Staff Working Paper: Research ERSD-2024-04 **31 May 2024**

World Trade Organization

Economic Research and Statistics Division

CANARY IN A COAL MINE: HOW TRADE CONCERNS AT THE GOODS COUNCIL REFLECT THE CHANGING LANDSCAPE OF TRADE FRICTIONS AT THE WTO

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Manuscript date: 08 May 2024

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Acknowledgements: This paper would not have been possible without all the effort our former colleague, Nana Ramazashvili, put into collecting the information. The authors would like to thank Anabel González, Petros C. Mavroidis and Robert Wolfe for their excellent suggestions, and to our colleagues Arti Gobind-Daswani, Carlo Cantore, Cédric Pene, Christiane Wolff, Dayong Yu, Devin McDaniels, Diwakar Dixit, Irina Tarasenko, Iryna Polovets, Isabel Calderón, Peter Pedersen, Roberta Lascari, Sahar Hosni Dawoud, and Simon Neumueller, for their helpful comments. Thanks also to Edward Carandang for his skilful assistance with the data extraction from the Trade Concerns Database.

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Canary in a Coal Mine: How trade concerns at the Goods Council reflect the changing landscape of trade frictions at the WTO

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Abstract

This paper studies the under-explored yet critical role of WTO's regular bodies, particularly focusing on the discussions of "trade concerns" within the Goods Council, its subsidiary bodies, as well as the General Council. These discussions are pivotal for the governance of international trade and are key in resolving trade frictions among WTO Members, going beyond the conventional realms of diplomatic negotiation and legal adjudication. By scrutinizing trade concerns deliberated within these bodies over the past 29 years, this paper provides insights into their indispensable function in enhancing policy transparency, facilitating constructive dialogue on trade measures, and offering a platform for members to voice concerns over the trade practices of others. Our analysis, based on a new methodology that focuses on the number of interventions rather than the number of trade concerns, uncovers a growing trend where Members are increasingly leveraging these discussions to navigate and mitigate trade tensions, even amidst institutional challenges such as the Appellate Body impasse, and illustrates how different groups of Members participate in these bodies. This phenomenon underscores the Goods Council's strategic position within the WTO structure, above the technical bodies and below its most political body, which has enabled it to become a useful barometer for the shifting dynamics of global trade frictions.

Keywords: Economic cooperation, Goods Council, trade concerns, specific trade concerns (STCs), trade disputes, trade frictions, transparency, development, trade diplomacy, WTO governance

JEL classification(s): F02, F13, F53, F55, K33.

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1 INTRODUCTION

Over the past year, World Trade Organization (WTO) Members and the Secretariat have made considerable efforts to improve the functioning of the regular bodies encompassing a framework of more than 40 Councils, Committees and Working Groups that oversee the implementation of the WTO agreements.[3] These discussions have highlighted the key role that these regular bodies play as fora for furthering transparency, discussing trade policy measures, and resolving trade frictions before they escalate into disputes. This paper will focus on the latter role.

The work of WTO regular bodies, in general, has not been the subject of in-depth research, and few attempts have been made to systematically study them[4], perhaps with the notable exception of the Committee on Sanitary and Phytosanitary Measures (SPS Committee) and the Committee on Technical Barriers to Trade (TBT Committee).[5] This is important since trade governance at the WTO is undertaken not only through litigation and formally established transparency mechanisms, like the trade policy review process but also through other means, such as the review of Members' notifications and related discussions among Members in various WTO bodies.[6] Further, as Wolfe puts it, the "…rule of law in trade does not only mean rule by adjudication…" but also includes "…monitoring and peer review [that] allows verification that differences in national law, policy, and implementation are consistent with the rules."[7] This forms a large part of the work typically undertaken in Committees and Councils. Many, but not all, regular WTO bodies allow Members to express concerns or complaints about measures introduced or to be introduced by other Members, which are increasingly referred to as "trade concerns" in the WTO jargon. Other bodies use the expression "specific trade concerns" or "STCs" to refer to a peer review system of certain measures which may or may not involve trade friction.[8] We attempt to highlight the slight distinctions between the two in subsequent sections.

In recent years, there has been a considerable increase both in the number of trade concerns and STCs (the difference between the two will be explained in Section 2) raised in different WTO bodies as a means of preventing or resolving trade frictions between Members. Several WTO bodies, such as the SPS and TBT Committees, use similar mechanisms to engage Members in discussions of draft measures where comments are sought from other Members or to discuss existing trade policy measures. Much of the discussion on trade concerns and STCs at the WTO until now, academic or otherwise, has largely focused on the SPS and TBT Committees. This is perhaps because these two bodies have the longest history of discussing STCs, and in the case of the TBT Committee, dating back to the GATT era. The high volume of STCs discussed in these bodies may be related to the fact that detailed information about the issues discussed in these fora has been publicly available for a long time. In contrast, other bodies have not, or only recently, made such information available.

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[3] WTO, organization chart <https://www.wto.org/english/thewto_e/whatis_e/tif_e/org2_e.htm> accessed 9 February 2024.

[4] Manfred Elsig, 'Functioning of the WTO: Mapping the Challenges and Asking the Hard Questions' (2013) E15Initiative, Geneva: International Centre for Trade and Sustainable Development (ICTSD) and World Economic Forum, p.6.

[5] See, for instance, Marianna B. Karttunen, *Transparency in the WTO SPS and TBT Agreements: The Real Jewel in the Crown* (Cambridge University Press 2020). For a discussion on STCs in the SPS and TBT Committees in the context of their role in dispute prevention, see Kateryna Holzer, 'Addressing Tensions and Avoiding Disputes: Specific Trade Concerns in the TBT Committee', (2019) 14(3) Global Trade and Customs Journal 102-116, and Petros C. Mavroidis, *The WTO Dispute Settlement System: How, Why and Where?* (Edward Elgar 2022) 449-464. For a discussion on regulatory cooperation, see, WTO-OECD, 'Facilitating trade through regulatory cooperation - The case of the WTO's TBT/SPS Agreements and Committees', (2019), and Arti G. Daswani and Karen Bucher, 'International regulatory cooperation: Contribution of the OIE and the WTO Agreement on the Application of Sanitary and Phytosanitary Measures and SPS Committee', (2020) 39(1) OIE Scientific and Technical Review, 47-55. See also, Devin McDaniels and Karttunen, Marianna, 'Trade, Testing and Toasters: Bringing Conformity Assessment Procedures into the Spotlight' (2016) 50(5) Journal of World Trade, 755–792.

[6] For more details on non-judicial governance in the WTO, see Andrew Lang and Joanne Scott, 'The Hidden World of WTO Governance' (2009) 20(3) European Journal of International Law 575-614.

[7] Robert Wolfe, 'Reforming WTO Conflict Management: Why and How to Improve the Use of 'Specific Trade Concerns'', (2020) 23(4) Journal of International Economic Law 817, 818.

[8] For a broad overview of trade concerns in WTO bodies, see, ibid, p. 822. See also, Overview of Developments in the International Trading Environment, Annual Report by the Director-General, WTO Doc. WT/TPR/OV/26 of 23 November 2023.

This problem with the lack of readily available information began changing in the year 2022 when the WTO Secretariat launched the 'Trade Concerns Database' (tradeconcerns.wto.org), which allows users to access information from different Committees through the same platform, thereby increasing transparency and facilitating cross-cutting analysis and comparisons. While the scope of this database initially focused on the SPS and TBT Committees, in 2022, its scope was expanded to include the Committee on Market Access (CMA) and, in 2023, the Committee on Import Licensing (CIL). The information concerning the Council for Trade in Goods (CTG or Goods Council) was included in the database in April 2024.

In this paper, we analyse newly collected data on trade concerns raised at the General Council and the Goods Council between 1995 and 2023 from different angles to identify, among others, key trends, Member participation, the types of issues covered, and the manner in which these two higher level bodies interact with their subsidiary bodies. We further discuss how trade concerns in the CTG differ from those raised at its subsidiary bodies and at the General Council, including in terms of their mandate, scope, and coverage of issues.

This paper brings attention, for the first time, to the trade concerns raised and discussed at the Goods Council and the General Council, their role in facilitating deliberations on trade policy measures, strengthening transparency, and, most importantly, these bodies serving as a forum for Members to discuss trade frictions. By employing a novel approach of counting interventions made by Members in the Goods Council to measure the degree of activity or "intensity" of the discussions around trade concerns, we uncover a growing trend where Members are increasingly leveraging these discussions to navigate and mitigate trade tensions, even amidst institutional challenges, such as the Appellate Body impasse, and illustrates how different groups of Members participate in these bodies.

Since the higher-level and cross-cutting bodies oversee the operation of the Committees mentioned above, and several Members are selective in terms of the type of issues that they elevate to them, trade concerns raised at the Goods Council and the General Council level provide an interesting opportunity to assess evolving trends in trade frictions at the WTO and the issues Members consider to be important. In terms of the types of issues raised, we find that there is a considerable increase in activity relating to political tensions and unilateral environment-related measures in the context of the Goods Council, while there has not been an equivalent increase in trade concerns at the General Council. This suggests that discussions of trade concerns at the Goods Council could serve as a proxy for the main issues affecting world trade in goods and their trends, as explored in this paper.

2 TRADE CONCERNS IN WTO BODIES – THE WHAT, WHY AND HOW?

It should be clarified that trade concerns are not "formal disputes in the legal sense of the term" and that Members do not have to raise trade concerns in WTO bodies before initiating disputes.[9] Some commentators have noted exchanges that take place in committees, including discussions on trade concerns raised by Members over each other's measures, are more often than not the first step in "diffus[ing] conflicts".[10] Others have described them as a "decentralized peer review of trade measures"[11]. Given their role in improving transparency and facilitating discussions among Members, some have also suggested utilising the "STC mechanism", as in place in certain WTO bodies, to deal with contentious issues, like those concerning national security, to address trade frictions among WTO Members.[12] However, at its core, trade concerns is a 'mechanism' that enhances transparency

[9] Henrik Horn, Petros C. Mavroidis, and Erik N. Wijkström, 'In the shadow of the DSU: Addressing specific trade concerns in the WTO SPS and TBT Committees' (2013) 47(4) Journal of World Trade 729.

[10] Kian C. Possada, Emmanuelle Ganne, and Roberta Piermartini, 'The Role of WTO Committees through the Lens of Specific Trade Concerns Raised in the TBT Committee' (2022) 21(4) World Trade Review 411, 412.

[11] Fabian Bohnenberger, 'What is the 'regular work'? Constructing and contesting everyday committee practices in the World Trade Organization' (2022) 29(6) Review of International Political Economy 2088, 2097.

[12] See, for instance, Bernard M. Hoekman, Petros C. Mavroidis, and Douglas R. Nelson, 'Geopolitical competition, globalisation and WTO reform' (2023) 46(5) The World Economy 1163–1188. They argue that specific trade concerns mechanism "offers a better path for addressing concerns raised by national security-motivated measures through peer-to-peer engagement as opposed to delegation to adjudicators in a dispute

in trade policy measures, increases accountability of governments and their measures, and may further encourage the adoption of good regulatory practices.[13]

Before we start our analysis, it is important to note that the terminology is not uniform. Different WTO bodies each act as a forum for WTO Members to discuss trade issues and have developed different practices to formalize dialogue, including using different terminology to describe their processes. There is no single definition of "trade concerns", and their role and scope vary from one WTO body to another. This is not surprising, as each body has its mandate and terms of reference in the WTO agreements that are, by nature, different in scope and coverage.

In the context of the Goods Council, the term "trade concerns" is generally used to describe trade frictions as defined in this paper[14], and since 2023, they have been discussed in a dedicated segment of their meetings. The scope of these concerns, in terms of substance and coverage, range from trade concerns on aspects of a measure, those pertaining to the measure itself or a series of measures taken by a Member. Trade concerns are included in the agenda of a formal CTG meeting when one or more WTO Members (the so-called "raising Members") seek to express a concern or complain over a measure that is already implemented or due to be implemented by another WTO Member (the so-called "responding Members"). Although a nearly identical review is undertaken at the General Council level, these types of discussion have, thus far, not been formally attributed a label and, as a result, are included and considered together with other agenda items.

In the context of the SPS and TBT Committees, STCs are a related but slightly different concept. As briefly mentioned above, the term was initially coined and agreed upon in the context of the SPS Committee and later adopted by the TBT Committee.[15] In practice, while most STCs relate to trade frictions, they also encompass other situations where Members seek additional information on a draft measure that has been notified and the process through which it will be implemented or require more time to comment on them, as provided for in the SPS and TBT Agreements.[16] This is a unique feature of these agreements and their respective notification systems where even draft measures are discussed, thereby reducing the likelihood of these disagreements being escalated to trade frictions, as defined for the purposes of this paper.[17] This is one of the reasons why some commentators have considered that they play a role in preventing disputes.[18]

More recently, the term STC is also used by the CMA and the CIL. However, unlike the SPS and TBT Committees, in these Committees, the term refers to trade frictions raised by Members in their meetings and, therefore, has the same scope as trade concerns that are raised at the CTG. It should finally be noted that there are also several other bodies that provide a platform for Members to discuss trade frictions and perform a peer review function but use a different label to describe their processes. For example, the Committee on Agriculture (CoA) has developed a dedicated "questions and answers" approach, which takes up a large portion of its meetings. These are related to either relevant notifications by Members or those raised under Article 18.6 of the Agreement on Agriculture

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settlement panel". Others have suggested the creation of a dedicated forum in the WTO, such as a Committee on National Security, to discuss issues related to national security. For more details see, Simon Lester and Inu Manak, 'A Proposal for a Committee on National Security at the WTO', (2020) 30(2) 30 Duke Journal of Comparative & International Law 267-281.

[13] Possada et. al (n 10) 412. On accountability and the WTO, see Robert Wolfe, 'An Anatomy of Accountability at the WTO,' (2015) 6(1) Global Policy 13-23.

[14] For the purposes of this paper, we define "trade frictions" to mean concerns regarding the perceived WTO incompatibility of a draft/final measure. The rationale for this approach centres on the type of trade concerns raised at the Goods Council, which are primarily trade frictions as defined here, and are the key focus of the paper.

[15] See Holzer (n 5) 107 and Karttunen (n 5) 95-97. Karttunen points out that while the term 'specific trade concern' was first officially used in the SPS Committee in 1997 and the TBT Committee in 2004, its history can be traced back to the GATT era.

[16] For instance, see Chart 32 of Note by the WTO Secretariat, WTO Doc. G/TBT/53 of 7 March 2024, which notes that most of the STCs raised in the TBT Committee between 1995-2022 related to the state of play of a measure, or clarification on certain elements thereof.

[17] Pertinent to note here is that it may not always be easy to distinguish whether STCs in certain Committees are raised for transparency purposes, seeking clarifications, or because of an element of 'concern'. It may quite possibly be the case that an STC raised initially as a simple transparency exercise transforms into a full-fledged trade friction when the responding Member provides additional information.

[18] See n 5.

on broader policy matters, now called 'specific implementation matter(s)'. Some of these concerns have also been elevated to the Goods Council.

Trade concerns and STCs also differ from the Trade Policy Review Mechanism, which is conducted by a dedicated body, the Trade Policy Review Body, for all WTO Members.[19] These reviews focus on all trade-related measures implemented by a particular Member, the frequency of each Member's review, i.e., in three, five- or seven-year cycles, varying according to its share of world trade. While this exhaustive exercise is very helpful for transparency and monitoring purposes and potentially identifying emerging issues in the WTO, it may not be well-suited for addressing imminent trade concerns.

For purposes of this paper, we will utilize the terminology used by each of the relevant bodies and focus on situations where one or more Members have requested the inclusion of an agenda item in a meeting to express concern over an introduced measure or to be introduced by another Member. The data used in this paper with respect to the CTG was collected by the Market Access Division and has been available since April 2024 through the Trade Concerns Database. The data concerning the General Council was collected by the authors directly from the minutes of this body.[20] The authors understand that the concept of these trade concerns coincides fully with the STCs raised in the CMA and the CIL. At the same time, STCs raised in the SPS and TBT Committees do not fully correspond to the same concept used in the paper (i.e., they do not necessarily always reflect trade frictions as defined in this paper), some comparisons have also been included for illustrative purposes.

Table 1. Comparison of types of discussions under trade concerns and STCs in selected WTO bodies (practice between 1995-2023)

WTO body	Name used to describe the discussions	Used to request more time to analyze a notification or draft measure and provide comments?	Used to request a clarification on a draft measure?	Normally used to express concern over the WTO compatibility of the draft/final measure? ("trade friction")
Committee on Import Licensing (CIL)	STCs	No	No	Yes
Committee on Market Access (CMA)	STCs	No	No	Yes
SPS Committee	STCs	Yes (sometimes)	Yes (sometimes)	Yes
TBT Committee	STCs	Yes (sometimes)	Yes (sometimes)	Yes
Goods Council	Trade concerns	No	No	Yes
General Council	No specific name given; addressed as a regular agenda item.	No	No	Yes

Source: Santana & Dobhal.

2.1 Trade concerns in the Goods Council and other select bodies – mandate and legal basis

As mentioned earlier, trade concerns are raised in several WTO Committees and Councils, and the mandate/mechanism, scope, and the areas covered differ from one body to another. In this section,

[19] WTO, Trade Policy Reviews, <https://www.wto.org/english/tratop_e/tpr_e/tpr_e.htm> accessed 20 March 2024.

[20] WT/GC/M/ document series.

we examine, in addition to the CTG, trade concerns discussed in the CMA, CIL, SPS and the TBT Committees.

The **SPS Committee** is the WTO body responsible for the implementation of the SPS Agreement. The term specific trade concern does not feature in the SPS Agreement. However, the first line of Article 12.2 of the SPS Agreement states that "[t]he Committee shall encourage and facilitate *ad hoc* consultations or negotiations among Members on *specific* (emphasis added) sanitary or phytosanitary issues." Similarly, paragraph 3 of the Working Procedures of the SPS Committee states, "[m]atters relating to notifications, including notifications considered at previous meetings, can be raised or reverted to in the course of any meeting. A Member which proposes to raise any matter relating to a particular notification in the course of a meeting shall give notice of its intention to the notifying Member concerned and the Secretariat, together with an outline of its concerns, as far as possible in advance of the meeting."[21] Thus, Article 12.2 of the SPS Agreement and the Committee's working procedures form the legal basis for discussing specific trade concerns in the SPS Committee. Flowing from Article 12.2 are also the "Good Offices of the Chair" and the ad hoc consultations procedure, which further serve as means to discuss STCs.[22]

Like the SPS Committee, the **TBT Committee** is responsible for the implementation of the TBT Agreement. The legal basis to discuss trade concerns in the TBT Committee, again like the SPS Committee, comes from Article 13.1 of the TBT Agreement, which establishes the TBT Committee with the objective of "…affording Members the opportunity of consulting on any matters relating to the operation of this Agreement or the furtherance of its objectives."

Trade concerns are also discussed in the **CMA.** Interestingly, there is no formal mandate flowing from a WTO agreement, like in the case of SPS or TBT Committees, because the CMA *per se* is not responsible for implementing any one WTO agreement. Rather, the CMA has a broad mandate covering all market access issues that are not dealt with by any other WTO body, which, in practice, mainly includes measures under Articles II (tariffs and other duties and charges), III (national treatment) and XI (quantitative restrictions) of the General Agreement on Tariffs and Trade (GATT) 1994.[23] The lack of a formal mandate, however, has not affected Members' willingness to raise issues at the CMA, as observed by the overall increase in the number of trade concerns raised at the CMA.

The **CIL**, established under Article 4 of the Agreement on Import Licensing Procedures, is the body responsible for the operation of the Agreement and related matters. The CIL works to ensure transparency in import licensing procedures through notifications, and in recent times, has increasingly also become a forum where Members discuss trade concerns regarding specific legislations and/or procedures relating to import licensing that affect their trade.

The **Goods Council** is the primary body for matters concerning trade in goods. It was established pursuant to Article IV:5 of the Marrakesh Agreement Establishing the World Trade Organization (WTO Agreement), which also established the Council for Trade in Services and the Council for Trade-Related Aspects of Intellectual Property Rights.[24] The CTG operates under the guidance of the General Council and oversees 14 subsidiary bodies that implement the WTO agreements for trade

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[21] Working Procedures of the SPS Committee, WTO Doc. G/SPS/1 of 15 March 1995.

[22] Procedure to Encourage and Facilitate the Resolution of Specific Sanitary or Phytosanitary Issues among Members in Accordance with Article 12.2, WTO Doc. G/SPS/61 of 8 September 2014.

[23] Decision by the General Council, WTO Doc. WT/L/47 of 31 January 1995.

[24] Article IV:5 of the WTO Agreement, in relevant part, states that "[t]here shall be a Council for Trade in Goods, a Council for Trade in Services and a Council for Trade-Related Aspects of Intellectual Property Rights (hereinafter referred to as the "Council for TRIPS"), which shall operate under the general guidance of the General Council. The Council for Trade in Goods shall oversee the functioning of the Multilateral Trade Agreements in Annex 1A. The Council for Trade in Services shall oversee the functioning of the General Agreement on Trade in Services (hereinafter referred to as "GATS"). The Council for TRIPS shall oversee the functioning of the Agreement on Trade-Related Aspects of Intellectual Property Rights (hereinafter referred to as the "Agreement on TRIPS"). These Councils shall carry out the functions assigned to them by their respective agreements and by the General Council. They shall establish their respective rules of procedure subject to the approval of the General Council. Membership in these Councils shall be open to representatives of all Members. These Councils shall meet as necessary to carry out their functions."

in goods, including the CMA, CIL, SPS and TBT Committees.[25] Over the past years, one of the main functions of the CTG has been to provide Members with a forum to raise new trade concerns or to elevate technical discussions that have taken place in its subsidiary bodies. As the World Trade Report 2023 notes, the "…number of trade concerns raised before the CTG surged to an unprecedented level in 2022…" and the body is increasingly playing a role as a forum for policy dialogue.[26] Traditionally, it has also been the final body for discussions, at least in the area of goods, before Members pursued some of these issues through the formal Dispute Settlement Mechanism.

The **General Council** is the highest-level body that meets ordinarily at the WTO and was established by Article IV:2 of the WTO Agreement. In the intervals between meetings of the Ministerial Conference, its functions, and in particular, the authority to take decisions on all matters under any of the Multilateral Trade Agreements, are conducted by the General Council. In addition, it oversees the operation of all WTO bodies, which report directly or indirectly to it. While Members can raise trade concerns at the General Council, this is rare and usually reserved for the most controversial issues or areas where Members feel an issue will benefit from heightened engagement.

2.2 Trade concerns: Subject matter, coverage, and evolution in selected technical bodies

As a result of their unique mandates, the type of issues discussed in a specific Committee is linked to the agreement(s) it oversees. For example, trade concerns in the SPS and TBT Committees usually relate to new draft measures that have been submitted for review pursuant to the requirements of the SPS and TBT Agreements and related procedures or to measures that have already been implemented, irrespective of whether they have already been notified or not. Sanitary and phytosanitary regulations that may have a significant effect on the trade of other Members *and* that are not based on international standards or concern areas where no international standard, guideline, or recommendation exists are required to be notified by the implementing Member.[27] Members are also encouraged to notify measures "that are based on, conform to, or are substantially the same as an international standard, guideline or recommendation if they are expected to have a significant effect on the trade of other Members".[28] Proposed technical regulations, standards, or conformity assessment procedures that are not based on international standards *and* may have a significant effect on the trade of other Members should also be notified.[29]

Some commentators have noted that the discussions in the SPS and TBT Committees are expectedly technical and do not "…normally gravitate towards politics…" or "... become exceeding[ly] legalistic…"[30], which, as will be explained below, is not necessarily the case for the higher-level bodies. This notwithstanding, there have been cases of highly political STCs in these bodies.

Overall, the **SPS Committee** has discussed a total of 575 STCs in 86 of the 111 formal meetings it held between 1995-2023, or 77.5% of all relevant meetings. Figure 1 below shows that the SPS Committee has experienced a series of 'waves', each lasting approximately four or five years, where the number of trade concerns increases considerably, peaks, and then reduces before increasing again. It is interesting to note that the overall number of STCs peaked in 2002 because of 43 new trade concerns being raised that year, and it took almost two decades to reach that level again. However, one significant difference in recent years compared to the early 2000s is that the SPS Committee now seems to be dealing with an increasing proportion of previously raised trade concerns, which accounted for 77% of the trade concerns discussed in this Committee in 2023 (81

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[25] The following 14 bodies report to the Council for Trade in Goods: Committee on Agriculture, Committee on Anti-Dumping Practices, Committee on Customs Valuation, Committee on Import Licensing, Committee on Market Access, Committee on Rules of Origin, Committee on Safeguards, Committee on Sanitary and Phytosanitary Measures, Committee on Subsidies and Countervailing Measures, Committee on Technical Barriers to Trade, Committee on Trade Facilitation, Committee on Trade-Related Investment Measures, Committee of Participants on the Expansion of Trade in Information Technology Products, and the Working Party on State Trading Enterprises.

[26] WTO, 'World Trade Report: Re-globalization for a secure, inclusive and sustainable future', (WTO 2023), 59.

[27] See Article 7 and Notification procedures under para. 5 of Annex of the SPS Agreement.

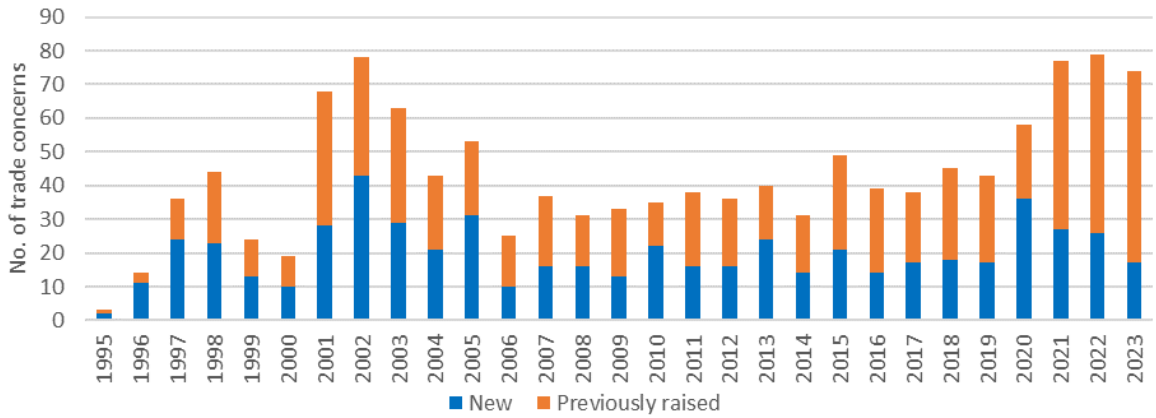
[28] See paragraph 2.3 of the Recommended Procedures for Implementing the Transparency Obligations of the SPS Agreement (Article 7), WTO Doc. G/SPS/7/Rev.5 of 16 January 2023.

[29] See Article 2.9 and 5.6 of the TBT Agreement.

[30] Horn (n 9) 754.

of 115 unique STCs discussed that year). Concerns raised in the SPS Committee over the years have pertained to food safety (33%), animal health (33%), plant health (22%), and the rest (12%) dealing with other concerns, such as those related to certification requirements, or control, inspection or approval procedures.[31] Moreover, out of the 575 STCs raised since 1995, 230 (40%) have been reported to be resolved, and 81 (14%) have been reported to be partially resolved.[32]

Figure 1. SPS Committee: Number of unique STCs raised per year (1995-2023)



Note: A "unique" STC is counted only once for a particular year and category (new / previously raised), irrespective of the number of meetings in which it was raised.
Source: Santana & Dobhal based on the Trade Concerns Database (accessed 30 January 2024).

Overall, the **TBT Committee** has discussed 813 STCs in 88 of the 91 formal meetings it held between 1995-2023, or 96.7% of all the relevant meetings, making it the body that has most consistently addressed these issues. As mentioned above, most of these STCs are related to the state of play of a measure, or clarification on certain elements thereof[33], so it is unclear what proportion could be considered trade frictions. The TBT Committee has experienced a steadier increase in the number of STCs which peaked in the year 2021, and with waves of a lesser modulation and amplitude with respect to the SPS Committee. See Figure 2. However, it has also faced an increased proportion of previously raised trade concerns, which in 2023 accounted for 70% of the trade concerns discussed in the TBT Committee (81 of 115 unique STCs discussed that year). The objectives of these measures typically relate to the protection of human health or safety, prevention of deceptive practices and consumer protection, and protection of the environment, which were the top three stated objectives for the measures raised as STCs between 1995-2022.[34] For the TBT Committee, the trend in STCs raised from 1995-2022 is given below.

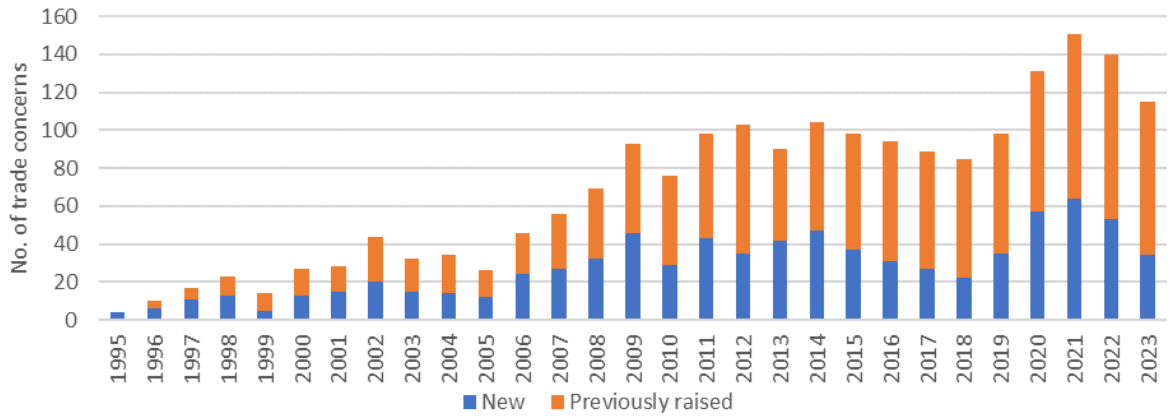
[31] See chart B.3 – STCs by subject (1995-2023), Annual overview – Implementation of SPS Transparency provisions and Specific Trade Concerns, Note by the Secretariat, WTO Doc. G/SPS/GEN/804/Rev.16, and G/SPS/GEN/204/Rev.24 of 1 February 2024.

[32] Ibid, see Chart B.9.

[33] See n 16.

[34] ibid, see Chart 33.

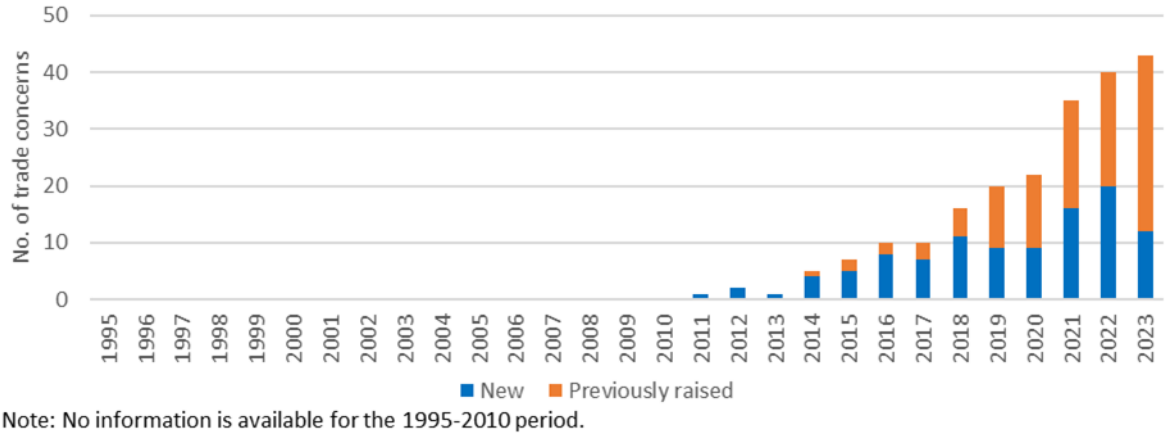
Figure 2. TBT Committee: Number of unique STCs raised per year (1995-2023)



Source: Santana & Dobhal based on the Trade Concerns Database (accessed 30 January 2024).

Discussions on trade concerns in the CMA are a relatively new development, at least compared to the SPS and TBT Committees. For the period 1995-2010, only a handful of trade concerns were raised in this body.[35] This began to change in 2011, since when an increasing number of these concerns have been raised. Unlike the waves seen in the annual number of trade concerns at the TBT and SPS Committees, the CMA has experienced a constant increase in the number of trade concerns since 2016. It considered 104 trade concerns between 2011 and 2023. Like the SPS and TBT Committees, the CMA is also experiencing an increasing proportion of "previously raised" STCs, which accounted for 76.8% of the trade concerns discussed in 2023 (31 of 43 unique STCs discussed that year). See Figure 3. In terms of the types of issues raised through these trade concerns, they typically related to tariff issues (including those stemming from the procedures for the modification or rectification of tariff concessions), quantitative restrictions (including import and export prohibitions and restrictions), internal taxation, and non-tariff measures not covered by the other WTO agreements.

Figure 3. CMA: Number of unique STCs raised per year (1995-2023)



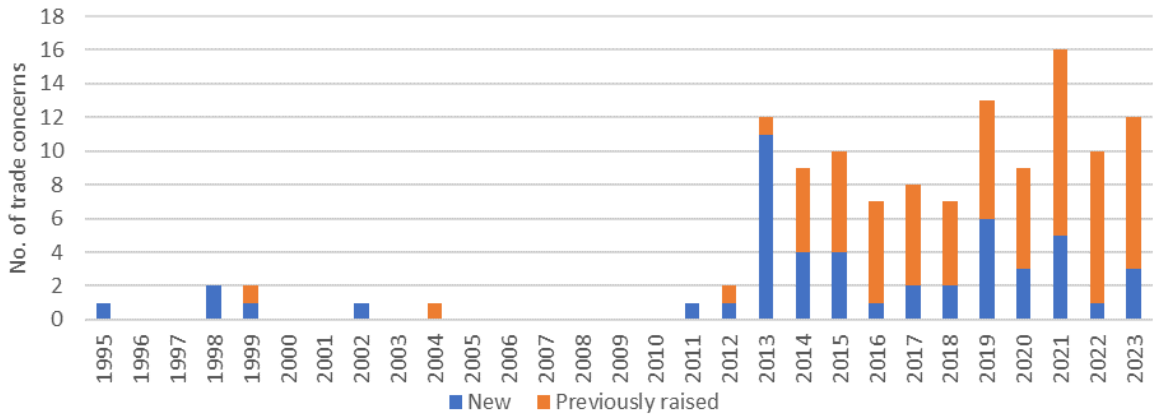
Source: Santana & Dobhal based on the Trade Concerns Database (accessed 5 February 2024)

The **CIL** only dealt with a handful of trade concerns until 2010, with a marked increase in 2013 when 11 new trade concerns were raised. Overall, the CIL discussed 49 trade concerns in 30 of the 57 formal meetings between 1995-2023, or 52.6% of all the relevant meetings (see Figure 4). Unlike

[35] This information is not yet available in the Trade Concerns Database, which has information for CMA with respect to 25 of the 79 formal meetings it held for the period 1995-2023, which account for 31% the relevant meetings. However, as previously explained, this information does not consider the 1995-2010 period.

the CMA, the number of trade concerns in the CIL has remained relatively stable. Like other Committees, a considerable proportion of these discussions relates to previously raised trade concerns, which accounted for 75% of the trade concerns discussed in this Committee in 2023 (9 of 12 unique STCs discussed that year). In terms of types of issues raised at the CIL, these relate to the way import licensing procedures are being administered.

Figure 4. CIL: Number of unique STCs raised per year (1995-2023)



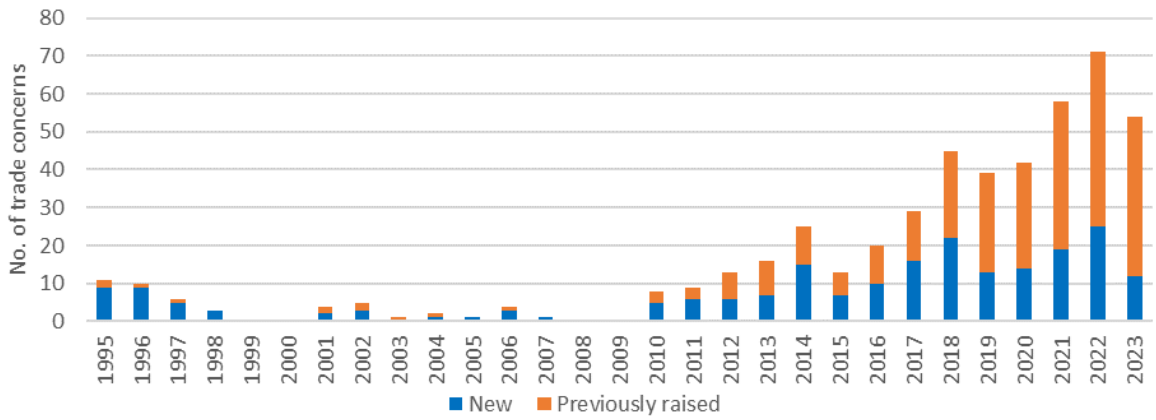
Source: Santana & Dobhal based on the Trade Concerns Database (accessed 30 January 2024)

2.3 Trade concerns raised at the Goods Council

Since its inception in 1995, the CTG has served as a forum for Members to raise trade concerns. The number of issues and the way the discussions are organized have significantly changed over the past years. Overall, the CTG has discussed 214 trade concerns in 84 of the 147 formal meetings between 1995-2023, or 57% of all its meetings.

Like the CMA and the CIL, for the period 1995-2010, only a small number of trade concerns used to be raised at each CTG meeting, but many of these were subsequently followed by requests for consultations under the Understanding on Rules and Procedures Governing the Settlement of Disputes (DSU). There were also four years when no trade concerns were raised at this forum (i.e., 1999, 2000, 2008 and 2009). This began changing in 2010. A significant turning point was the CTG meeting of October 2013, when, for the first time, more than 10 trade concerns were discussed in a single meeting, followed by the inclusion of seven new trade concerns raised at the subsequent meeting of April 2014. Following a reduction in the number of trade concerns in some of the meetings held in 2015, the number of trade concerns discussed at the CTG has multiplied nine-fold from March 2015 to April 2022. See Figure 5.

Figure 5. Goods Council: Number of unique trade concerns raised per year (1995-2023)



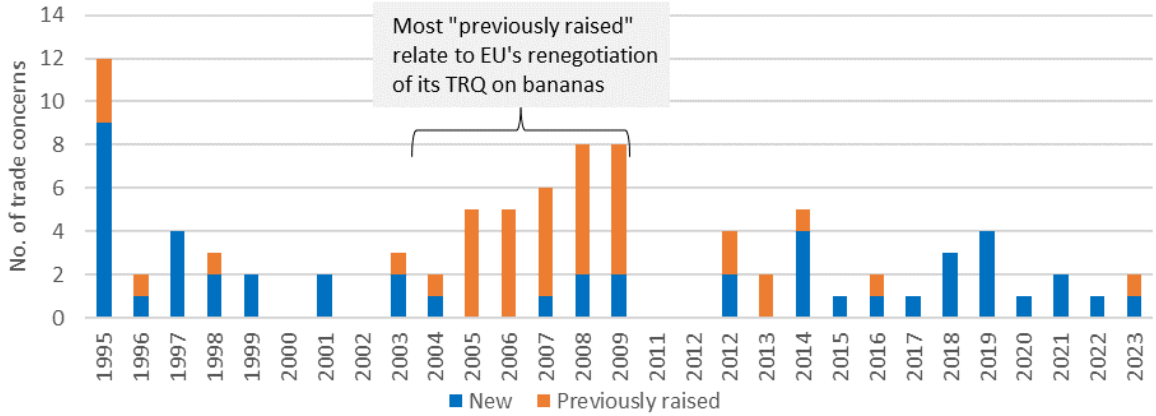
Source: Santana & Dobhal based on data extracted from the minutes of the CTG.

2.4 Trade concerns raised at the General Council

Members have the possibility to express concerns over measures introduced by any other Member at the General Council, which could be either raised first in a Committee or a Council and then escalated to the highest regular body of the WTO (i.e., the General Council) or raise them directly there if they choose so. Data for the period 1995-2023 suggests that WTO Members have been quite cautious in terms of the type and number of trade concerns they raise at the General Council, and, in fact, this is only done sporadically and has been largely reserved for the most political or controversial issues. Concretely, 49 trade concerns were raised at this body in 71 of the 207 formal meetings (34%) held between 1995 and 2023.

Another difference with respect to the above-mentioned bodies is that trade concerns raised at the General Council tend to be discussed only once or twice at this level, i.e., 36 of the 49 trade concerns (73.5%) were raised once, and 10 others twice (20.4%). Only three trade concerns were raised multiple times, as follows: (i) "Non-recognition of rights under Article XXIV:6 and Article XXVIII of GATT 1994", which related to the renegotiation of the European Union's tariff rate quota on bananas, was raised by Honduras and Guatemala in 27 meetings of the General Council between 2004 and 2009; (ii) the second most repeated trade concern at the General Council was "Ukraine's request to renegotiate concessions under GATT Article XXVIII", discussed in four meetings between 2012-2013; and (iii) "United States – Legislation to reinforce the commercial, economic and financial embargo on Cuba", which was included at the request of Cuba in three occasions, one in 1995, 1996 and 2004.

Figure 6. General Council: No. of unique trade concerns raised, per year (1995-2023)

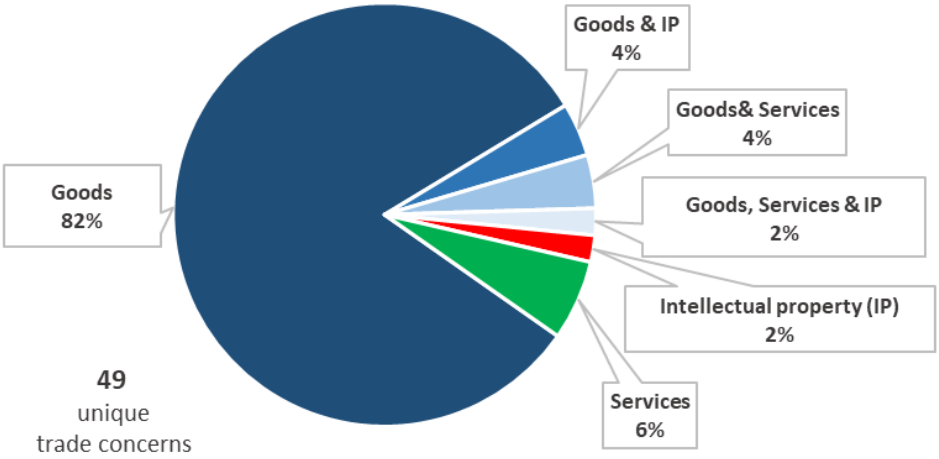


Source: Santana & Dobhal based on data extracted from the minutes of the General Council.

In terms of the types of trade concerns raised at the General Council, it is worth noting that approximately 92% of them have involved measures relating to trade in goods, either exclusively (82%) or in situations where there are also measures affecting others areas (e.g., 4% relate to trade in goods and trade-related intellectual property rights; 4% relate to trade in goods and services; and 2% relate to [all] the three areas, i.e. goods, services and trade-related intellectual property rights). Only 6% of the trade concerns which have been raised at the General Council level pertain exclusively to trade in services and 2% to intellectual property. See Figure 7.

Since discussions in technical Committees are, by definition, narrower in scope (i.e. focus on the implementation of one agreement) or do not necessarily reflect trade frictions in all cases, and the number of trade concerns raised at the General Council is not high and mostly have referred to measures related to trade in goods, it would appear that the trade concerns raised at the Goods Council are a good proxy to analyse the trade frictions discussed at the WTO as a whole, at least for the period examined in this paper (i.e. 1995-2023). A standalone analysis of STCs raised in these bodies can also be an equally useful indicator of similar trends or distinct micro-trends with respect to specific issues. However, it is understood that further analysis of the trade concerns raised at the Council for Trade in Services and the TRIPS Council would be needed to have a complete picture.

Figure 7. General Council: Broad areas of trade concerns raised (1995-2023)



Source: Santana & Dobhal based on data extracted from the minutes of the General Council.

3 DIGGING DEEPER – INSIGHTS FROM THE DATA GATHERED ON TRADE CONCERNS RAISED AT THE GOODS COUNCIL

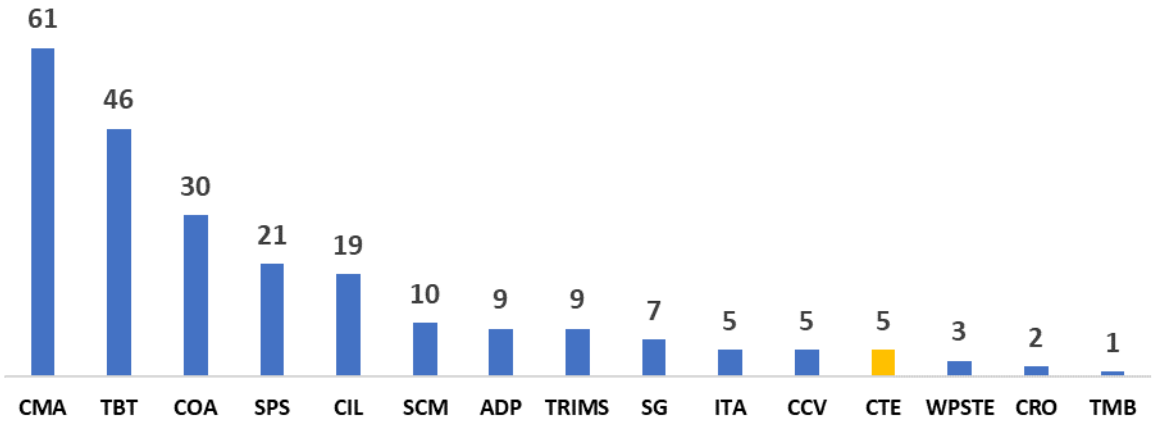
3.1 Relationship between the Goods Council and its subsidiary bodies

Before the trade concerns are "elevated" to the Goods Council, they are normally first raised in one or more of its 14 subsidiary bodies. This said, there have also been several instances where these are either raised exclusively at the CTG or are first raised in this forum before being raised in the subsidiary bodies. It should also be noted that occasionally, these concerns are also raised in other bodies not supervised by the Goods Council, such as the Committee on Trade and Environment, Committee on Regional Trade Agreements, Trade Policy Review Body, etc.

It is important to note, however, that there is no hierarchy or a particular path that a Member needs to follow to raise trade concerns at the CTG. Members may simultaneously raise trade concerns in different Committees for the same measure, depending on its scope and coverage. There are also no rules prescribing which issues can be elevated from the subsidiary bodies to the higher-level bodies, as this is at the discretion of Members. The reasons and strategies for deciding when to elevate a trade concern vary across the membership and may be driven by internal considerations and perceptions of the respective roles of different bodies. The desire for more visibility and increased pressure to solve a particular issue could also play a role. Notwithstanding these, it would appear that Members have been relatively selective in terms of issues they have chosen to elevate to the CTG and even more selective when it comes to the General Council. Conversely, the overwhelming majority of issues raised at the CTG have been raised previously in one or more bodies.

The following Committees received most trade concerns that were then elevated to the Goods Council: CMA, TBT, CoA, SPS and CIL. In addition, several issues were raised in multiple Committees simultaneously. Figure 8 shows that, for example, 61 of the 214 trade concerns raised at the CTG (28.5% of the total) for the period 1995-2023 were also raised in the CMA, followed by 46 in the TBT Committee, 30 in the CoA, 21 in the SPS Committee, and 19 in the CIL. The interlinkages between the discussions at the CTG and CMA have been increasing over the past few years, with an increasing proportion of trade concerns raised at the Committee level being also being raised at the Council, including at meetings that can take place within a span of a few weeks.

Figure 8. Goods Council: Number of unique trade concerns also raised in one or more other WTO bodies



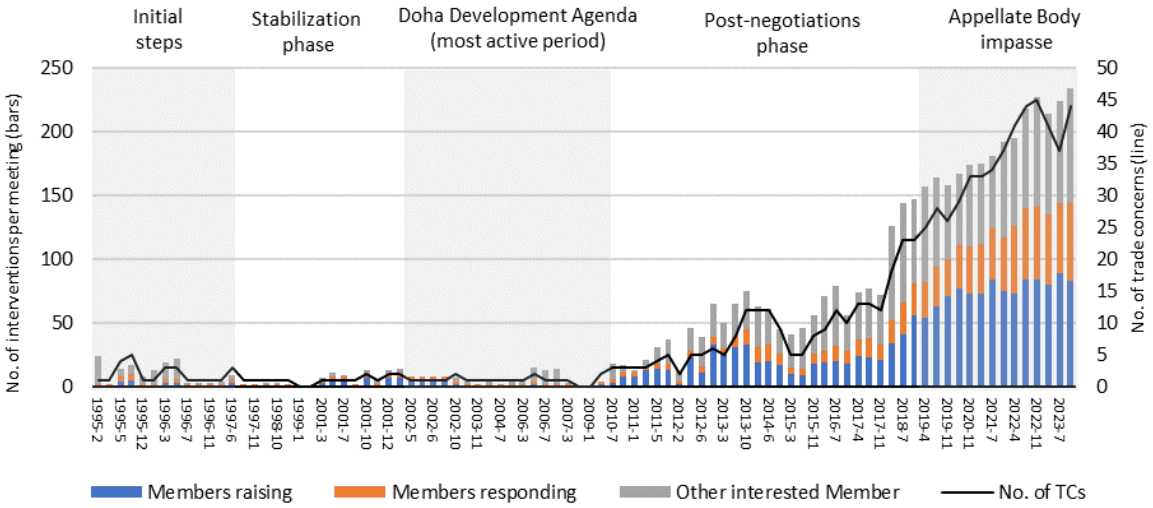
Note: CTG's subsidiary bodies in blue.
* Refers to the unique number of trade concerns, some of which were raised in more than one body.

Source: Santana & Dobhal based on data extracted from the minutes of the CTG.

3.2 An increased level of activity beyond the number of trade concerns raised

As explained in the methodological annex to this paper, the number of interventions by Members at the meetings of the WTO bodies could be used to measure the degree of activity or "intensity" of the discussions around trade concerns. Although this paper does not seek to analyse the reasons behind the fluctuations in the number of interventions at the CTG over the years, the authors observe that the period following the stall of the Doha Development Agenda (DDA) and the Appellate Body impasse has coincided with a considerable increase in the activity at the CTG around trade concerns. This is true regarding the number of trade concerns raised (see above) and, in particular, regarding the number and length of interventions made by Members at meetings, which have been reflected in longer CTG meetings (see Figure 9). Although there could be causality between these events, other variables may have also caused such an increase, including expansion of the membership, introduction of a higher number of measures that Members consider to be WTO-incompatible, introduction of a higher number of measures that affect more than one Member, or the increased participation of Members that were not previously active in raising trade concerns. For this reason, we consider that further analysis needs to be undertaken to fully understand the causes for such an increase.

Figure 9. Goods Council: Number of interventions on trade concerns per meeting (1995-2023)



Source: Santana & Dobhal based on data extracted from the minutes of the CTG.

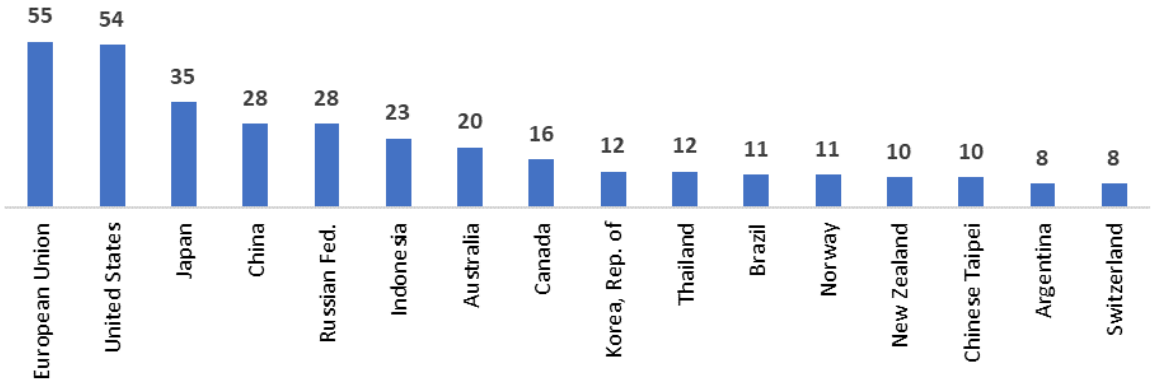
3.3 Main actors in the trade concerns discussions at the Goods Council

Discussions on trade concerns at the CTG involve three types of actors. The first one is a Member, or a group of Members, that requests the inclusion of an agenda item with a view to expressing concern over one or more measures implemented by another Member. It is worth noting that while Members making such requests are considered as the "raising Members" in the Trade Concerns Database, they are also referred to as sponsors or co-sponsors in the context of these bodies. The second type of actor is, evidently, the "responding Member" or Members that implement or are about to implement the concerned measures. Although it is relatively rare, there have also been cases where concern is expressed over measures introduced by two or more Members. The third type is Members who participate in these discussions but are not directly involved in raising or responding to the trade concern.

In terms of who are the main *demandeurs* in these types of proceedings, one would expect the system to be used mostly by the largest exporters of goods as a result of their proportionally higher volume of trade, number of products exported, and number of markets to which they export. In other words, the higher the export volume, types of products, and markets, the higher the probability that a Member will face problems and the more likely it would make use of the system. The absence of bilateral or regional mechanisms, such as those typically established in the context of free trade agreements and customs unions, may also play a role. For this reason, it comes as no surprise that the list of leading exporters of goods[36], which trade on a most-favoured nation basis amongst themselves, coincides to a large extent with the WTO Members that have raised the highest number of concerns. Figure 13 shows that the European Union, the United States of America, Japan, and China have raised or co-sponsored close to half of the trade concerns at the CTG for the period in question. Three of the leading exporters with a proportionally lower participation raising trade concerns at the CTG include Hong Kong, China, the United Arab Emirates, and Mexico. This may be explained by their role in the global distribution networks for the first two Members and the third by the existence of bilateral channels with relevant trading partners to address these issues. At the same time, there are smaller exporters that have been more active in raising trade concerns than their share of world exports would suggest.

[36] WTO, 'World Trade Statistical Review' (WTO 2023) pp. 60. See table A7 for leading exporters and importers in world merchandise trade (excluding intra-EU trade), 2022.

Figure 10. Goods Council: Top Members raising trade concerns (1995-2023)

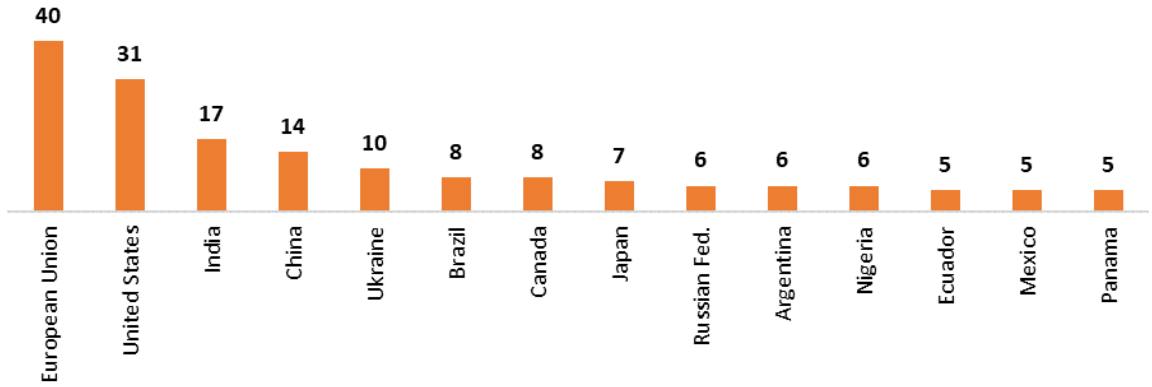


* Refers to the unique number of trade concerns raised or cosponsored in at least one meeting.

Source: Santana & Dobhal based on data extracted from the minutes of the CTG.

In terms of Members who have responded to the trade concerns raised at the CTG, it would be similarly reasonable to expect that the largest importers of goods are also the main actors in these discussions since they are the ones with the highest volume of trade and number of imported products. Like in the previous case, the list of leading importers of goods[37] coincides to a large extent with the WTO Members responding to trade concerns at the CTG. It should, nevertheless, be noted that there are both leading importers against whom only relatively few trade concerns have been raised (e.g., Hong Kong, China, Singapore, and Chinese Taipei) and other relatively lower-ranked importers that have responded to a proportionally higher number of trade concerns at the CTG (e.g., Argentina, Ecuador, Nigeria, Panama, and Ukraine).

Figure 11. Goods Council: Top Members responding to trade concerns (1995-2023)



* Refers to the unique number of trade concerns Members responded to in at least one meeting.

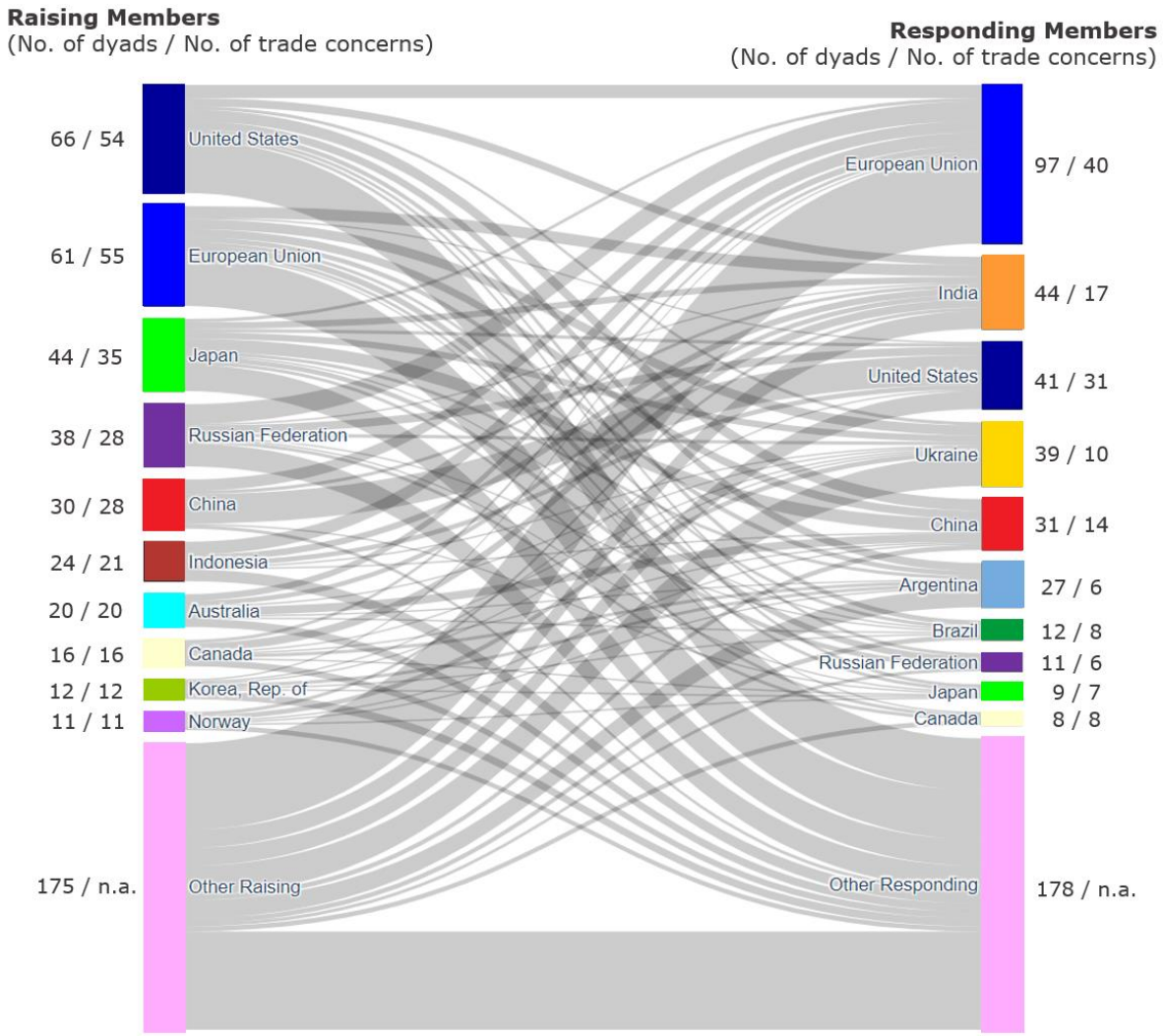
Source: Santana & Dobhal based on data extracted from the minutes of the CTG.

A closer look at the relationships, i.e., who raises trade concerns against whom, shows a complex network of interactions. While some of these are consistent with the above-mentioned theoretical framework, showing that a big proportion of trade concerns are raised amongst top traders who still trade on an MFN basis, it also shows that large exporters also raise concerns against other smaller Members. Similarly, the smaller trading Members not only raise concerns against the large traders but also amongst themselves in significant proportion. Figure 12 below seeks to explain the overall picture through a Sankey diagram based on "dyads" or pairs of relationships (i.e., pairs of raising–

[37] ibid.

responding Members). For example, if Member A raises a trade concern against two Members (X and Y), two pairs are established (A-X and A-Y). Similarly, if two Members (A and B) raise a trade concern against one responding Member (X), two pairs are established (A-X and B-X). For this reason, the number of dyads is higher than the number of trade concerns for some of the Members, which shows either that these Members have raised trade concerns against groups of Members or, in the case of responding Members, that groups of Members have raised concerns against them.

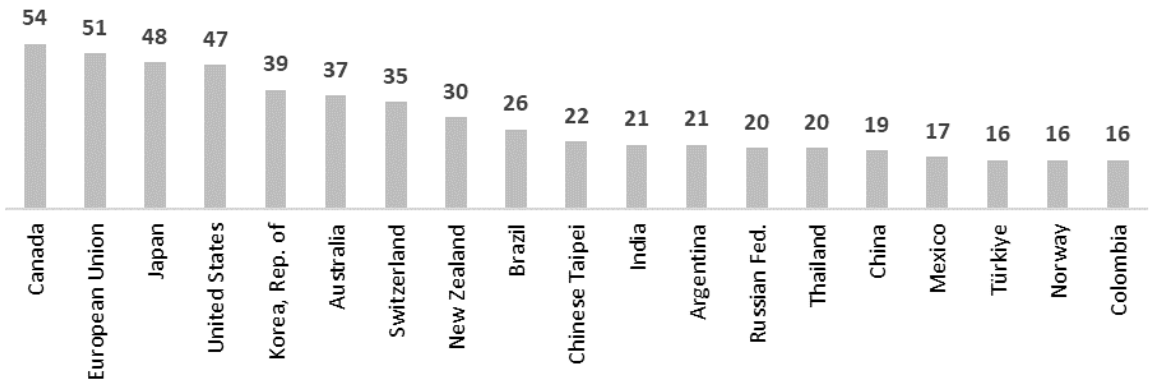
Figure 12. Goods Council: Top Members raising and responding to trade concerns and their relationship. Ranking based on the number of dyads or pairs in these relationships.



Source: Santana & Dobhal, with the assistance of Dayong Yu, based on data extracted from the minutes of the CTG.

Finally, there are also other third parties that participate in these discussions which are not directly involved as raising or responding Members but take the floor to express a view because they have either a commercial or systemic interest. While most frequently, these third parties support the views of the raising Members (but choose not to act as co-sponsors), they may also participate to support the views of the responding Member or even express a different view altogether. Mindful of these nuances, the SPS and TBT Committees have established different subcategories according to whether these third parties support views of the raising or the responding Member. However, because this is a recent development, and to ensure comparability, this paper groups all of them under the category "other interested Members". Figure 13 shows the Members that have intervened the most at least once in the 214 trade concerns raised at the CTG between 1995-2023, which include Canada, the European Union, Japan, the United States of America, and the Republic of Korea.

Figure 13. Goods Council: Top other interested Members on trade concerns (1995-2023)



* Refers to the unique number of trade concerns where the Member took the floor without raising or responding to it in at least one meeting .

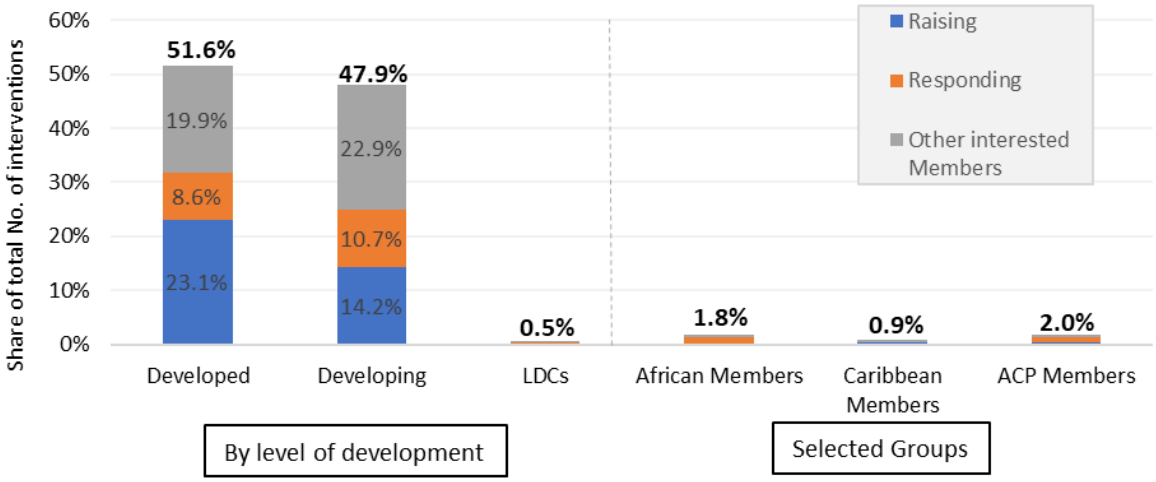
Source: Santana & Dobhal based on data extracted from the minutes of the CTG.

3.4 Degree of participation, by level of development and selected groups

As previously explained, this paper argues that the degree of participation of Members in trade concerns at the regular WTO bodies is better assessed by examining the number of interventions Members make in these discussions at each meeting. By disaggregating this information, it is also possible to estimate and compare the degree of participation of different groups or regions in these discussions. For example, Figure 14 below shows that while the overall number of interventions by developed and developing Members for the period in question has been divided roughly equally, developed Members have been more active in terms of raising trade concerns, with 23.1% of the overall interventions vs only 14.2% by developing Members. However, developing Members have been slightly more active as "other interested Members", with almost one quarter of the interventions. Another feature of this figure is that least-developed countries (LDCs) have been marginally involved in these discussions. Indeed, in 29 years, only two LDCs have raised trade concerns at the CTG: Afghanistan (Pakistan – Closure of Corridors and Transit, CTG ID: 98) and Cambodia (European Union – Safeguard Measures on Indica Rice from Cambodia, CTG ID: 133).

The low participation of some groups of Members and regions is shown in Figure 14. This has been particularly the case with the African, Caribbean, and African Caribbean and Pacific States (ACP) groups (with partially overlapping Membership). When these Members have participated, it has largely been to respond to trade concerns raised by other Members against them. It should, nevertheless, be noted that five Members from these groups have raised trade concerns at the CTG, i.e., Côte d'Ivoire, Cuba, Dominican Republic, Egypt, and Jamaica.

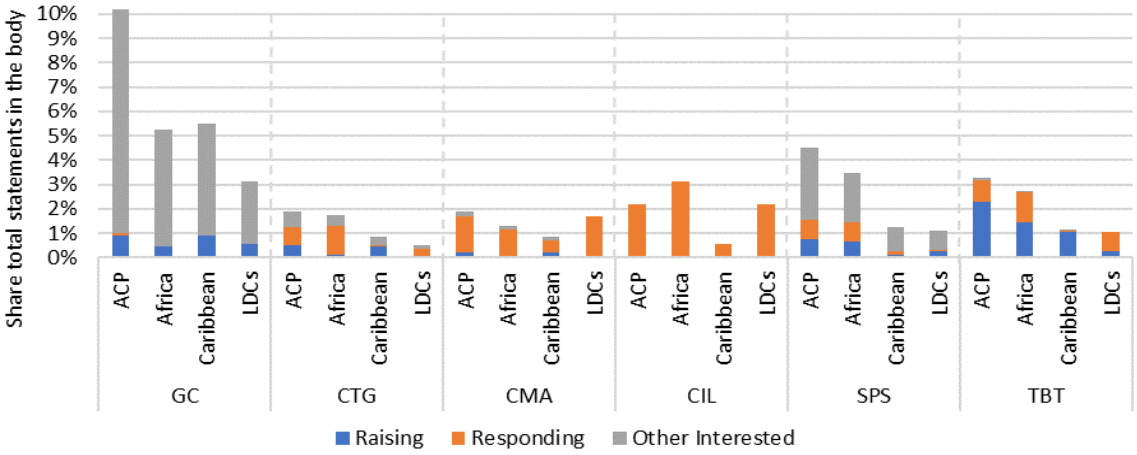
Figure 14. Goods Council: Share of participation in the total number of interventions, by the level of development and selected groups of WTO Members (1995-2023)



Source: Santana & Dobhal based on data extracted from the minutes of the CTG.

The relatively low participation of LDCs and the other three groups at the CTG level is consistent with the low overall participation of these Members in CTG's subsidiary bodies[38], as measured by share in the total number of interventions in the discussions that have taken place in these bodies between 1995-2023. Available data suggests that there are marked differences in terms of how these Members participate in the different bodies. For example, while in the CMA and CIL, their participation tends to focus on responding to trade concerns which are occasionally raised against them, they tend to pursue more offensive interests by raising STCs in the TBT Committee or by participating as other interested Members in the STCs raised at the SPS Committee. See Figure 15.

Figure 15. Share of total interventions by the ACP, African, Caribbean and LDC Members in the trade concerns discussions in selected WTO bodies



Source: Santana & Dobhal based on data extracted from the minutes of the CTG.

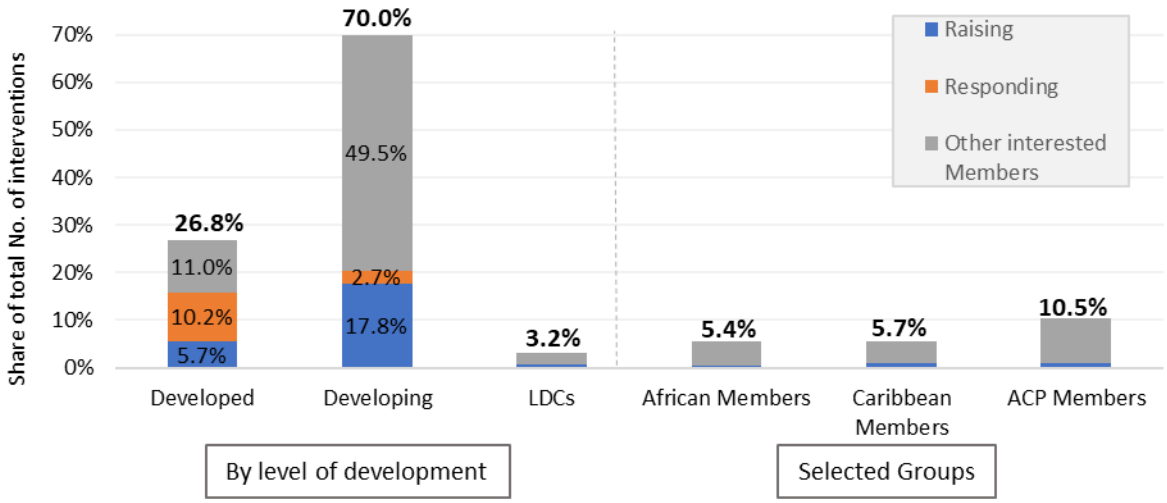
[38] For a discussion on transparency, LDCs and the WTO, including their participation in various bodies, see Robert Wolfe, 'Transparency matters for LDCs too: the relevance of current debates on WTO reform', in *LDCs and the multilateral trading system: looking forward – A Collection of Essays (Volume 1)* (WTO 2023) 10-15.

However, LDCs' relatively low participation in the work of the CTG and its subsidiary bodies contrasts with their considerably higher degree of participation at the General Council. Overall, for the 1995-2023 period, the majority of interventions raising trade concerns at the highest-level body have been by developing Members (17.8% of the total number of interventions), while most interventions responding to trade concerns have been by developed Members (9.8% of the total number of interventions).

There is also a marked difference in the intensity and type of participation of developing Members and LDCs in the General Council, as well as of the African, Caribbean, and ACP Members. While at the CTG, these Members tend to focus on responding to trade concerns raised by other Members, at the General Council, most of their interventions are made as "other interested Members". However, when it comes to raising trade concerns against other Members, they have also largely chosen to raise them at the CTG rather than at the General Council, except for situations where large coalitions of Members requested the inclusion of an agenda item[39], and issues of critical importance to the Member in question for political or economic reasons.[40]

Another interesting fact is that the number of Members from the African, Caribbean, and ACP groups participating at least once in trade concerns discussions at the General Council is higher than that at the CTG. While more research would be required to explore the reasons behind these differences, the authors would like to note that this might be explained by these Members focussing their participation at the WTO in the highest-level body due to a lack of resources or other factors. The reasons behind such a marked difference in the participation of these Members at the General Council is another issue that could benefit from further analysis.

Figure 16. General Council: Share of participation in the total number of interventions, by level of development and selected groups of WTO Members (1995-2023)



Source: Santana & Dobhal based on data extracted from the minutes of the CTG.

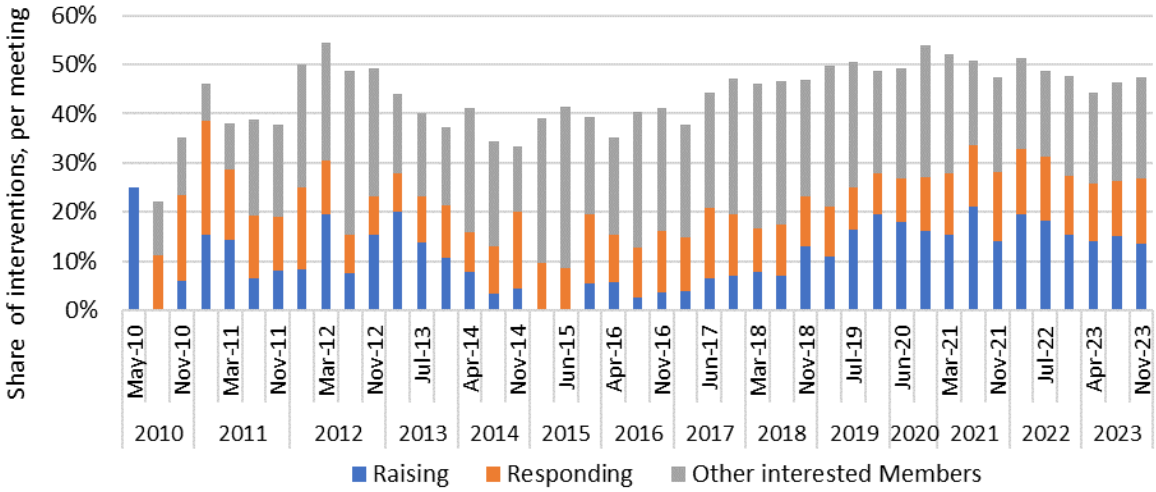
Going back to the CTG, it is worth noting that while the participation by developing Members in trade concerns overall in this body has fluctuated between 35% and 50% of the total number of interventions at each meeting for the last ten years, from the year 2018 they appear to be

[39] This includes, for example, discussions concerning "Trade in Textiles and Clothing – Developing Members' concern about potential reduction in market (quota) access" (GC ID-21), which was included in the agenda at the request of 15 Members, "Ukraine's request to renegotiate concessions under GATT Article XXVIII" (GC ID-30), which was included in one of the meetings at the request of 23 Members, and the "European Deforestation Regulation EUDR", which was included at the request of 12 Members.

[40] This includes, for example, the "United States – Legislation to reinforce the commercial, economic and financial embargo on Cuba" (GC ID-6), and Barbados' request concerning the European Union's "Statements damaging to the reputation of several international financial centres in small developing countries contrary to the assessment of the responsible authorities" (GC ID-35).

proportionally more active, raising trade concerns and participating as other interested Members. See Figure 17.

Figure 17. Goods Council: Evolution of the share of interventions by developing Members, by meeting and type of intervention (2013-2023)



Source: Santana & Dobhal based on data extracted from the minutes of the CTG.

3.6 Trade concerns are increasingly "sticky"

As described in Section 2 above, the trade concerns have become increasingly "sticky" in the agendas of the CTG and its subsidiary bodies, meaning they are more likely to be raised repeatedly than during previous periods. For example, during the early years (1995-1998), it was relatively rare for a trade concern to be raised in more than one meeting, but this began changing in 2001-2002 when the agreed phrase-out of textiles quotas was included by the textiles exporters in ten meetings of the Goods Council.[41] Like its subsidiary bodies that were previously discussed, the CTG has also been grappling with an increasing number of trade concerns that are repeatedly raised in successive meetings, reaching a point in July 2023 where the totality of the 37 trade concerns that were discussed had been previously raised. See Figure 18.

The trade concern titled "Indonesia's Import and Export Restricting Policies and Practices" (CTG ID – 51) has been raised 34 times since June 2012, when it was raised for the first time, continuing till the meeting of the Council in November 2023. Unlike other trade concerns, which address one or a couple of specific measures, this trade concern has served as an umbrella where other Members have raised a large and evolving number of measures, such as import and export restrictions, import licenses, and labelling requirements. The same broad approach was taken by some Members, with the second trade concern in the list of most frequently raised concerns, "Russian Federation - Trade Restricting Measures" (CTG ID-64), where Members included a wide range of measures implemented by the Russian Federation. This concern was raised continuously at the 20 meetings held between April 2014 and November 2021, when it was last raised. Notwithstanding these two exceptions, the other trade concerns in the list refer to narrower measures and have remained on the agenda of the CTG for years without a resolution.

[41] "CTG's Functions Pursuant to Article IV of the Marrakesh Agreement Establishing the World Trade Organization - Transparency Regarding New Restrictions on Textiles and Clothing Products Commented Upon by the Textiles Monitoring Body" (CTG ID-27)

Figure 18. Goods Council: Trade concerns raised the highest number of times (1995-2023)

* Refers to the number of meetings in which the trade concern has been raised.

Source: Santana & Dobhal based on data extracted from the minutes of the CTG.

3.7 The Goods Council's discussions as a proxy for broader trends

Section 2.4 concluded by noting that the Goods Council is uniquely positioned in the hierarchy of the WTO and that its trade concerns discussions could serve as a good proxy to analyse the evolving nature of trade frictions at the WTO (i.e. because the scope of Committee discussions is narrower and very few issues are raised to the General Council level).

To test this hypothesis, we examined more carefully the trade concerns raised over the past eight years to map the evolution of what some commentators[42] consider to be the key issues facing the WTO, particularly the trade frictions stemming from 1) trade-related measures introduced to pursue an environmental objective and 2) political tensions and/or national security considerations by Members. While we discuss these two broad types of issues to provide insights into the evolving nature of discussions at the Goods Council, it is imperative to note that some Members maintain that measures relating to national security are better discussed elsewhere and not the Goods Council.[43]

Identifying the first category is relatively straightforward based on the contents of the Minutes of meetings because the responding Member will typically cite the environmental considerations that supported the introduction of the measure in question or involve products that governments are promoting in connection with climate change goals (e.g., electric vehicles and their batteries). Overall, 18 trade concerns meet these criteria, of which 12 were raised between 2016-2023. These more recent trade concerns relate not only to well-known issues, such as the European Green Deal, the Carbon Border Adjustment Mechanism (CBAM), and the European Union's anti-deforestation measures, but also lesser-known measures relating to maximum residue levels for certain substances to protect biodiversity, the gas used in air conditioners (justified as a measure required by the Montreal Protocol), or the discharge of ALPS water into the ocean. The full list is included in Annex 3.

The identification of the political tensions and/or national security considerations was based on keywords and expressions in the interventions by any of the Members concerned, including other

[42] WTO, 'Trade plays an important role in climate change adaptation and mitigation" — DDG Ellard' <https://www.wto.org/english/news_e/news21_e/ddgae_26oct21_e.htm> accessed 9 February 2024.

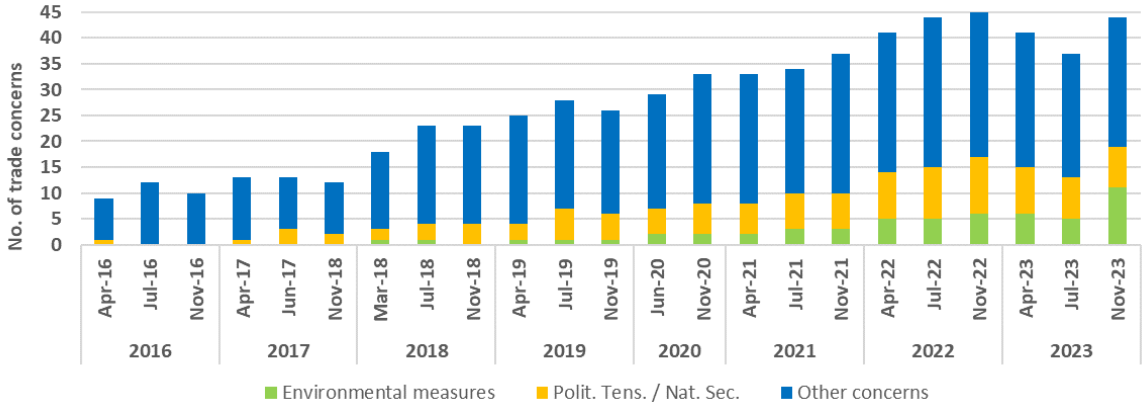
[43] See, for instance, para. 38.10, Minutes of the Meeting of the Council for Trade in Goods, 6 and 7 July 2023, WTO doc. G/C/M/146 of 27 September 2023.

interested Members, that imply the existence of overtly confrontational discussions (e.g., use of terms such as "economic coercion", "bullying", etc. by at least one of the Members concerned), referred to national security and/or to the national security exception in Article XXI of the GATT 1994. Indeed, using different keywords may lead to different trade concerns. Overall, 26 trade concerns met the selection criteria, of which 23 have been raised between 2016-2023. Environmental-related concerns, on the one hand, and political tensions and/or national security categories, on the other, were considered mutually exclusive in our analysis. Where an overlap was present, the trade concern was classified under the environmental category. The full list is included in Annex 3.

Figure 19 shows a considerable increase in both types of issues as a proportion of the total trade concerns raised at the Goods Council between 2016 and 2023. The first environmental measure during this period was raised by Malaysia at the March 2018 meeting of the Goods Council and related to "European Union - Amendments to the Directive 2009/28/EC, Renewable Energy Directive (CTG ID 114)", which was quickly followed by questions on the draft CBAM measures under European Green Deal, as well as the Green Deal itself. At the CTG's meeting of November 2023, eight of the 44 trade concerns on the agenda (18%) involved trade measures with an environmental objective.

The first trade concern relating to political tensions and/or national security issues for the period 2016-2023 was raised at the CTG meeting of April 2016, when Ukraine requested the inclusion of an agenda item titled "Russian Federation - Trade Restricting Measures" (CTG ID 64), which shortly thereafter escalated to a dispute (*Russia – Measures Concerning Traffic in Transit* (DS512)). The peak in the number of trade concerns raised at the CTG was reached in November 2022, when 11 of the 45 trade concerns raised involved political tensions or national security issues. Although it may give the impression that the number of these measures decreased thereafter, in fact, this is because some of those issues previously raised under separate trade concerns were merged.

Figure 19. CTG – No. of trade concerns raised, per meeting and type of issue (2016-2023)

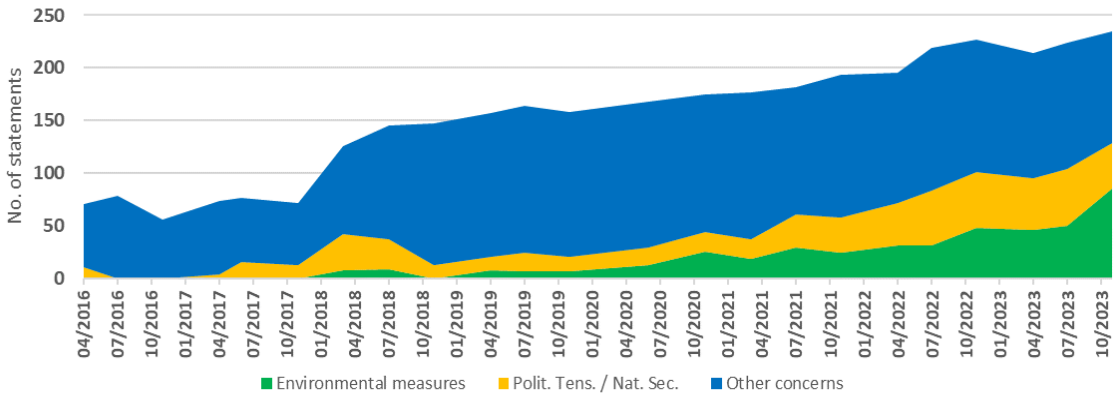


Source: Santana & Dobhal based on data extracted from the minutes of the CTG.

The number of trade concerns raised at CTG meetings does not, however, fully reflect the considerable impact these measures have had on the intensity of discussions at the Goods Council, as measured by the number of interventions by Members in connection with these two issues. There are, for example, trade concerns where up to 14 Members took the floor to express their views, often in the form of interventions that have lasted several minutes each. Figure 20 below shows an even more pronounced trend leading to an increasing number of statements in general for each of the meetings, reaching a peak of 235 interventions at the November 2023 meeting. Although the number of statements concerning political tensions and/or national security reached a peak of 56 statements in July 2023, it decreased to 48 at the November 2023 meeting, which, as previously explained, might be explained by multiple trade concerns being grouped under one trade concern by the Member raising the concern.

Another clear trend is the considerable increase of statements delivered by Members concerning environmental objectives, which reached a peak of 83 of 235 statements (35%) at the November 2023 meeting of the Goods Council. When combined, the political tensions and environmental measures accounted for approximately 56% of the interventions made by Members at the CTG meeting of November 2023.

Figure 20. Goods Council– No. of interventions under trade concerns, per meeting and type of issue (2016-2023)



Source: Santana & Dobhal based on data extracted from the minutes of the CTG.

4 FINAL THOUGHTS AND TAKEAWAYS

This paper is perhaps the first that systematically examines and sheds light on trade concerns raised at the Goods Council, in four of its subsidiary bodies, and the General Council, comparing them to those discussed at other WTO bodies. A key takeaway from our analysis highlights the evolving nature of WTO bodies and the Organization as a whole, as is seen by the increasingly significant role some of these bodies play in dealing with trade frictions, even if this is a relatively new endeavour for some of them. By counting interventions made by Members at the meetings instead of the number of trade concerns, we observe a considerable increase in the activity of some of the regular bodies in the goods area over the past years. This increase coincides with the challenges faced by the WTO in the negotiating and dispute settlement functions, thereby suggesting that Members may be adjusting the way they use the WTO to try and resolve an increasing number of trade frictions in various areas. While it appears that these discussions do lead to positive results, we note that there is room for improvement in the manner in which trade concerns are discussed, in particular with respect to the increasing "stickiness" of issues in the agendas of these bodies. Examining the experiences across different WTO bodies and introducing more formal means of tracking results, as is the case with the TBT and SPS Committees, could assist Members in further enhancing the transparency and effectiveness of these discussions.

Just like an iceberg[44], where the visible portion of the ice is only a small part of the whole, the majority of the work of WTO bodies happens in the background and is not readily apparent to most. This has led some to characterise the work of these bodies as repetitive and mundane. While our analysis suggests that there is indeed increasing repetitiveness in some of the discussions relating to trade concerns, it also shows that they are far from mundane: WTO Members need a platform to engage and try to resolve the trade frictions affecting them. This is indicated by the fact that when faced with blockages, such as the Appellate Body impasse, Members have used the WTO peer review systems in different fora and found other avenues to discuss and even resolve trade frictions. This underscores the Goods Council's strategic position within the WTO structure, above the technical

[44] The analogy of an iceberg to describe WTO-related functions is not new. It has been used by some in different contexts, such as in dispute settlement. For more details see Henrik Horn and Petros C. Mavroidis, 'International trade: Dispute settlement' in Andrew. T. Guzman & Alan. O. Sykes (eds), *Research Handbook in International Economic Law* (Edward Elgar 2007) 204.

bodies and below its most political body, which has enabled it to become a useful barometer for the shifting dynamics of global trade frictions.

Another interesting conclusion we derive is that trade concerns discussions at the Goods Council could serve as a good proxy for broader trends in global trade, as demonstrated by the rise of trade measures tied to environmental goals and political tensions and/or national security considerations. A more detailed and timely examination of the trade concerns data can be a good barometer of the simmering trade frictions before their potential escalation to disputes – similar to how canaries were earlier used to detect gas leaks in coal mines and avoid accidents or loss of human lives.

Finally, our analysis has shown that the participation of WTO Members varies considerably across different bodies. While the more technical bodies are attended mostly by the larger players, many small and medium-sized developing Members also participate in issues that directly or indirectly affect them. Their participation may depend on the substantive issues or the forum where they are being discussed. At the same time, it appears that LDCs and other groups of Members are not always actively involved in these technical discussions. While their lower participation could be due to numerous reasons, some of which we briefly touched upon in the sections above, such as lack of resources, identifying these areas could help to improve the type of technical assistance provided to them to enhance and support their wider participation in WTO bodies. These areas could be prioritised, and technical assistance could be tailored to address the gaps to ensure enhanced participation of these Members in discussions in WTO bodies.

ANNEX 1
METHODOLOGY

This paper's methodology centres around the quantitative and qualitative analysis of trade concerns raised within the WTO's Goods Council and some of its subsidiary bodies, as well as the General Council. It seeks to understand better the nature, frequency, and evolution of these trade concerns over time. This annex outlines the data sources, collection processes, and analytical techniques employed in the study.

Data Sources: The primary data source for the analysis of the STCs in the four subsidiary bodies of the Goods Council (CMA, CIL, SPS and TBT) is the WTO's Trade Concerns Database, which included information for all meetings until 31 December 2023. In the case of the CMA, it is worth noting that although the review of notifications of quantitative restrictions introduced or maintained by Members often generates discussions that are akin to a trade concern, the statistics generated by this Committee focus solely on trade concerns that have been raised as standalone agenda items. Additional data were extracted from the minutes of the meetings of the Goods Council and the General Council, providing detailed accounts of the discussions, interventions, and outcomes (where available). Most of the information collected for the Goods Council has been incorporated and available publicly through the Trade Concerns Database.

Data Collection Process: Data collection involved a systematic review of the information in the Trade Concerns Database, some of which required extracting the raw data and processing it to analyze the required aspect. The information relating to the CTG and the General Council was extracted directly from minutes of Goods Council meetings from its inception in 1995 until December 2023 and used to produce a dataset following a similar structure to the one used for the other bodies. Key information extracted included the trade concerns raised, the members involved, the nature of the concerns, the frequency and intensity of member interventions during discussions, etc.

Operational Definitions and Measurements:

- **Trade frictions**: Defined in this context to mean concerns WTO Members have regarding the perceived WTO incompatibility of a draft/final measure of another Member.

- **Number of trade concerns**: In the context of a specific meeting, it refers to the number of trade concerns adopted by the Goods Council as part of its agenda, irrespective of whether they were raised under "other business". In the context of yearly statistics, it refers to the number of unique trade concerns raised during a particular year, irrespective of the number of meetings in which they were raised.

- **Interventions**: Refers to statements or comments made by delegates representing a WTO Member during a meeting of the Goods Council in relation to a raised trade concern. This information is compiled and disseminated through the minutes or summary report of a meeting and the Trade Concerns Database for the bodies mentioned above.

- **Number of interventions**: These figures were estimated based on the number of Members intervening on a particular trade concern during a meeting, assuming that there was only one intervention per Member, which is also the information available through the Trade Concerns Database. Although this approach may indeed, on the one hand, underestimate the actual number of interventions (i.e., because it ignores the situations where a Member takes the floor more than once for a particular issue), there are, on the other hand, situations where one Member speaks on behalf of a group of Members (which would translate in an overestimation of the real number of interventions). Both situations are relatively rare and, for this reason, were ignored.

- **Intensity of discussions**: Measured by the number of interventions and the duration of discussions on each trade concern, serving as a proxy for the level of member engagement and concern with respect to a particular issue.

- **Trade concerns stickiness**: In economics, the term "stickiness" is used to refer to the resistance to change that can be observed in certain variables such as wages and prices. In

this paper, the term has been used to refer to the observed tendency of certain trade concerns to be continuously raised in the agendas of certain WTO bodies.

Definition of Member groups: Although the WTO Agreements make a distinction between the developed, developing and least-developed WTO Members, only the last one is formally defined based on criteria set out by the United Nations. For analysis purposes only, and without prejudice to their rights and obligations, this paper followed the same working definitions used by the WTO Secretariat in its publications as described below and based on the list of WTO Members as of 31 December 2023. It should be noted that while the first three categories are mutually exclusive (i.e., Members can only belong to one of them), the last three overlap to a large degree among them.

- Developed Members: Australia; Canada; European Union, including all its member States; Iceland; New Zealand; Norway; Russian Federation; Switzerland; United Kingdom; United States of America.

- Developing Members: Albania; Antigua and Barbuda; Argentina; Armenia; Bahamas; Bahrain, Kingdom of; Barbados; Belize; Bolivia, Plurinational State of; Botswana; Brazil; Brunei Darussalam; Cabo Verde; Cameroon; Chile; China; Colombia; Comoros; Congo; Costa Rica; Côte d'Ivoire; Cuba; Dominica; Dominican Republic; Ecuador; Egypt; El Salvador; Eswatini; Fiji; Gabon; The Gambia; Georgia; Ghana; Grenada; Guatemala; Guyana; Honduras; Hong Kong, China; India; Indonesia; Israel; Jamaica; Jordan; Kazakhstan; Kenya; Korea, Republic of; Kyrgyz Republic; Kuwait, the State of; Lao People's Democratic Republic; Macao, China; Malaysia; Maldives; Mauritius; Mexico; Moldova, Republic of; Mongolia; Montenegro; Morocco; Namibia; Nicaragua; Nigeria; North Macedonia; Oman; Pakistan; Panama; Papua New Guinea; Paraguay; Peru; Philippines; Qatar; Saint Kitts and Nevis; Saint Lucia; Saint Vincent and the Grenadines; Samoa; Saudi Arabia, Kingdom of; Seychelles; Singapore; South Africa; Sri Lanka; Suriname; Chinese Taipei; Thailand; Tonga; Trinidad and Tobago; Tunisia; Türkiye; Ukraine; United Arab Emirates; Uruguay; Vanuatu; Venezuela, Bolivarian Republic of; Viet Nam; Zimbabwe.

- LDC Members: Afghanistan; Angola; Bangladesh; Benin; Burkina Faso; Burundi; Cambodia; Central African Republic; Chad; Democratic Republic of the Congo; Djibouti; The Gambia; Guinea; Guinea-Bissau; Haiti; Lao People’s Democratic Republic; Lesotho; Liberia; Madagascar; Malawi; Mali; Mauritania; Mozambique; Myanmar; Nepal; Niger; Rwanda; Senegal; Sierra Leone; Solomon Islands; Tanzania; Togo; Uganda; Yemen; Zambia.

- African Members: Angola; Benin; Botswana; Burkina Faso; Burundi; Cabo Verde; Cameroon; Central African Republic; Chad; Congo; Democratic Republic of the Congo; Côte d'Ivoire; Djibouti; Egypt; Eswatini; Gabon; The Gambia; Ghana; Guinea; Guinea-Bissau; Kenya; Lesotho; Liberia; Madagascar; Malawi; Mali; Mauritania; Mauritius; Morocco; Mozambique; Namibia; Niger; Nigeria; Rwanda; Senegal; Seychelles; Sierra Leone; South Africa; Tanzania; Togo; Tunisia; Uganda; Zambia; Zimbabwe.

- ACP Members: Angola; Antigua and Barbuda; Barbados; Belize; Benin; Botswana; Burkina Faso; Burundi; Cabo Verde; Cameroon; Central African Republic; Chad; Congo; Côte d'Ivoire; Cuba; Democratic Republic of the Congo; Djibouti; Dominica; Dominican Republic; Eswatini; Fiji; Gabon; The Gambia; Ghana; Grenada; Guinea; Guinea-Bissau; Guyana; Haiti; Jamaica; Kenya; Lesotho; Liberia; Madagascar; Malawi; Mali; Mauritania; Mauritius; Mozambique; Namibia; Niger; Nigeria; Papua New Guinea; Rwanda; Saint Kitts and Nevis; Saint Lucia; Saint Vincent and the Grenadines; Samoa; Senegal; Seychelles; Sierra Leone; Solomon Islands; South Africa; Suriname; Tanzania; Togo; Tonga; Trinidad and Tobago; Uganda; Vanuatu; Zambia; Zimbabwe.

- Caribbean Members: Antigua and Barbuda; Barbados; Cuba; Dominica; Dominican Republic; Grenada; Haiti; Jamaica; Saint Kitts and Nevis; Saint Lucia; Saint Vincent and the Grenadines; Trinidad and Tobago.

Analytical Techniques: The study employs a mix of quantitative and qualitative methods. Quantitative analysis includes descriptive statistics to summarize the data, while qualitative analysis

involves content analysis of meeting minutes to understand the context and implications of the raised concerns.

Assumptions and Limitations: The study assumes that the number of interventions and the engagement level in discussions are indicative of the importance and contentiousness of trade concerns. However, this does not necessarily imply causality between the raised concerns and specific trade frictions but allows a first approach to the subject. The analysis is limited by the availability and completeness of the recorded data. Other case-specific assumptions are described in the relevant sections.

Validation and Reliability: To ensure reliability, the data collection process was cross-verified by multiple persons. The analysis was conducted following standard research protocols to maintain objectivity and consistency.

ANNEX 2
LIST OF ACRONYMS

ACP	African, Caribbean and Pacific States
CBAM	carbon border adjustment mechanism
CIL	Committee on Import Licensing
CMA	Committee on Market Access
CoA	Committee on Agriculture
CTG	Council for Trade in Goods
DDA	Doha Development Agenda
DSU	Understanding on Rules and Procedures Governing the Settlement of Disputes
GATT	General Agreement on Tariffs and Trade
LDC	least-developed country
MC	Ministerial Conference
MFN	most-favoured nation
SPS	sanitary and phytosanitary
STC	specific trade concerns
TBT	technical barriers to trade
WTO	World Trade Organization

ANNEX 3:
LIST OF TRADE CONCERNS RAISED AT THE GOODS COUNCIL RELATING TO ENVIRONMENTAL OBJECTIVES OR INVOLVING POLITICAL TENSIONS AND/OR NATIONAL SECURITY
(1995-2023)

A. Environmental objectives

CTG ID	Trade Concern	Members raising the trade concern in at least one CTG meeting	First time raised at the CTG	CTG Minutes
12	Ban on Exports of Wild-Harvested Shrimps to the US	Hong Kong, China; Philippines	3-1996	G/C/M/9, G/C/M/10
38	Concerns Regarding the Feed-In Tariff (FIT) Programme of the Province of Ontario, Canada	Canada	5-2010	G/C/M/102, G/C/M/103
54	Ukraine's Recycling Fee Draft Law	European Union; Japan	11-2012	G/C/M/112, G/C/M/116
59	European Union - The EU Renewable Energy Directive	Indonesia	10-2013	G/C/M/116, G/C/M/118
62	European Union - Restrictions on the Importation of Biodiesel from the Argentine Republic	Argentina	4-2014	G/C/M/118
65	United States - Environmental Protection Agency (USEPA) - Notice on Data Availability Concerning Renewable Fuels Produced from Palm Oil Under the Renewable Fuel Standard (RFS) Program	Indonesia	4-2014	G/C/M/118
114	European Union - Amendments to the Directive 2009/28/EC, Renewable Energy Directive	Colombia; Malaysia	3-2018	G/C/M/131, G/C/M/132, G/C/M/134, G/C/M/135, G/C/M/136, G/C/M/137, G/C/M/138
148	European Union - Carbon Border Adjustment Mechanism (The European Green Deal of December 2019)	Armenia; Bahrain, Kingdom of; Brazil; China; Indonesia; Kazakhstan; Kyrgyz Republic; Qatar; Russian Federation; Saudi Arabia, Kingdom of	6-2020	G/C/M/137, G/C/M/138, G/C/M/139, G/C/M/140, G/C/M/141, G/C/M/142, G/C/M/143, G/C/M/144, G/C/M/145, G/C/M/146, G/C/M/147
161	India - Import Restriction on Air Conditioners	Japan; Thailand	3-2021	G/C/M/139, G/C/M/140, G/C/M/141, G/C/M/142, G/C/M/143, G/C/M/144, G/C/M/145, G/C/M/146, G/C/M/147
171	European Union - The European Green Deal	Russian Federation	7-2021	G/C/M/140, G/C/M/141, G/C/M/142, G/C/M/143, G/C/M/144, G/C/M/145, G/C/M/146, G/C/M/147
186	United Kingdom - Environmental Act: Forestry Commodities	Brazil; Indonesia	4-2022	G/C/M/142, G/C/M/143, G/C/M/144, G/C/M/145

CTG ID	Trade Concern	Members raising the trade concern in at least one CTG meeting	First time raised at the CTG	CTG Minutes
188	European Union - European Green Deal (Carbon Border Adjustment Mechanism and Deforestation Free Commodities)	Brazil; Indonesia	4-2022	G/C/M/142, G/C/M/143, G/C/M/144
194	United States - Trade Distorting and Discriminatory Subsides Measures of the Inflation Reduction Act of 2022	China	11-2022	G/C/M/144, G/C/M/145, G/C/M/146, G/C/M/147
200	European Union – Draft Commission Regulation Amending Annexes 2 and 5 to Regulation EC No. 396/2005 of the European Parliament and of the Council as Regards to MRLs for Clothianidin and Thiamethoxam in or on Certain Products	Australia; Brazil; United States	11-2022	G/C/M/144, G/C/M/145, G/C/M/146, G/C/M/147
203	European Union - Deforestation Free Commodities	Brazil; Colombia; Indonesia; Paraguay; Russian Federation	4-2023	G/C/M/145, G/C/M/146, G/C/M/147
208	European Union – The Anti-Subsidy Investigation Against the Imports of Battery Electric Vehicles from China	China	11-2023	G/C/M/147
210	France-Revised Electric Vehicle (EV) subsidy scheme	Korea, Republic of	11-2023	G/C/M/147
212	China; Hong Kong, China; Macao, China; and the Russian Federation – Restriction on Imports of Aquatic Products from Japan after Discharge of ALPS Treated Water into the Sea	Japan	11-2023	G/C/M/147

B. Political tensions and/or national security

CTG ID	Trade Concern	Members raising in at least one meeting	First time raised at the CTG	CTG Minutes
2	Japan - United States: Auto and Auto Parts Issues; United States Unilateral Measures	Japan	5-1995	G/C/M/3, G/C/M/4
3	Japan's Automotive Barriers and Restrictive Practices	United States	5-1995	G/C/M/3
11	US - "Cuban Liberty and Democratic Solidarity Act of 1996"	Cuba	3-1996	G/C/M/9
64	Russian Federation - Trade Restricting Measures	European Union; Japan; Ukraine; United States	4-2014	G/C/M/118, G/C/M/119, G/C/M/120, G/C/M/122, G/C/M/123, G/C/M/125, G/C/M/128, G/C/M/129, G/C/M/130, G/C/M/131, G/C/M/132, G/C/M/133, G/C/M/134, G/C/M/135, G/C/M/136, G/C/M/137, G/C/M/138, G/C/M/139, G/C/M/140, G/C/M/141
103	United States - Section 232 Investigations on the Effect of Imports of Steel and Aluminium Products on US National Security	China; Japan; Russian Federation	6-2017	G/C/M/129, G/C/M/130, G/C/M/131, G/C/M/132
104	United States - Trade Distorting Measures	China	6-2017	G/C/M/129
112	China - New Export Control Law in Draft	European Union; Japan	3-2018	G/C/M/131, G/C/M/132, G/C/M/133, G/C/M/134, G/C/M/135, G/C/M/136, G/C/M/137, G/C/M/138, G/C/M/139, G/C/M/140, G/C/M/141, G/C/M/142, G/C/M/143, G/C/M/144, G/C/M/145, G/C/M/146, G/C/M/147
117	Section 301 Investigation	China	3-2018	G/C/M/131, G/C/M/145, G/C/M/147
126	United States - Prohibitive Measures on Communication Equipment or Services Released by the FCC	China	7-2018	G/C/M/132, G/C/M/133, G/C/M/134, G/C/M/135, G/C/M/136, G/C/M/137
129	United States - Export Restrictions on Certain Enterprise of China	China	11-2018	G/C/M/133
131	Australia - Discriminatory Market Access Prohibition on 5G Equipment	China	11-2018	G/C/M/133, G/C/M/134, G/C/M/135, G/C/M/136, G/C/M/137, G/C/M/138, G/C/M/139, G/C/M/140, G/C/M/141, G/C/M/142, G/C/M/143, G/C/M/144, G/C/M/145, G/C/M/146
138	United States - Measures Regarding Market Access Prohibition for ICT Products	China	7-2019	G/C/M/135, G/C/M/136, G/C/M/137, G/C/M/138, G/C/M/139, G/C/M/140, G/C/M/141, G/C/M/142, G/C/M/143, G/C/M/144

CTG ID	Trade Concern	Members raising in at least one meeting	First time raised at the CTG	CTG Minutes
139	United States - Export Control Measures for ICT Products	China	7-2019	G/C/M/135, G/C/M/136, G/C/M/137, G/C/M/138, G/C/M/139, G/C/M/140, G/C/M/141, G/C/M/142
143	Japan - Export Control Measures on Materials Essential for Semiconductors and Displays	Korea, Republic of	7-2019	G/C/M/135
152	China - Implementation of Trade Disruptive and Restrictive Measures	Australia	11-2020	G/C/M/138, G/C/M/139, G/C/M/140, G/C/M/141, G/C/M/142, G/C/M/143, G/C/M/144, G/C/M/145, G/C/M/146, G/C/M/147
154	Nigeria - Foreign Exchange Restrictions Affecting Dairy Imports	European Union	11-2020	G/C/M/138
163	European Union - Sweden's Discriminatory Market Access Prohibition on 5G Equipment	China	3-2021	G/C/M/139, G/C/M/140, G/C/M/141, G/C/M/142, G/C/M/143, G/C/M/144, G/C/M/145, G/C/M/146
170	China - Subsidy Transparency and China's Publication and Inquiry Point Obligations Under China's Protocol of Accession	Australia; Canada; European Union; Japan; United Kingdom; United States	7-2021	G/C/M/140, G/C/M/141, G/C/M/143, G/C/M/144, G/C/M/145, G/C/M/146, G/C/M/147
182	Nigeria - Restrictive Policies on Agricultural Products	Brazil	4-2022	G/C/M/142, G/C/M/143, G/C/M/144
183	United States - Discriminatory Quantitative Restrictions on Steel and/or Aluminium Imports	China	4-2022	G/C/M/142, G/C/M/143, G/C/M/144, G/C/M/145
184	European Union - Belgium's Draft Law Introducing Additional Security Measures for the Provision of Mobile 5G Services	China	4-2022	G/C/M/142, G/C/M/143
189	Australia, Canada, European Union, Japan, New Zealand, Switzerland, United Kingdom, and the United States - Unilateral Trade Restrictive Measures Against Russia	Russian Federation	4-2022	G/C/M/142, G/C/M/143, G/C/M/144, G/C/M/145, G/C/M/146, G/C/M/147
190	United States - Export Control Measures for Chinese Enterprises	China	7-2022	G/C/M/143, G/C/M/144
195	United States - A Series of Disruptive Policy Measures on the Global Semiconductor Industry Chain and Supply Chain	China	11-2022	G/C/M/144, G/C/M/145, G/C/M/146, G/C/M/147
204	United States, Japan, Netherlands - US-Japan-Netherlands Agreement on CHIP Export Restrictions	China	4-2023	G/C/M/145, G/C/M/146, G/C/M/147
205	United States - Disruptive and Restrictive Measures in the Name of National Security	China	4-2023	G/C/M/145, G/C/M/146, G/C/M/147