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1 PARAGRAPH C OF THE TRADE POLICY REVIEW MECHANISM

1.1 Text of Paragraph C

C. Procedures for review

(i) The Trade Policy Review Body (referred to herein as the "TPRB") is hereby established to carry out trade policy reviews.

(ii) The trade policies and practices of all Members shall be subject to periodic review. The impact of individual Members on the functioning of the multilateral trading system, defined in terms of their share of world trade in a recent representative period, will be the determining factor in deciding on the frequency of reviews. The first four trading entities so identified (counting the European Communities as one) shall be subject to review every two years. The next 16 shall be reviewed every four years. Other Members shall be reviewed every six years, except that a longer period may be fixed for least-developed country Members. It is understood that the review of entities having a common external policy covering more than one Member shall cover all components of policy affecting trade including relevant policies and practices of the individual Members. Exceptionally, in the event of changes in a Member's trade policies or practices that may have a significant impact on its trading partners, the Member concerned may be requested by the TPRB, after consultation, to bring forward its next review.

(iii) Discussions in the meetings of the TPRB shall be governed by the objectives set forth in paragraph A. The focus of these discussions shall be on the Member's trade policies and practices, which are the subject of the assessment under the review mechanism.

(iv) The TPRB shall establish a basic plan for the conduct of the reviews. It may also discuss and take note of update reports from Members. The TPRB shall establish a programme of reviews for each year in consultation with the Members directly concerned. In consultation with the Member or Members under review, the Chairman may choose

discussants who, acting in their personal capacity, shall introduce the discussions in the TPRB.

- (v) The TPRB shall base its work on the following documentation:
- (a) a full report, referred to in paragraph D, supplied by the Member or Members under review;
 - (b) a report, to be drawn up by the Secretariat on its own responsibility, based on the information available to it and that provided by the Member or Members concerned. The Secretariat should seek clarification from the Member or Members concerned of their trade policies and practices.
- (vi) The reports by the Member under review and by the Secretariat, together with the minutes of the respective meeting of the TPRB, shall be published promptly after the review.
- (vii) These documents will be forwarded to the Ministerial Conference, which shall take note of them.

1.2 Paragraph C(i): Trade Policy Review Body

1.2.1 Establishment

1. The Trade Policy Review Body (TPRB) is established by Paragraph C(i) of the Trade Policy Review Mechanism (TPRM) and its composition and Rules of Procedure are based on Article IV:4 of the Marrakesh Agreement Establishing the World Trade Organization (WTO Agreement), which provides that:

"[t]he General Council shall convene as appropriate to discharge the responsibilities of the Trade Policy Review Body provided for in the TPRM. The Trade Policy Review Body may have its own chairman and shall establish such rules of procedure as it deems necessary for the fulfilment of those responsibilities."

1.2.2 Rules of Procedure

2. The TPRB adopted its Rules of Procedure at its meeting of 6 June 1995¹ and revised these Rules on 5 October 2005², 10 November 2008³, 27 January 2012⁴, and 15 June 2017.⁵ The TPRB follows, *mutatis mutandis*, the Rules of Procedure for the General Council⁶ with certain exceptions regarding the timing of meetings, advance notice for agendas, and conduct of reviews. The amended text of the Rules of Procedure is as follows:

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

Chapter I - Meetings

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

¹ The text of the adopted Rules of Procedure can be found in [WT/TPR/6](#).

² [WT/TPR/6/Rev.1](#).

³ [WT/TPR/6/Rev.2](#).

⁴ [WT/TPR/6/Rev.3](#).

⁵ [WT/TPR/6/Rev.4](#).

⁶ [WT/L/161](#).

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

(footnote original) ² Annex 3 to the Marrakesh Agreement establishing the World Trade Organization.

Chapter II - Agenda

4. The convening notice containing the proposed agenda for each review meeting of the TPRB shall be circulated to all Members not later than five weeks for current timelines and eight weeks for alternative timelines before the relevant meeting.

5. The trade monitoring meetings will have a regular item on the agenda which gives an opportunity for Members to provide brief reports on significant changes in their trade policies between reviews, in the manner as envisaged in Section D of Annex 3 to the Marrakesh Agreement Establishing the WTO. Members volunteering to provide these reports shall inform the Secretariat not less than ten calendar days before the relevant meeting.

6. For both review and trade monitoring meetings, matters to be raised under "Other Business" shall be communicated to the Chairperson or the Secretariat not less than ten calendar days before the relevant meeting.

Chapter V - Officers

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

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

9. If the Chairperson and the Vice-Chairperson can no longer perform the functions of the office, the TPRB shall designate an interim Chairperson in accordance with paragraph 8 to perform those functions pending the election of a new Chairperson.

Chapter VI - Conduct of Business

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

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

12. A review meeting shall take place in two sessions (each typically half a day) with a day in between. While retaining the existing elements of the second session, Members may explore ways of adding value to it by offering to include, on a voluntary basis, innovative elements to the programme for their reviews, such as a question-and-answer session where Members could pose questions relating to the trade policy of the Member under review, or a panel discussion on elements of that trade policy. In all cases, details

of these elements, including the format and scope of questions to be considered and the make-up of any panel, will be determined by the Member under review and will be conducted in informal mode.

13. Both the current timelines and the alternative timelines (shown in Annex 1) will remain as options for the submission of written questions and answers. The choice will be made by the Member under review at the time of agreeing on the date of review.

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

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

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

17. Members are encouraged to submit their written questions in as few batches as possible, and ideally in just one batch. In order to improve the coherence of their written questions, Members should group them into the following three categories: those related to the Secretariat report; those concerning the Government report; and other questions (as per template in Annex 2). Where the questions relate to the Secretariat or Government reports, they should refer to the paragraph numbers in these reports. Members are to follow these rules for the submission of questions, until a formal decision is taken to launch the new IT system which is being developed by the Secretariat for the submission of questions and answers, as envisaged in the Sixth Appraisal. Members will also continue to exercise restraint in raising questions.

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

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

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

21. Delegations that have submitted written questions will be invited by the Chairperson to speak first, in the order in which the written questions were received. In the event of more than one batch of questions, the timing of the receipt of the final batch will determine the order of speakers. Delegations not submitting written questions will continue to speak second, in the order in which their flags are raised. On the day before each review meeting, the Secretariat will post on the WTO Members' website a provisional list of speakers for the first session of that meeting, for Members' advance information.

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

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

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

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

Chapter IX - Records

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

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

ANNEX 1

Timelines for Distribution and Receipt of Documents

	Weeks (working days) before TPRB	
	Current	Alternative
Secretariat and Government Reports to translation	9	12
Distribution of Reports to Members	5	8
Receipt of Written Questions from Members	2	5
Receipt of Written Answers from Member under Review	By the start of the meeting	1
Dissemination of Written Answers, Notes, etc. ^a (working days)	(0)	(4)

a Secretariat's list of subjects covered by advance written questions and Addendum (if necessary) to the Secretariat and Government Reports.

ANNEX 2

Proposed Format of Written Questions for Reference

TRADE POLICY REVIEW OF MEMBER A

WRITTEN QUESTIONS FROM MEMBER B

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

1.2.3 Overview of activities

1.2.3.1 Reviews

By the end of 2019, the TPRB has conducted 501 reviews since its inception in 1989, at 389 review meetings. The reviews have covered 157 out of 164 Members.⁷ The TPRB has conducted reviews of 16 Members in 2019, including a joint review of the members of the East Africa Community (EAC) (Burundi, Kenya, Rwanda, Tanzania y Uganda).⁸

ANNEX 3

Trade policy reviews conducted in 2019⁹

Member	Meeting date	Review cycle (years)
Ecuador ^a (3)	5 and 7 March	7
East African Community (EAC) – Burundi ^b (3), Kenya (5), Rwanda ^b (3), Tanzania ^b (4), and Uganda ^b (5)	20 and 22 March	7
Bangladesh ^{a,b} (5)	3 and 5 April	7
Samoa ^a (1)	10 and 12 April	7
Papua New Guinea (3)	8 and 10 May	7
Trinidad and Tobago ^a (4)	22 and 24 May	7
Canada ^a (11)	12 and 14 June	5
North Macedonia, Republic of (2)	15 and 17 July	7
Suriname (3)	11 and 13 September	7
Costa Rica ^a (5)	18 and 20 September	7
Peru ^a (5)	22 and 24 October	7
Lao People's Democratic Republic ^b (1)	18 and 20 November	7

Note: Figures in parentheses indicate the total number of reviews that will have been conducted by the end of 2019.

- a Alternative timeline.
b Least-developed Member.

1.2.3.2 Reporting

3. The TPRB issues annual reports assessing the TPRM and trade policy reviews conducted during the year.¹⁰

1.3 Paragraph C(ii): Periodic reviews

1.3.1 Timing and frequency of reviews

4. In the course of the Sixth Appraisal, Members were informed by the Secretariat that:

⁷ The Members not yet reviewed by end-2019 are Afghanistan; Cuba; Kazakhstan; Liberia; Seychelles; Tajikistan (to be reviewed in 2020); and Yemen.

⁸ [WT/TPR/440](#).

⁹ [WT/TPR/440](#).

¹⁰ [WT/TPR/27](#) for 1996, [WT/TPR/41](#) for 1997, [WT/TPR/59](#) for 1998, [WT/TPR/69](#) for 1999, [WT/TPR/86](#) for 2000, [WT/TPR/101](#) for 2001, [WT/TPR/122](#) for 2002, [WT/TPR/140](#) for 2003, [WT/TPR/154](#) for 2004, [WT/TPR/173](#) for 2005, [WT/TPR/192](#) for 2006, [WT/TPR/213](#) for 2007, [WT/TPR/232](#) for 2008, [WT/TPR/249](#) for 2009, [WT/TPR/269](#) for 2010, [WT/TPR/284](#) for 2011, [WT/TPR/306](#) for 2012, [WT/TPR/321](#) for 2013, [WT/TPR/340](#) for 2014, [WT/TPR/361](#) for 2015, [WT/TPR/387](#) for 2016, [WT/TPR/407](#) for 2017, [WT/TPR/426](#) for 2018, and [WT/TPR/440](#) and [WT/TPR/440/Corr.1](#) for 2019.

"[G]iven the increasing number of WTO Members, the current review cycles (2, 4 or 6 years) meant that some 24 reviews had to be completed each year. This was already stretching the resources of both Members and the Secretariat to the limit, and building up backlogs. The Secretariat anticipated that, once all the countries currently in the accession proceedings had become WTO Members, the number of TPRs required would increase to 30 per year, which would not be sustainable in the long run."¹¹

5. As a result of the Sixth Appraisal, it was decided to change the current cycle of reviews, which has Members undergoing a trade policy review (TPR) every two, four, or six years, depending on the size of each Member's economy, to three, five or seven years, respectively.¹² Accordingly, on 26 July 2017, the General Council adopted a decision pursuant to Article X:8 of the WTO Agreement¹³ to amend the English, French, and Spanish versions of paragraph C(ii) of the TPRM contained in Annex 3 to the WTO Agreement as follows:

(a) the phrases "every two years", "tous les deux ans", and "cada dos años" shall be replaced with "every three years", "tous les trois ans", and "cada tres años", respectively, in the English, French, and Spanish versions of the third sentence of paragraph C(ii);

(b) the phrases "every four years", "tous les quatre ans", and "cada cuatro años" shall be replaced with "every five years", "tous les cinq ans", and "cada cinco años", respectively, in the English, French, and Spanish versions of the fourth sentence of paragraph C(ii); and

(c) the phrases "every six years" and "cada seis años" shall be replaced with "every seven years" and "cada siete años", respectively, in the English and Spanish versions of the fifth sentence of paragraph C(ii), and the phrase "tous les six ans" shall be replaced with "tous les sept ans" in the French version of the fourth sentence of paragraph C(ii).¹⁴

6. As a result of the Decision, the amended English version, of paragraph C(ii) of the TPRM contained in Annex 3 to the WTO Agreement shall read as follows:

"(ii) The trade policies and practices of all Members shall be subject to periodic review. The impact of individual Members on the functioning of the multilateral trading system, defined in terms of their share of world trade in a recent representative period, will be the determining factor in deciding on the frequency of reviews. The first four trading entities so identified (counting the European Communities as one) shall be subject to review every three years. The next 16 shall be reviewed every five years. Other Members shall be reviewed every seven years, except that a longer period may be fixed for least-developed country Members. It is understood that the review of entities having a common external policy covering more than one Member shall cover all components of policy affecting trade including relevant policies and practices of the individual Members. Exceptionally, in the event of changes in a Member's trade policies or practices that may have a significant impact on its trading partners, the Member concerned may be requested by the TPRB, after consultation, to bring forward its next review."

¹¹ [WT/MIN\(17\)/9](#), para. 2.3.

¹² [WT/MIN\(17\)/9](#), para. 2.4.

¹³ The General Council's amendment decision is contained in document [WT/L/1014](#). Its adoption was based on a proposal submitted to the General Council by the Trade Policy Review Body in document [WT/TPR/399](#).

¹⁴ [WT/L/1014](#), para. 1.

7. This new arrangement will be phased in starting from 2019.¹⁵ This is the first amendment to the TPRM since it was established in 1989 under the General Agreement on Tariffs and Trade (GATT) and made permanent under the WTO as part of the 1994 Uruguay Round agreements.¹⁶

8. Paragraph 3 of the TPRB Rules of Procedure provides as follows:

"The cycle of reviews provided for in Paragraph C (ii) of the Agreement on the Trade Policy Review Mechanism (TPRM) shall be applied with a general flexibility of up to six months, if and as may be necessary. Schedules of subsequent reviews shall be established counting from the date of the previous review meeting. Members should adhere strictly to the timetables for the preparation of reviews, once agreed."¹⁷

9. In the context of the Sixth Appraisal, Members noted that "notwithstanding the revised review cycles (Conclusion (1) below), the general flexibility of up to six months provided for in the Rules of Procedure for Meetings of the TPRB3 would remain unchanged."¹⁸

1.3.2 "[R]eview of entities having a common external policy"

10. A Note by the Chairperson dated 13 December 1995 stated that "individual reviews must remain the basis of the TPRM. At this stage there is no support for reviews of regional entities other than the EU."¹⁹ However, the 1999 TPRB Report on the First Appraisal of the TPRM suggested that "Efforts to maximize efficiency might include: (i) a more considered use of grouped reviews ..." ²⁰ In addition, the 2005 Report on the Second Appraisal of the TPRM welcomed "the use of grouped reviews as an instrument to make a more efficient use of resources and generate greater interest in the reviews of smaller Members" and encouraged "the identification of further opportunities for reviews of geographically or economically close trading partners, while taking due account of their rights and obligations as individual WTO Members."²¹

11. In the Third Appraisal, it was decided to group the reviews of several Members into one TPRB meeting where such a grouping is justified by, for example, the Members' participation in a regional trade or economic agreement and those Members agreeing to being grouped. In the Fourth Appraisal, it was noted that progress had been made in grouping reviews of some countries into one meeting, while maintaining the individuality and completeness of their TPR reports by the Secretariat.²² As a result, the Secretariat continues to group the reviews of Members into one TPRB meeting where Members agree to be grouped and such a grouping is justified by, for example, the Members' participation in a regional trade or economic agreement.²³

12. Since 1995, the TPRB has conducted reviews of the European Union and its member States. In addition, the TPRB has conducted group reviews of the WTO Members of (i) the South African Customs Union ("SACU"), (ii) the Organisation of Eastern Caribbean States ("OECS"), (iii) the East African Community (EAC), the Central African Economic and Monetary Community (CEMAC) and (iv) WAEMU. In these cases, the Secretariat produced individual TPR reports for each WTO Member of the group. The TPRB has also conducted joined reviews of Switzerland and Liechtenstein; Cameroon and Gabon; Benin, Burkina Faso and Mali; Belize and Suriname; Niger and Senegal; and Guinea and Mauritania; Guinea-Bissau and Togo; Bahrain, Oman and Qatar; Ghana and Sierra Leone; and Djibouti and Mauritius.

¹⁵ In accordance with paragraph 2 of the General Council's Decision, "[t]he amendments set out in paragraph 1 of this Decision shall take effect for all WTO Members, in accordance with the provisions of paragraph 8 of Article X of the WTO Agreement, on 1 January 2019." ([WT/L/1014](#), para. 2).

¹⁶ [WT/TPR/407](#), para. 2.

¹⁷ [WT/TPR/6/Rev.4](#), para. 3.

¹⁸ [WT/MIN\(17\)/9](#), para. 2.3.

¹⁹ [WT/TPR/13](#), para. 11. The Note, however, states that "[t]he general feeling was that national trade policy reviews should not be confused with analyses of regional agreements under Article XXIV of GATT 1994 and Article V of GATS." ([WT/TPR/13](#), para. 9.)

²⁰ [WT/MIN\(99\)/2](#), para. 15.

²¹ [WT/MIN\(05\)/1](#), para. 14.

²² [WT/MIN\(11\)/6](#), para. 18.

²³ [WT/MIN\(13\)/5](#), para. 3.15.

1.3.3 Reviews of least-developed country Members

13. The TPRB's 2010 annual report notes:

"8. Trade Policy Reviews of LDCs have increasingly performed a technical assistance function along with increasing understanding of the trade policy structure in place and its relationship with the WTO Agreements. The reviews have helped to enhance understanding in these countries of the WTO Agreements, enabling better compliance and integration in the multilateral trading system; in some cases, better interaction between government agencies has been facilitated by the reviews. The reports' wide coverage of Members' policies also enables Members to identify any shortcomings in policy, and specific areas where further technical assistance may be required. The Secretariat Report includes a section on technical assistance and aid-for-trade needs and priorities, as identified in cooperation with the Member concerned, prepared in close collaboration with staff of the secretariat of the Enhanced Integrated Framework as well as the WTO's Development Division and Institute for Training and Technical Cooperation.

9. When requested by the Member concerned, the Secretariat organizes ex-post seminars to discuss the outcome of the trade policy review process with domestic stakeholders."²⁴

14. The TPRB's 2017 annual report notes that:

"10. Trade Policy Reviews of LDCs had been beneficial to them in terms of improving their understanding of WTO Agreements, as well as encouraging their compliance with, and integration into, the multilateral trading system. Of the 36 least-developed Members of the WTO, 31 were reviewed by the end of 2017.

11. At the request of the Member concerned, the Secretariat organizes follow-up workshops to discuss and further disseminate the outcome of its Trade Policy Review with domestic stakeholders. Building on the success of the Myanmar and Pakistan follow-ups in 2015, the WTO Secretariat has enhanced its approach. In addition to further disseminating the results/outcomes of the Review, the Secretariat also works closely with the Member under review, upon its request, to plan for the workshop to reflect its priorities and technical assistance needs, on the basis of the TPR reports and the discussions at the TPRB. In 2017, five follow-up workshops for Chad, Guatemala, Honduras, Republic of Congo, and Solomon Islands were conducted. Also, there was a Regional Trade Policy Workshop in Myanmar which also included the participation of Bangladesh, Cambodia, Lao People's Democratic Republic, and Nepal."²⁵

1.4 Paragraphs C(iii)-(v): Conduct of reviews and reports

1.4.1 Conduct of reviews

15. The TPRB's Rules of Procedure sets out rules for conducting reviews. These are reproduced in paragraph 2 above. In the course of the various Appraisals of the TPRM, Members have provided guidance and suggestions concerning the conduct of reviews.²⁶

1.4.2 Reports by the Member or Members under review

16. The supply of Government Reports by the Member or Members under review is another requirement stipulated in Sections C and D of Annex 3 to the WTO Agreement. In the course of the various Appraisals of the TPRM, Members have provided guidance and suggestions concerning such reports.²⁷

²⁴ [WT/TPR/269](#), paras. 8-9.

²⁵ [WT/TPR/407](#), paras. 10-11.

²⁶ See the document on Paragraph F of the TPRM (Practice).

²⁷ See the document on Paragraph F of the TPRM (Practice).

1.4.3 Reports by the Secretariat

17. The TPRB's Rules of Procedure prescribe that "Secretariat reports should focus principally on the trade policies and practices of the Member under review, seen, to the extent necessary, in the context of overall macro-economic and structural policies."²⁸ On this subject, the TPRB's 2008 report on its Third Appraisal:

"Secretariat reports should remain closely focused on the trade policies and practices of the Member under review, considered against the background of its wider economic environment. The Secretariat should also continue to prepare comprehensive and focused reports that through objective, analytical presentations assist the TPRB to arrive at a collective, fully informed evaluation of a Member's trade policies.

"The TPRB saw scope for Secretariat reports to highlight more explicitly the significant changes made by the Member under review to the trade policies and practices discussed in its previous reviews."²⁹

18. In the course of the Sixth Appraisal, Members concluded that:

"(1) For Members reviewed on a 2-year cycle, the Secretariat Report may, as appropriate, focus on the implementation of issues highlighted in the last review, and on the actual changes on the ground due to new legislation entered into force or related to new issues arising from recent ministerial decisions of the WTO. For all Members, the scope of the Reports may, as appropriate, be limited to the extent possible to the changes in policies and focus on implementation of past recommendations. The above is on the understanding that the Reports are produced independently by the Secretariat on its own responsibility. The above is also without prejudice to the depth and breadth of the reports.

(2) The scope of the Secretariat Reports may include issues relevant to modern trade policies.

(3) For LDCs, the Secretariat Reports should integrate to the maximum extent possible the needs assessment and relevant Aid for Trade elements. Members are also encouraged to include in their Government Reports a new section on LDC issues, to briefly highlight issues in those reports which are considered to be of particular interest to LDC Members.

(4) On balance, Members prefer keeping Government Reports mandatory, as set out in Annex 3 to the Marrakesh Agreement Establishing the WTO."³⁰

1.4.4 Derestriction of reports

19. The TPRB's Rules of Procedure provide: "[r]eports by the Member under review and by the Secretariat shall be derestricted immediately on the expiry of the relevant press embargo; a Member under review may request the Chair to de-restrict the two reports at an earlier date."³¹

20. On the dissemination of reviews, the TPRB's report on its Second Appraisal of the TPRM states:

"The TPRB considered present dissemination practices as satisfactory but noted the value of building greater awareness within the wider public of TPRM work. The Secretariat was thus encouraged to publish the respective documentation in all WTO official languages within three months after the review meeting. Written questions and answers should be included in the final publication provided this does not create delays in the publication of documents. The published documentation, including that available

²⁸ [WT/TPR/6/Rev.4](#), para. 11.

²⁹ [WT/TPR/229](#), paras. 11-12.

³⁰ [WT/MIN\(17\)/9](#), para. 2.10.

³¹ [WT/TPR/6/Rev.4](#), para. 16.

through the WTO website, should reflect any revisions made after the distribution of the meeting documents."³²

1.5 Follow-up work

21. In the Fifth Appraisals, Members underlined the value, especially for least-developed countries (LDCs), of follow-up workshops to their TPRs and invited the Secretariat to report on, and provide an assessment of, the experiences of such activities.³³ In the Sixth Appraisal, Members heard feedback from LDCs, and noted their views that TPRs and follow-up seminars were very useful and important for them.³⁴

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Current as of: June 2020

³² [WT/MIN\(05\)/1](#), para. 16.

³³ [WT/MIN\(13\)/5](#), paras. 2.4, 3.18, and 4.4.

³⁴ [WT/MIN\(17\)/9](#), paras. 2.31-2.32.