Add.5
2 December 2002
(02-6614)

INDICATIVE LIST OF GOVERNMENTAL AND NON-GOVERNMENTAL PANELISTS

Addendum

At its meetings on 11 and 28 November 2002, the Dispute Settlement Body approved the following names for inclusion on the Indicative List of Governmental and Non-Governmental Panelists.⁵

COUNTRY	NAME	SECTORAL EXPERIENCE
CROATIA	ŠARČEVIĆ, Mr. P	Trade in Goods and Services
EUROPEAN COMMUNITIES		
BELGIUM	ZONNEKEYN, Mr. G.A.	Trade in Goods
UNITED KINGDOM	QURESHI, Mr. A.H.	Trade in Goods
HONG KONG, CHINA	CHEUNG, Mr. P.K.F.	TRIPS
	LEUNG, Ms. A.K.L.	TRIPS
	LITTLE, Mr. D.	Trade in Goods and Services
	SELBY, Mr. S.R.	TRIPS
URUGUAY	WHITELAW, Mr. J.A.	Trade in Goods

⁵WT/DSB/19 and Add.1, Add.2, Add.3 and Add.4.

Dispute Settlement Body

19 December 2002

**PROPOSED NOMINATIONS FOR THE INDICATIVE LIST OF
GOVERNMENTAL AND NON-GOVERNMENTAL PANELISTS**

The following additional names have been proposed for inclusion on the Indicative List of Governmental and Non-Governmental Panelists in accordance with Article 8.4 of the DSU.⁶

COUNTRY	NAME	SECTORAL EXPERIENCE
COLOMBIA	OROZCO, Ms. A.M. BARBERI, Mr. F.	Trade in Goods Trade in Goods
ECUADOR	CEVALLOS, Mr. A.P.	Trade in Goods
NEW ZEALAND	FARRELL, Mr. R.	Trade in Goods

⁶Curricula Vitae containing more detailed information are available on request from the WTO Secretariat (Council and Trade Negotiations Division – Room 3105).

**Dispute Settlement Body
19 December 2002**

**PROPOSED NOMINATIONS FOR THE INDICATIVE LIST OF
GOVERNMENTAL AND NON-GOVERNMENTAL PANELISTS**

Corrigendum

In the proposed nominations for the Indicative List of Governmental and Non-Governmental Panelists (WT/DSB/W/215), the name under Ecuador should read as follows:

COUNTRY	NAME	SECTORAL EXPERIENCE
ECUADOR	PINOARGOTE CEVALLOS, Mr. A.	Trade in Goods

**Organe de règlement des différends
19 décembre 2002**

**LISTE INDICATIVE DE PERSONNES AYANT OU NON DES ATTACHES
AVEC DES ADMINISTRATIONS NATIONALES APPELÉES À FAIRE
PARTIE DE GROUPES SPÉCIAUX - DÉSIGNATIONS PROPOSÉES**

Corrigendum

Dans les désignations proposées pour la liste indicative de personnes ayant ou non des attaches avec des administrations nationales appelées à faire partie de groupes spéciaux (WT/DSB/W/215), le nom indiqué pour l'Équateur doit se lire comme suit:

PAYS	NOM	EXPÉRIENCE SECTORIELLE
ÉQUATEUR	M. A. PINOARGOTE CEVALLOS	Commerce des marchandises

**Órgano de Solución de Diferencias
19 de diciembre de 2002**

**CANDIDATURAS PROPUESTAS PARA SU INCLUSIÓN EN LA LISTA INDICATIVA
DE EXPERTOS GUBERNAMENTALES Y NO GUBERNAMENTALES
QUE PUEDEN SER INTEGRANTES DE GRUPOS ESPECIALES**

Corrigendum

En las candidaturas propuestas para su inclusión en la lista indicativa de expertos gubernamentales y no gubernamentales que pueden ser integrantes de grupos especiales (WT/DSB/W/215), el nombre correspondiente al epígrafe "Ecuador" debe ser el siguiente:

PAÍS
ECUADOR

NOMBRE
PINOARGOTE CEVALLOS, Sr. A.

EXPERIENCIA SECTORIAL
Comercio de Mercancías

WORLD TRADE ORGANIZATION

WT/DSB/W/220
7 February 2003
(03-0833)

Dispute Settlement Body
19 February 2003

PROPOSED NOMINATIONS FOR THE INDICATIVE LIST OF GOVERNMENTAL AND NON-GOVERNMENTAL PANELISTS

The following additional names have been proposed for inclusion on the Indicative List of Governmental and Non-Governmental Panelists in accordance with Article 8.4 of the DSU.⁷

COUNTRY	NAME	SECTORAL EXPERIENCE
SWITZERLAND	ADDOR, Mr. F. BREINING, Ms. Ch. TSCHÄNI, Mr. H.	TRIPS Trade in Services Trade in Goods

⁷Curricula Vitae containing more detailed information are available on request from the WTO Secretariat (Council and Trade Negotiations Committee Division – Room 3105).

WORLD TRADE ORGANIZATION

WT/DSB/W/223
7 March 2003
(03-1330)

Dispute Settlement Body
18 March 2003

PROPOSED NOMINATION FOR THE INDICATIVE LIST OF GOVERNMENTAL AND NON-GOVERNMENTAL PANELISTS

The following name has been proposed for inclusion on the Indicative List of Governmental and Non-Governmental Panelists in accordance with Article 8.4 of the DSU.⁸

COUNTRY	NAME	SECTORAL EXPERIENCE
BRAZIL	BARTHEL-ROSA, Mr. P.	Trade in Goods

⁸Curriculum Vitae containing more detailed information is available on request from the WTO Secretariat (Council and Trade Negotiations Division – Room 3105).

Dispute Settlement Body

15 April 2003

**PROPOSED NOMINATION FOR THE INDICATIVE LIST OF
GOVERNMENTAL AND NON-GOVERNMENTAL PANELISTS**

The following name has been proposed for inclusion on the Indicative List of Governmental and Non-Governmental Panelists in accordance with Article 8.4 of the DSU.⁹

COUNTRY	NAME	SECTORAL EXPERIENCE
BOLIVIA	ZELADA CASTEDO, Mr. A.	Trade in Goods

⁹Curriculum Vitae containing more detailed information is available on request from the WTO Secretariat (Council and Trade Negotiations Committee Division – Room 3105).

WORLD TRADE ORGANIZATION

WT/DSB/W/231
13 June 2003
(03-3087)

Dispute Settlement Body
24 June 2003

PROPOSED NOMINATION FOR THE INDICATIVE LIST OF GOVERNMENTAL AND NON-GOVERNMENTAL PANELISTS

The following name has been proposed for inclusion on the Indicative List of Governmental and Non-Governmental Panelists in accordance with Article 8.4 of the DSU.¹⁰

COUNTRY	NAME	SECTORAL EXPERIENCE
E U R O P E A N C O M M U N I T I E S		
UNITED KINGDOM	ROBERTS, Mr. D.F.	Trade in Goods

¹⁰Curriculum Vitae containing more detailed information is available on request from the WTO Secretariat (Council and Trade Negotiations Committee Division – Room 3105).

Dispute Settlement Body

21 July 2003

**PROPOSED NOMINATION FOR THE INDICATIVE LIST OF
GOVERNMENTAL AND NON-GOVERNMENTAL PANELISTS**

The following name has been proposed for inclusion on the Indicative List of Governmental and Non-Governmental Panelists in accordance with Article 8.4 of the DSU.¹¹

COUNTRY	NAME	SECTORAL EXPERIENCE
PERU	Belaúnde G., Mr. V.A.	TRIPS

¹¹Curriculum Vitae containing more detailed information is available on request from the WTO Secretariat (Council and Trade Negotiations Committee Division – Room 3105).

WORLD TRADE

ORGANIZATION

WT/DSB/W/235

11 July 2003

(03-3729)

Dispute Settlement Body

21 July 2003

PROPOSED NOMINATION FOR THE INDICATIVE LIST OF GOVERNMENTAL AND NON-GOVERNMENTAL PANELISTS

The following name has been proposed for inclusion on the Indicative List of Governmental and Non-Governmental Panelists in accordance with Article 8.4 of the DSU.¹²

COUNTRY	NAME	SECTORAL EXPERIENCE
PERU	Belaúnde G., Mr. V.A.	TRIPS

¹²Curriculum Vitae containing more detailed information is available on request from the WTO Secretariat (Council and Trade Negotiations Committee Division – Room 3105).

WORLD TRADE

ORGANIZATION

WT/DSB/W/239

19 August 2003

(03-4318)

Dispute Settlement Body

29 August 2003

**PROPOSED NOMINATION FOR THE INDICATIVE LIST OF
GOVERNMENTAL AND NON-GOVERNMENTAL PANELISTS**

The following name has been proposed for inclusion on the Indicative List of Governmental and Non-Governmental Panelists in accordance with Article 8.4 of the DSU.¹³

COUNTRY	NAME	SECTORAL EXPERIENCE
LIECHTENSTEIN	Ziegler., Mr. A.R.	Trade in Services; TRIPS

s

¹³Curriculum Vitae containing more detailed information is available on request from the WTO Secretariat (Council and Trade Negotiations Committee Division – Room 3105).

MEMBERSHIP OF THE WTO APPELLATE BODY

The membership of the WTO Appellate Body is as follows:

Mr. G M Abi-Saab (Egypt),
Professor Luiz Olavo Baptisa, (Brazil)
Merit E. Janow , (United States)
Mr. Yasuhei Taniguchi (Japan),

Mr. James Bacchus (United States),
Mr. A V Ganesan (India),
Mr. John S. Lockhart,(Australia)
Professor Giorgio Sacerdoti, (EU)

BIOGRAPHICAL NOTES:

Georges Michel Abi-Saab

Born in Egypt on 3 June 1933, Georges Michel Abi-Saab is Professor of International Law at the Graduate Institute of International Studies in Geneva, Honorary Professor at Cairo University's Faculty of Law, and a Member of the Institute of International Law.

Mr Abi-Saab served as consultant to the Secretary-General of the United Nations for the preparation of two reports on "Respect of Human Rights in Armed Conflicts" (1969 and 1970), and for the report on "Progressive Development of Principles and Norms of International Law relating to the New International Economic Order" (1984). He has also served as a Judge on the Appeals Chamber of the International Criminal Tribunals for the former Yugoslavia and for Rwanda, and as a Member of the Administrative Tribunal of the International Monetary Fund and of various international arbitral tribunals.

Mr Abi-Saab is the author of two courses at the Hague Academy of International Law, and of several books and articles, including "International Crises and the Role of Law: The United Nations Operation in the Congo 1960-1964" (Oxford University Press 1978).

James Bacchus

James Bacchus of the United States, born 1949, is an attorney who has been closely involved with international trade matters in both his public and professional careers for more than twenty years.

During his tenure in the US Congress, where he served two terms of office in the House of Representatives from 1991-1994, he was appointed to the ad hoc Trade Policy Coordinating Committee. From 1979-1981, he had served as Special Assistant to the United States Trade Representative Reubin Askew. Since leaving Congress in January 1995, Mr. Bacchus has returned to the Florida-based private law firm of Greenberg Traurig where he began his legal career before he joined the USTR in 1979. He has practiced widely in the areas of corporate banking and international law.

Mr. Bacchus' educational distinctions include Bachelor of Arts with High Honours in History, Vanderbilt University, 1971; Master of Arts in History, Yale University, 1973 and Woodrow Wilson Fellow; and Juris Doctor, Florida State University College of Law, 1978. He has been the Thomas P. Johnson Distinguished Visiting Scholar at Rollins College in Florida, and remains an Adjunct Professor in the Department of Politics at Rollins, where he teaches political philosophy and public policy on a variety of issues including international trade.

Luiz Olavo Baptista

Born in Brazil on 24 July 1938, Luiz Olavo Baptista is Professor of Law at the Department of International Law, University of Sao Paulo Law School. He has been practising law for more than thirty

years as lawyer, counsel and arbitrator in Brazil and abroad, advising corporations, governments and individuals.

Professor Baptista obtained Full Professorship of International Law in Sao Paulo University Law School in 1993, and has written many books and articles concerning new and complex legal issues, particularly those related to international business, trade and foreign investments.

Professor Baptista was one of the pioneers in studying international arbitration in Brazil, and has a long experience in arbitration procedures in different jurisdictions. He participates as a member of the arbitral corps of several associations, and has acted as advisor for Brazilian and international organizations. He also has extensive experience in the issuance of legal opinions, structuring and preparation of merger and acquisition and joint ventures agreements.

Arumugamangalam Venkatachalam Ganesan

Born in India on 7 June 1935, Arumugamangalam Venkatachalam Ganesan served in the Government of India for 34 years until his retirement on 30 June 1993. During his long career, he held various positions in his Government and at the United Nations Headquarters in New York, including: Commerce Secretary (1991-1993) in charge of India's foreign trade policy and chief negotiator of India in the Uruguay Round; Civil Aviation Secretary (1990-1991); Additional Secretary at the Ministry of Industry (1986-1989) in charge of industrial policies, foreign investment in India, administration of India's laws on patents, designs and trade marks, closely associated with the TRIPS agenda in the Uruguay Round; and Inter-Regional Adviser (1980-1985) at the United Nations Centre on Transnational Corporations in New York.

Since his retirement from government service, Mr Ganesan has been active as a consultant for the UNDP and for the private and public sectors in India. He was, until recently, a member of the Permanent Group of Experts under the WTO Agreement on Subsidies and Countervailing Measures; a member of the Indian Government's Trade Advisory Committee on multilateral trade negotiations; and a member of a WTO dispute settlement panel examining the European Communities' complaint against Section 110(5) of the US Copyright Act.

Mr Ganesan has written numerous newspaper articles and monographs dealing with the Uruguay Round, the WTO and the Seattle Ministerial Conference. He is the author of several papers on trade and investment issues published by various UN agencies such as UNCTAD and UNIDO, and has contributed to many books published in India concerning the Uruguay Round and intellectual property rights.

Merit E. Janow

Born in the United States on 13 May 1958, Ms Merit E. Janow has been since 1994 Professor in the Practice of International Economic Law and International Affairs at the School of International and Public Affairs of Columbia University. She teaches advanced law courses in international trade and comparative antitrust law along with courses on international trade policy.

Before joining Columbia's faculty in 1994, Ms Janow was Deputy Assistant US Trade Representative for Japan and China (1990-93), and worked as a corporate lawyer specializing in mergers and acquisitions with the law firm Skadden, Arps, Slate, Meagher & Flom in New York (1988-90).

Ms Janow is the author of several books and has contributed chapters to more than a dozen books. She grew up in Tokyo, Japan, and speaks Japanese. Ms Janow served as a WTO panellist from September 2001 to May 2002 in the dispute European Communities — Trade Description of Sardines (WT/DS231).

John S. Lockhart

Born in Australia on 2 October 1935, John S Lockhart has been Executive Director at the Asian Development Bank in the Philippines since July 1999, working closely with developing member countries on the development of programmes directed at poverty alleviation through the promotion of economic growth. His other duties at the ADB include the development of law reform programmes and provision of advice on legal questions, notably the interpretation of the ADB's Charter, international treaties and UN instruments.

Prior to joining the ADB, Mr Lockhart served as Judicial Reform Specialist at the World Bank focusing on strengthening legal and judicial institutions and working closely with developing countries and economies in transition in their projects of judicial and legal reform.

Since graduating in law from the University of Sydney in 1958, Mr Lockhart's professional experience has included: Judge, Federal Court of Australia (1978-1999); President of the Australian Competition Tribunal (1982-1999); Deputy President of the Australian Copyright Tribunal (1981-1997); and Queen's Counsel, Australia and the United Kingdom Privy Council (1973-1978).

Yasuhei Taniguchi

Born in Japan on 26 December 1934, Yasuhei Taniguchi is Professor of Law at Tokyo Keizai University, and an Attorney at Law in Tokyo. He has been a Visiting Professor at several universities, including: University of Hong Kong; Georgetown University Law Center, Washington DC; Stanford Law School, University of California; Murdoch University, Perth; University of Melbourne; Harvard Law School; University of Paris XII; and New York University School of Law.

Mr Taniguchi is affiliated to several legal institutions including the Japan Commercial Arbitration Association; International Council for Commercial Arbitration; the American Law Institute; and the Chartered Institute of Arbitrators. He has handled many international arbitration cases and is listed in the arbitrators' panel of the Japan Commercial Arbitration Association; the American Arbitration Association; the Hong Kong International Arbitration Centre; the China International Economic and Trade Arbitration Commission; and the Cairo Regional Centre of Commercial Arbitration.

He has written numerous books and articles in the fields of civil procedure, arbitration, judicial system/legal profession, and comparative/international law. His publications have appeared in Japanese, Chinese, English, French, Italian and German.

Giorgio Sacerdoti

Born in France on 2 March 1943, Giorgio Sacerdoti has been Professor of International Law and European Law at Bocconi University, Milan, Italy, since 1986.

Professor Sacerdoti has held various posts in the public sector including: Vice-Chairman of the OECD Working Group on Bribery in International Business Transactions (since 1999); Panellist at the International Centre for Settlement of Investment Disputes (since 1981); and Consultant to the Council of Europe (1996), UNCTAD (1998-2000), World Bank (1999-2000) in matters related to international investments, trade, bribery, development and good governance. In the private sector, he has often served as arbitrator and chairman of arbitration tribunals and in *ad hoc* arbitration proceedings for the settlement of international commercial disputes.

After graduating from the University of Milan with a law degree *summa cum laude* in 1965, Professor Sacerdoti gained a Master in Comparative Law from Columbia University Law School as a Fulbright Fellow in 1967. He was admitted to the Milan bar in 1969, and to the Supreme Court of Italy in 1979. He is a Member of the Committee on International Trade Law of the International Law Association.

Source: WTO Secretariat

Where to Find More Information on the WTO

Information about the WTO and trends in international trade is available to the public at the following Internet sites:

The USTR home page: <http://www.ustr.gov>

The WTO home page: <http://www.wto.org>

U.S. submissions are available electronically on the WTO website using the Document Dissemination Facility (DDF), which can retrieve an electronic copy by the "document symbol". Electronic copies of U.S. submissions are also available at the USTR website.

Examples of information available on the WTO home page include:

Descriptions of the Structure and Operations of the WTO, such as:

WTO Organizational Chart

Membership

Biographic backgrounds

General Council activities

WTO News, such as:

Status of dispute settlement cases

Schedules of future WTO meetings

Press Releases on Appointments to WTO Bodies, Appellate Body Reports and Panel Reports, and others

Summaries of Trade Policy Review Mechanism reports on individual Members' trade practices

Resources including Official Documents, such as:

Notifications required by the Uruguay Round Agreements

On-line document database where one can find and download official documents

Working Procedures for Appellate Review

Legal Texts of the WTO agreements

Special Studies on key WTO issues

WTO Annual Reports

Community/Forums, such as:

Media
NGO's

General public news and chat rooms

Trade Topics, such as:

Briefing Papers on WTO activities in individual sectors, including goods, services, intellectual property, and other topics

Disputes and Dispute Reports

WTO publications may be ordered directly from the following sources:

The World Trade Organization
Publications Services
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⁰ Interest earned in 2002 under the Early Payment Encouragement Scheme (L/6384) and to be deducted from the 2004 contribution.