



Transparency and the Review Process

Committee on Agriculture
Transparency Information Session
13 September 2016

The Mandate of the CoA

*"The Committee shall oversee
the implementation of the
Agreement on Agriculture. [...]"*

*shall afford Members the
opportunity of consulting on
any matter relating to the
implementation of the provisions
of the Agreement "*

Document WT/L/43

Who sits in the Committee on Agriculture?

- ❖ All **164 WTO Members**;
- ❖ **Observer governments** (acceding members); and
- ❖ **IOs with observer status:**
 - International Grains Council (IGC)
 - International Monetary Fund (IMF)
 - Organization for Economic Cooperation and Development (OECD)
 - United Nations Conference on Trade and Development (UNCTAD)
 - United Nations Food and Agriculture Organization (FAO)
 - United Nations World Food Programme (WFP)
 - World Bank
 - Inter-American Institute for Co-operation on Agriculture (IICA)



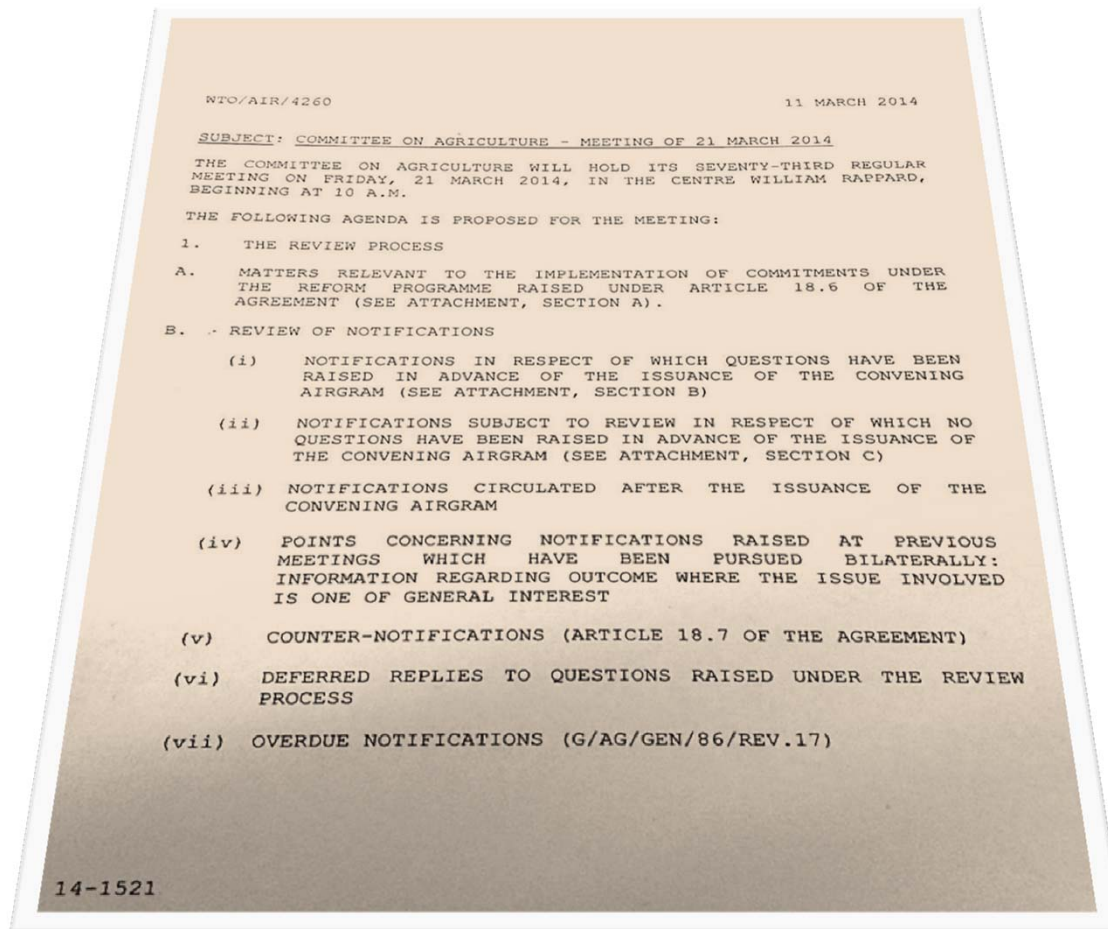
Committee on Agriculture meetings

3 (or 4) meetings per year	
9-10 March 2016	NFIDC list
7-8 June 2016	EC dedicated discussion
13-15 September 2016	
9-10 November 2016	<i>NFIDC monitoring exercise Participation in world trade Ad hoc observers</i>

Agenda

I. Review Process

II. Other Matters



Committee on Agriculture

THE REVIEW PROCESS

The Review Process - Legal basis

Article 18 – Review of the Implementation of Commitments

Art. 18.1

Progress in the implementation of commitments negotiated under the Uruguay Round reform programme shall be reviewed by the Committee on Agriculture.

Art. 18.2

The review process shall be undertaken on the basis of notifications submitted by Members in relation to such matters and at such intervals as shall be determined, as well as on the basis of such documentation as the Secretariat may be requested to prepare in order to facilitate the review process.

The Review Process - Legal basis

Article 18 – Review of the Implementation of Commitments

Art. 18.6

The review process shall provide an opportunity for Members to raise any matter relevant to the implementation of commitments under the reform programme as set out in this Agreement.

Committee on Agriculture

I. Review process

- ❑ Implementation of commitments under the Reform Programme (article 18.6)
- ❑ Review of notifications
 - Questions on notifications
 - Updates on bilateral discussions
 - Counter-notifications
 - Deferred replies to questions raised
 - Overdue notifications



CoA meetings cycle (G/AG/1)

Reminder Airgram

(4 weeks prior to the meeting)

- Dates for the upcoming CoA meeting
- Notifications issued since last convening airgram
- Deadline for submission of questions
- Deadline for inclusion of other matters

Convening Airgram

(10 days prior to the meeting)

- Agenda of the CoA meeting
- Questions raised under Art. 18.6
- Notifications subject to questioning
- Other matters

- **Compilation of questions**
- **Compliance document**

CoA meeting (Formal and informal)

- Answers to questions
- Other matters

Follow-up to CoA meeting

- **Report of the meeting**
- **Compilation of questions and answers**

Submission of questions

1. Give notice of intention to raise any matter relating to a particular notification or implementation issue to the Member concerned and to the WTO Secretariat.
2. Provide an outline of the concern.
3. As far as possible in advance of the meeting but no later than one day prior the issuance of the convening airgram (deadline provided in the reminder airgram)
4. Questions later compiled in G/AG/W/# document.



Submission of questions

Questions can be submitted to the WTO Secretariat via:

Email: Agnotifenquires@wto.org

AG IMS: <http://agims.wto.org/> (login credentials required)



Notifications

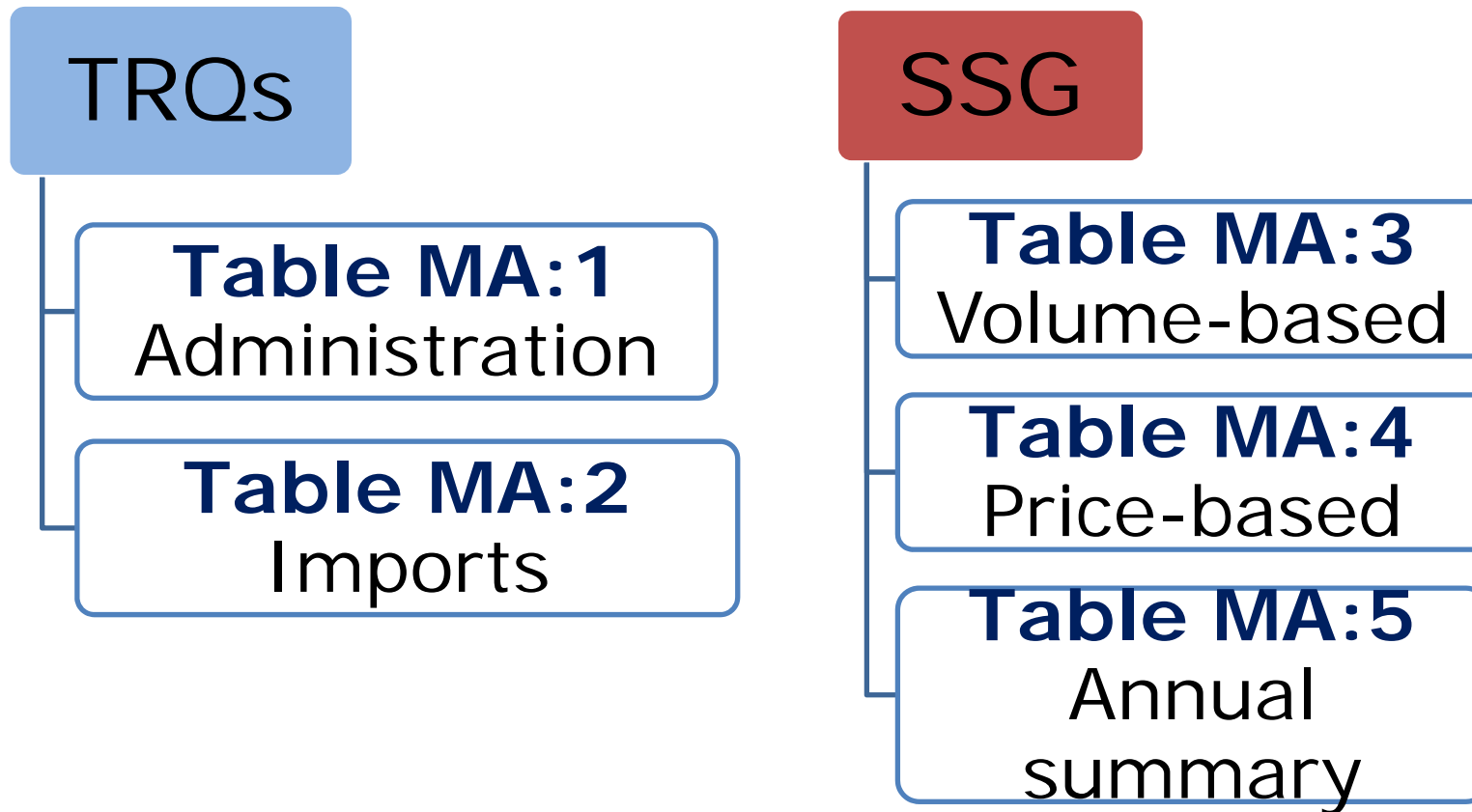
Why such detailed notification requirements?

- Complexity and nature of AoA commitments:
 - numerous ‘yearly’ commitments
- Means for the Members to demonstrate compliance with AoA rules and commitments
- Means for the Members to assess collectively the implementation of AoA commitments:
Review process of the Committee on Agriculture
- Important source of transparency
- Commonly agreed formats and timelines:
G/AG/2

What to notify?



MA





Current Total AMS

- Table DS: 1

New/modified «exempt »
measure

- Table DS: 2



Export Subsidies

Table ES:1

Volumes and outlays

Table ES:2

Total exports

Table ES:3

International food aid

ER

Table ER:1

Export prohibitions and
Restrictions

NF

Table NF:1

Follow-up NFIDC Decision

Who has to notify?

MA: Tariff Rate Quotas	Only Members with scheduled TRQs
MA: Special Safeguard	Only Members with scheduled SSG
DS: Domestic Support	All Members
ES: Export Subsidies	All Members
ER: Export Prohibitions and Restrictions	All Members (subject to S&D in Article 12 of AoA)
NF: Follow-up to the NFIDC Decision	All donor Members



Frequency

Table MA:1 Administration of quotas	initial notification in advance of the opening of the quota or no later than 30 days . Notifications of changes prior to the change being implemented, or not later than 30 days .
Table MA:2 Imports under tariff and other quotas	30 days following the year but, in any event, no later than 60 days



Frequency

Table MA:3 "volume-based" special safeguard	as far as practicable before taking such action or within 10 days of the implementation of such action
Table MA:4 "price-based" special safeguard	"up-front" notification of trigger prices or <i>case-by-case basis</i> for the first use... in advance, or within 10 days of taking of such action
Table MA:5 Annual notification	no later than 30 days following the year in question.



Frequency

Table DS:1

Domestic Support

No later than **90 days** following the end of the year.

If provisional, the final notification should be submitted no later than **120 days** following the end of the year

Table DS:2

**New or modified
domestic support
measures exempt from
reduction**

as far as practicable before such measures are adopted and in any event within **30 days** of adoption.



Frequency

Table ES:1 Export Subsidies	Members with ES commitments: no later than 60 days following end of the year... If provisional, the final notification should be submitted no later than 120 days following the end of the year. Members without ES commitments: no later than 30 days
Table ES:2 Total exports	no later than 120 days following the end of the implementation year in question.
Table ES:3 Food aid	no later than 120 days following the end of the year in question.



Frequency

Table ER:1 Export prohibitions and restrictions	As far as practicable in advance of the measure being taken.
Table NF:1 Follow-up NFIDC Decision	The notification should be made no later than 60 days following the relevant period.

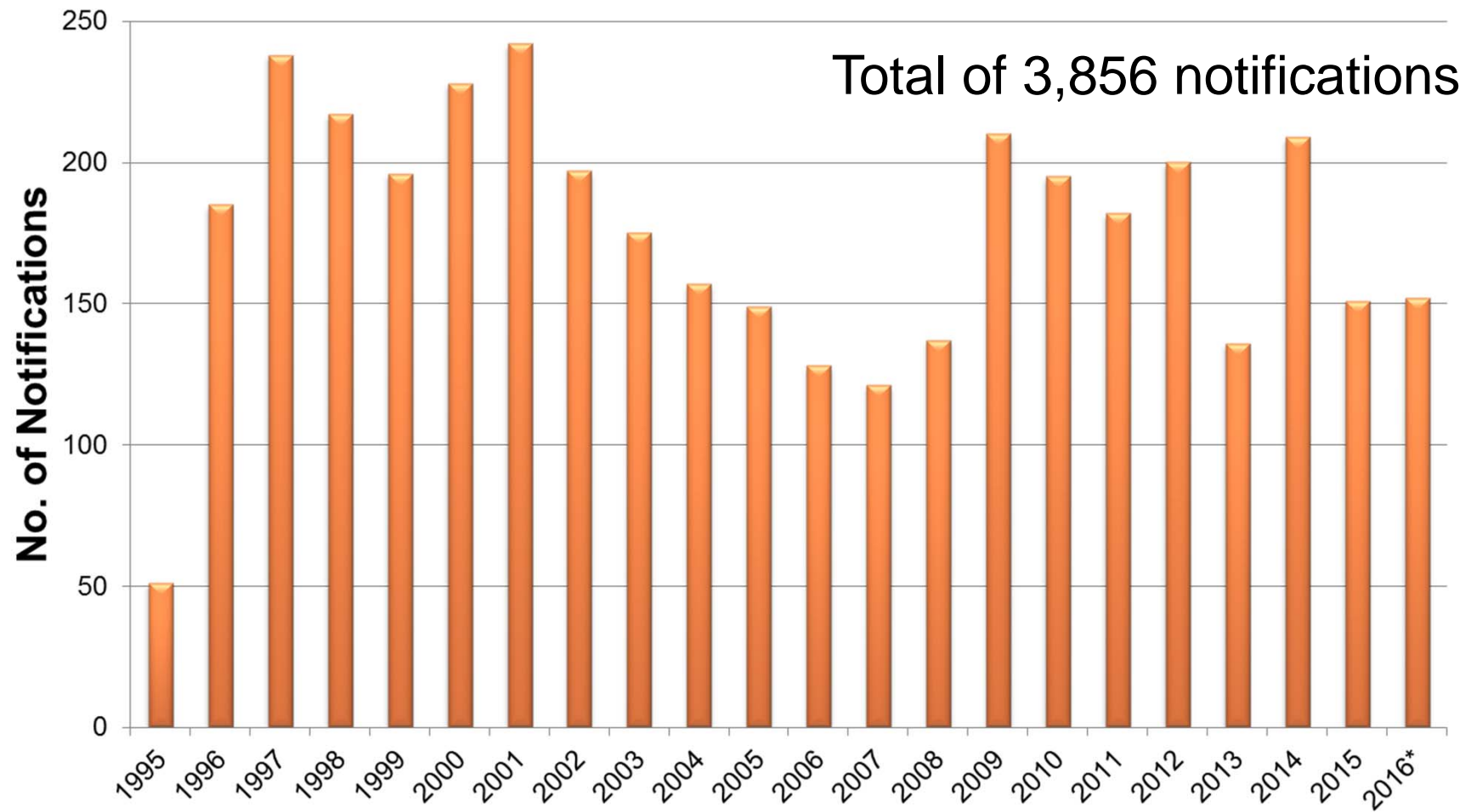


SUBMISSION PROCEDURE



20 years later

Notifications (1995-2016)



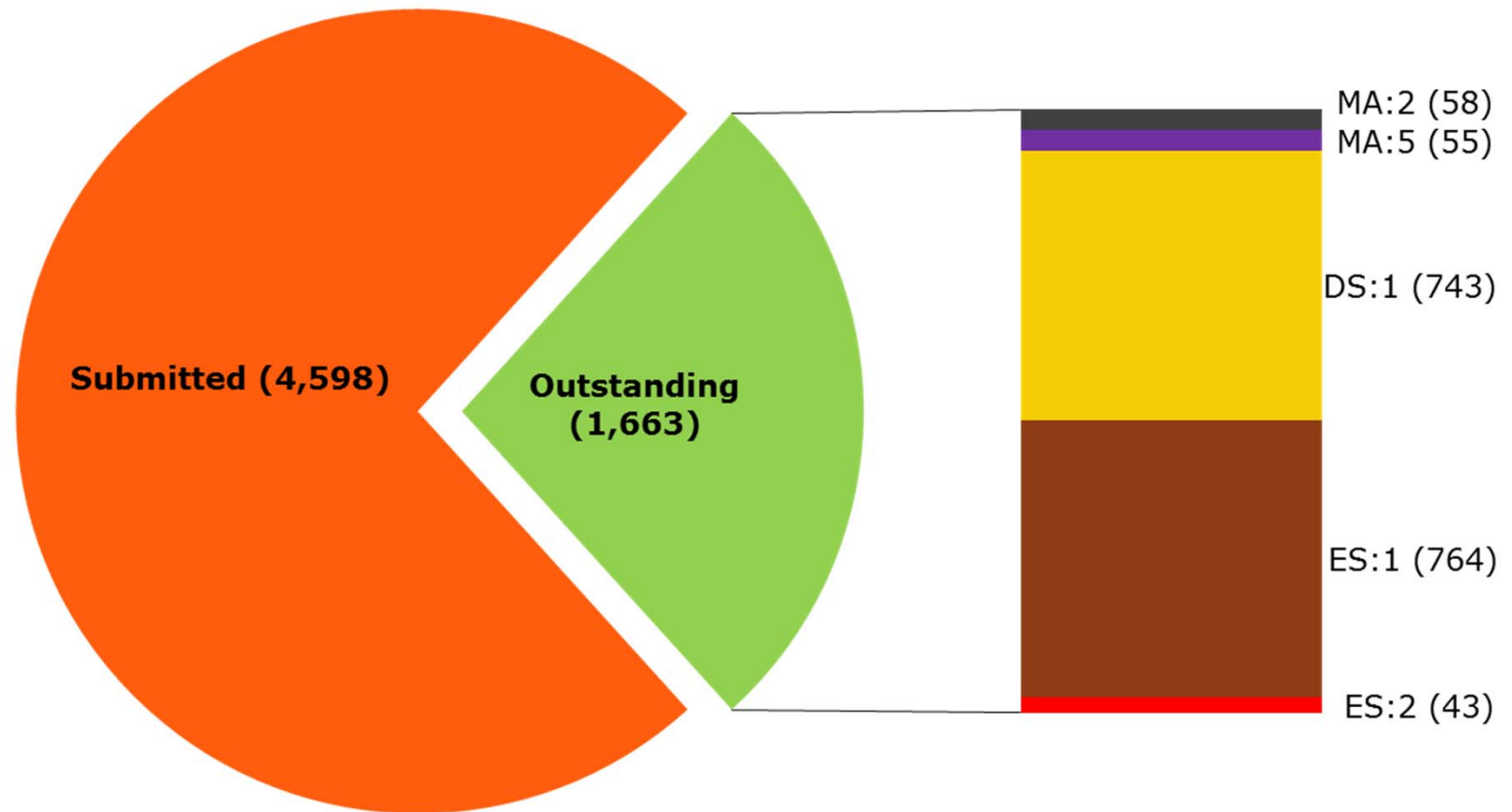
Processing time for notifications (1995-2016)

Processing time (days)	Number of notifications	%
0 – 5	1943	27
6 – 10	1767	25
11 - 15	965	13
16 - 20	542	8
21 – 25	340	5
> 25 days	1625	23

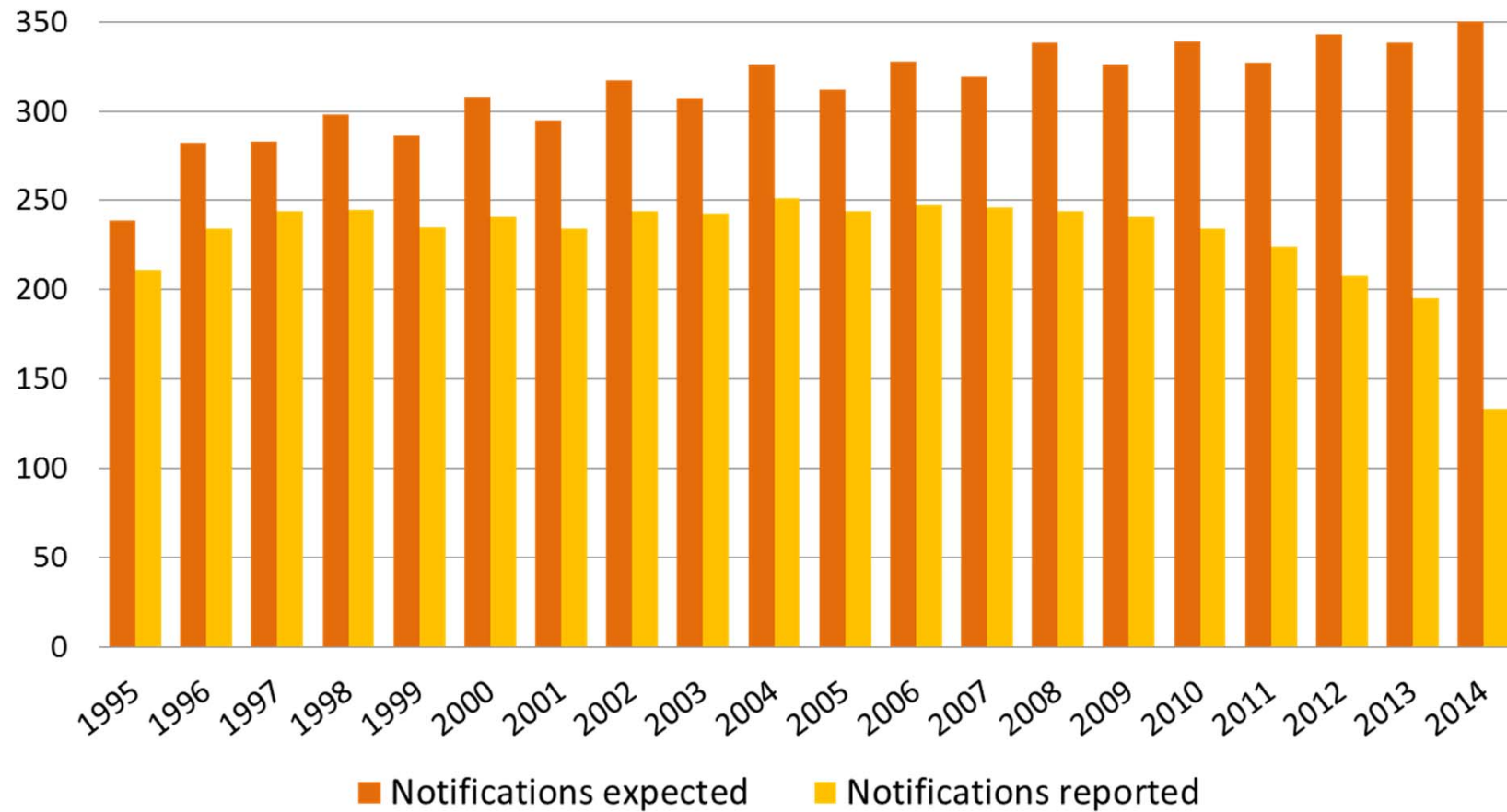
The Ag-IMS function for the online submission of notifications is expected to reduce processing time!



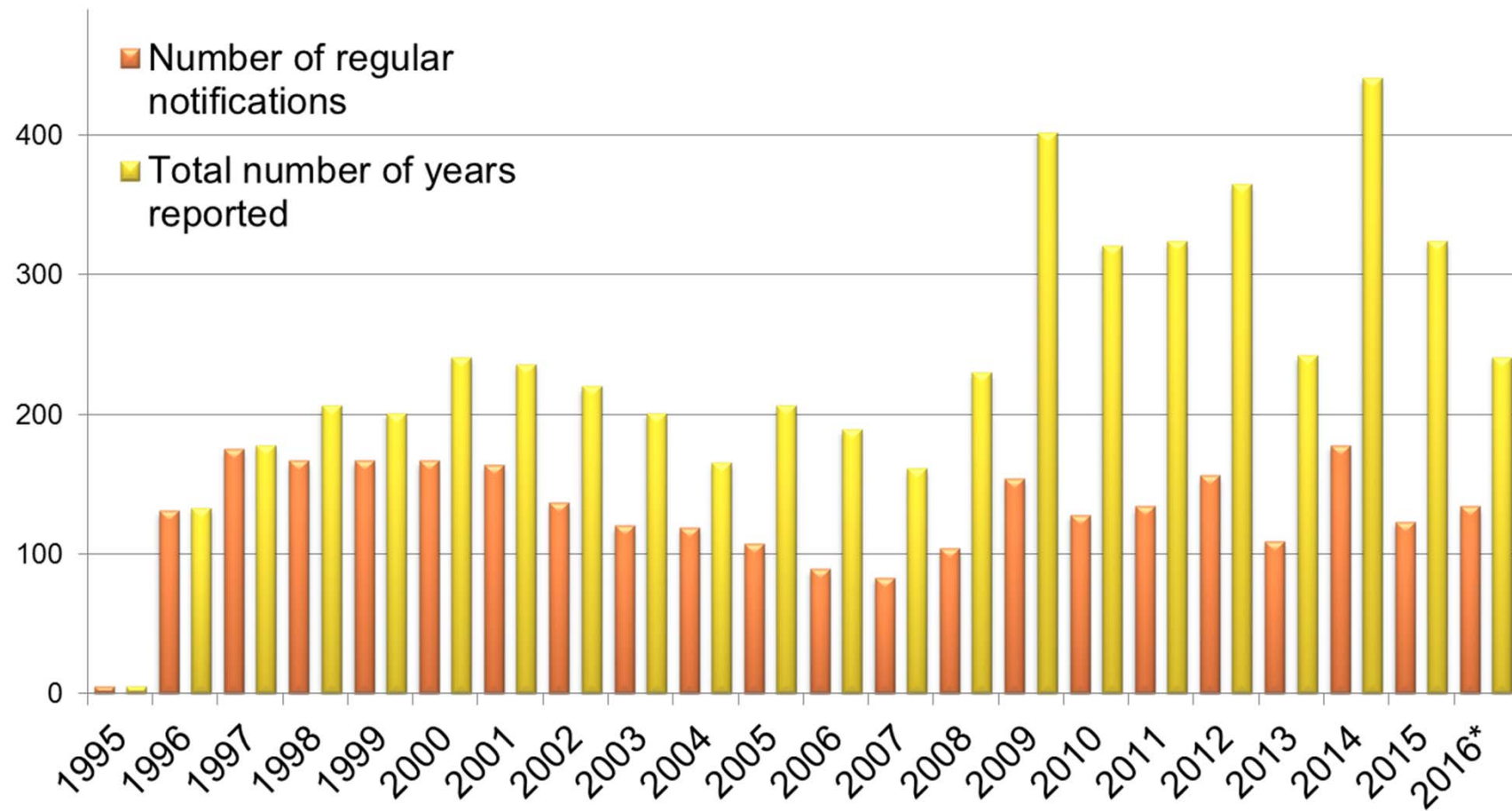
Outstanding notifications



Expected vs Reported



Efforts to get up-to-date



Compliance

Compliance	MA:2		MA:5		DS:1		ES:1		ES:2	
	Members	%	Members	%	Members	%	Members	%	Members	%
100%	20	51	23	70	26	20	44	34	16	59
≥50% but <100%	17	44	8	24	57	44	48	37	9	33
>0% but <50%	2	5	1	3	17	13	14	11	2	7
0%	0	0	1	3	30	23	25	19	0	0
Total	39	100	33	100	130	100	131	100	27	100

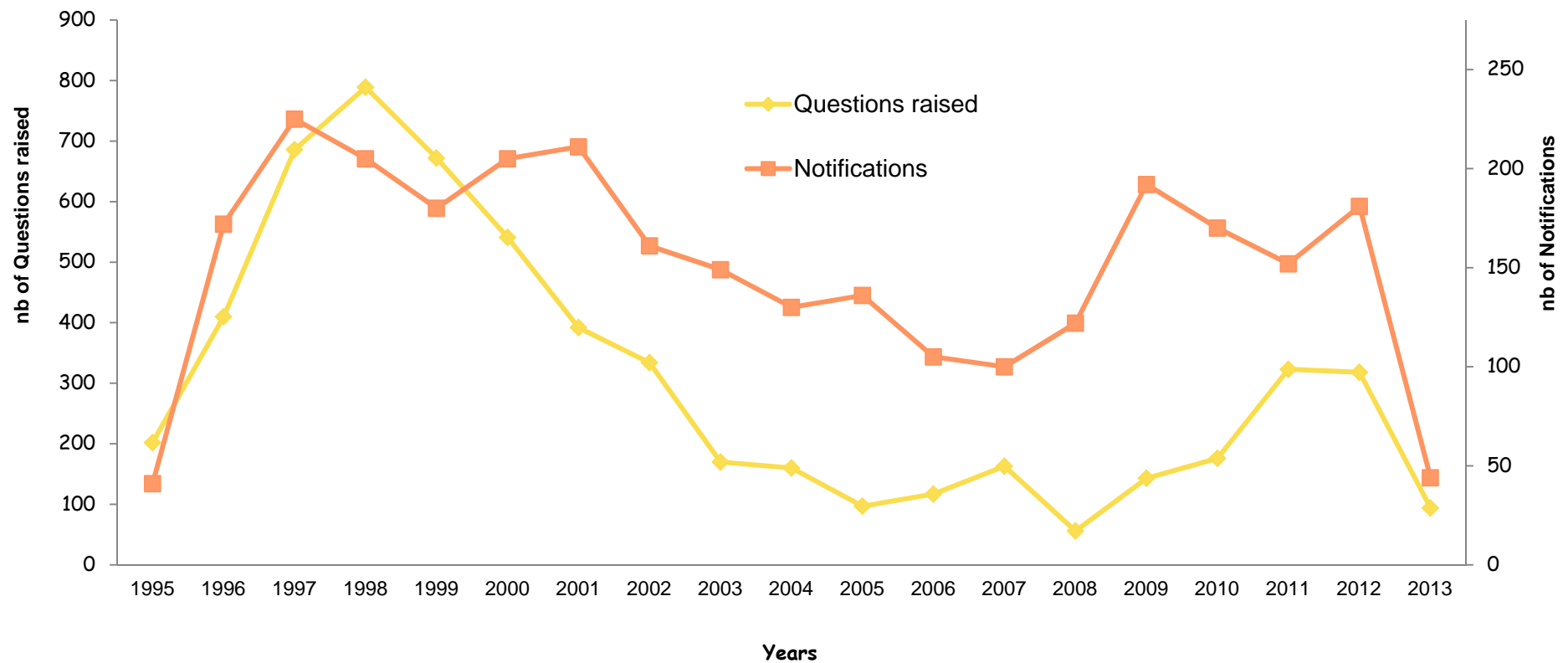
Member	Average Compliance (%)
Botswana	100
Brazil	100
Cameroon	100
Congo	100
Costa Rica	100
Fiji	100
Georgia	100
Honduras	100
Hong Kong, China	100
Jamaica	100
Macao, China	100
Mexico	100
New Zealand	100
Norway	100
Russian Federation	100
Singapore	100
United Arab Emirates	100
Uruguay	100



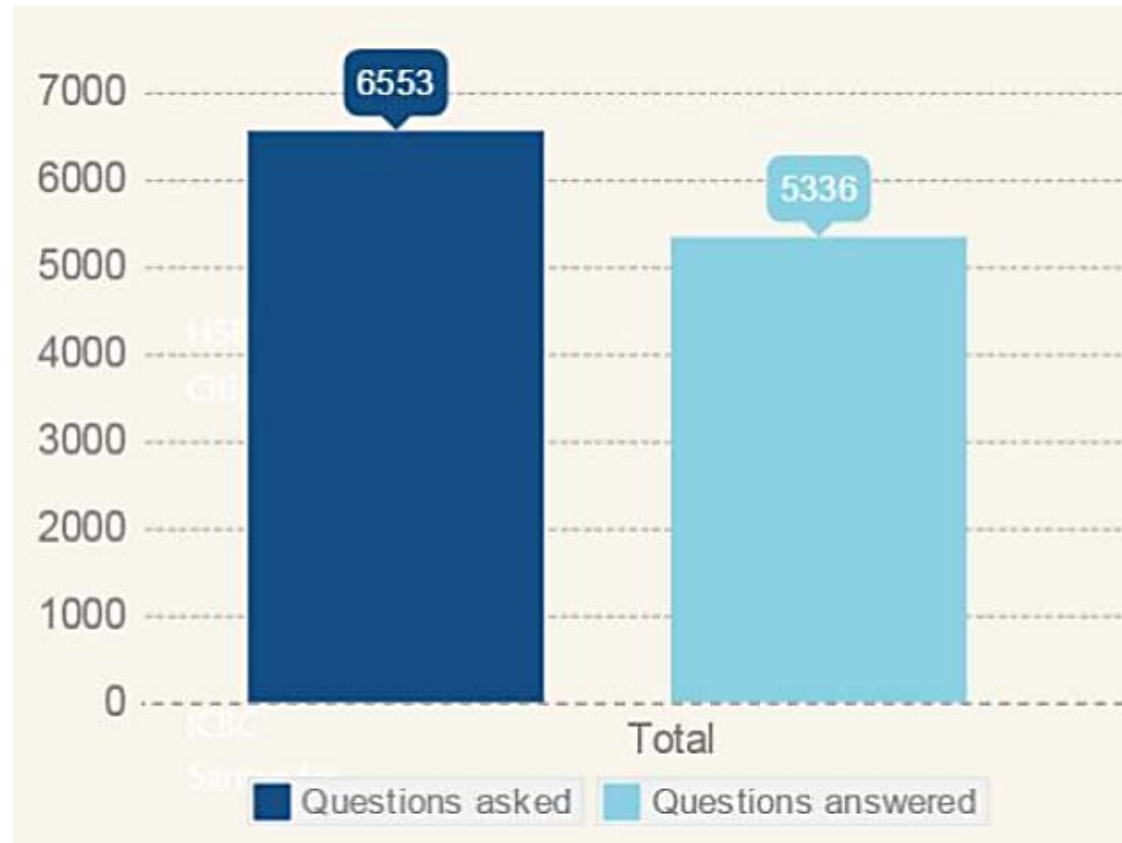
The Olympics of transparency



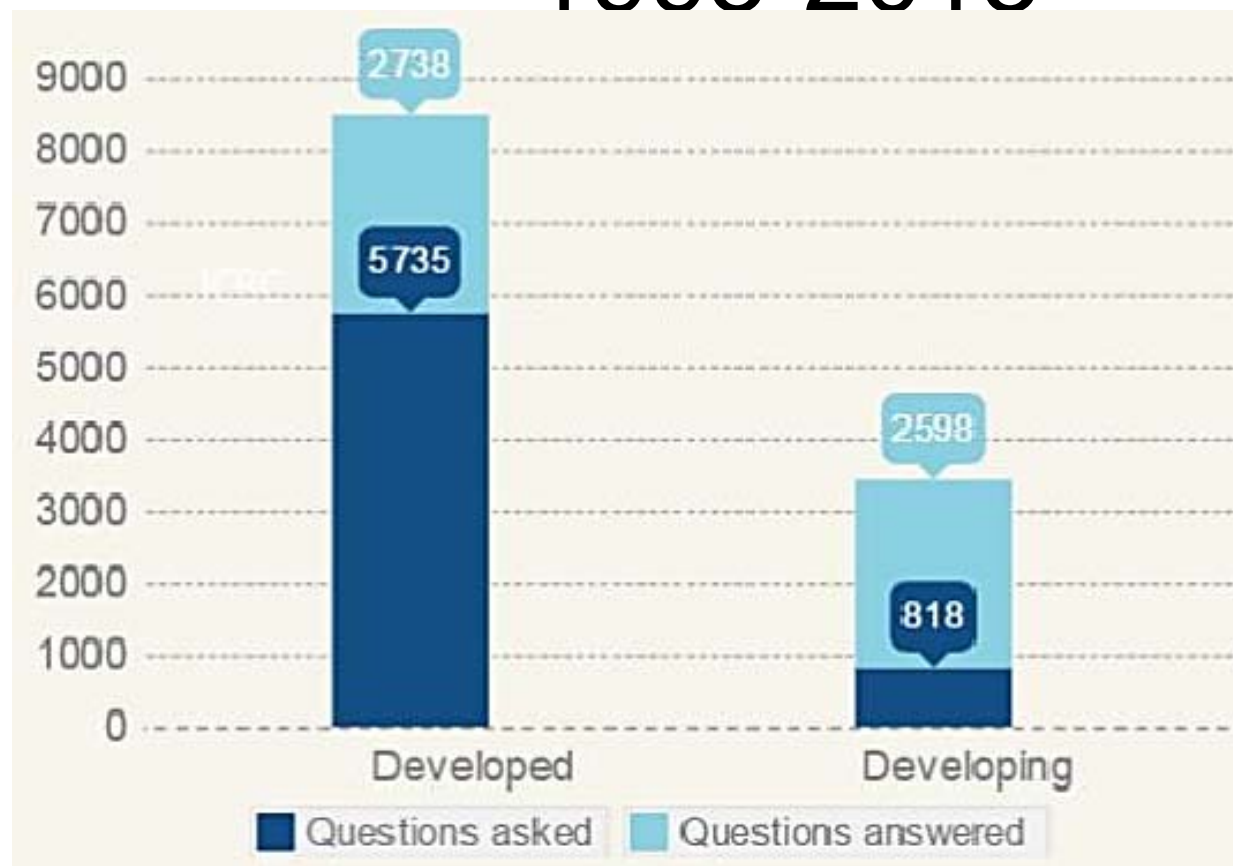
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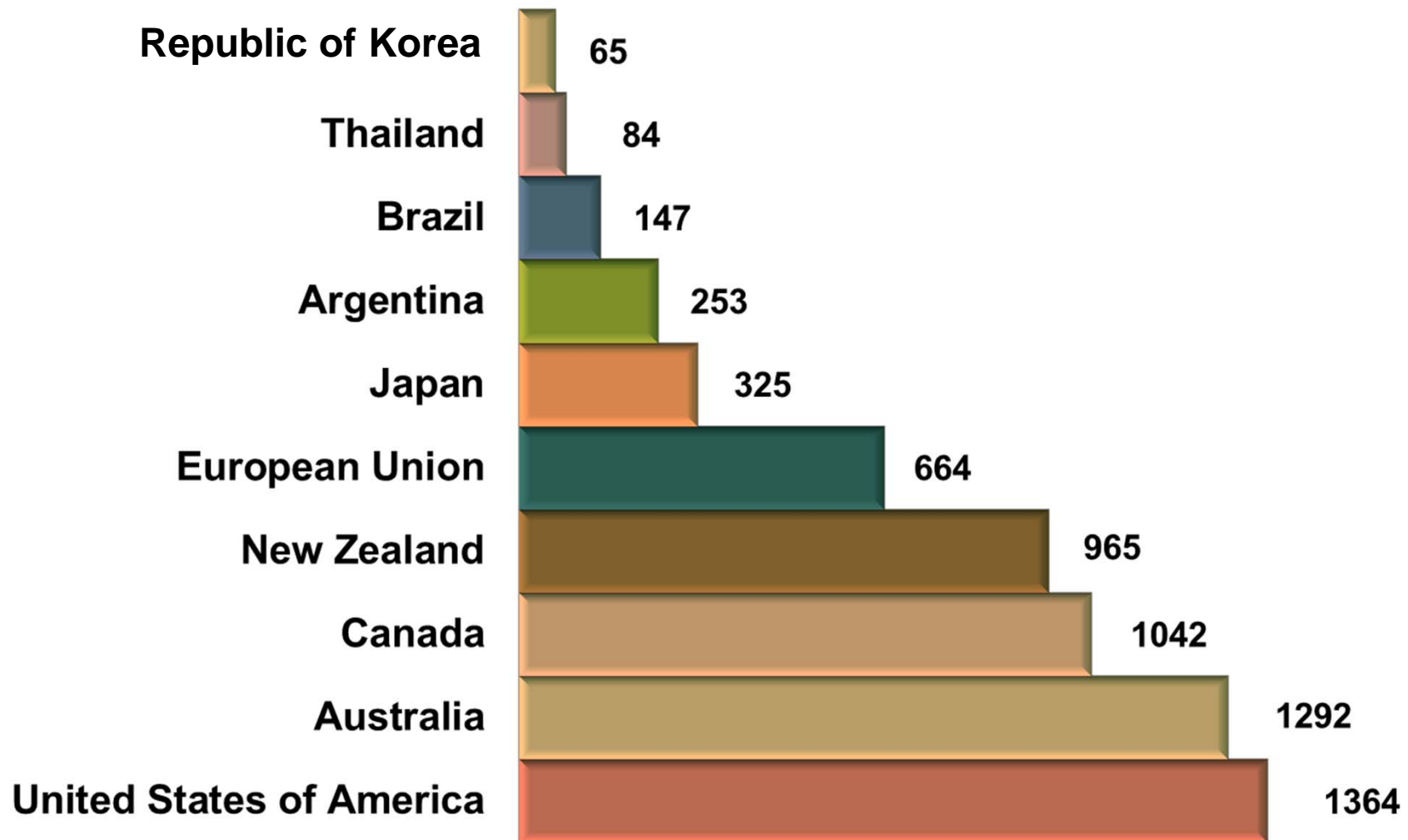
Questions discussed in the CoA (1995-2015)



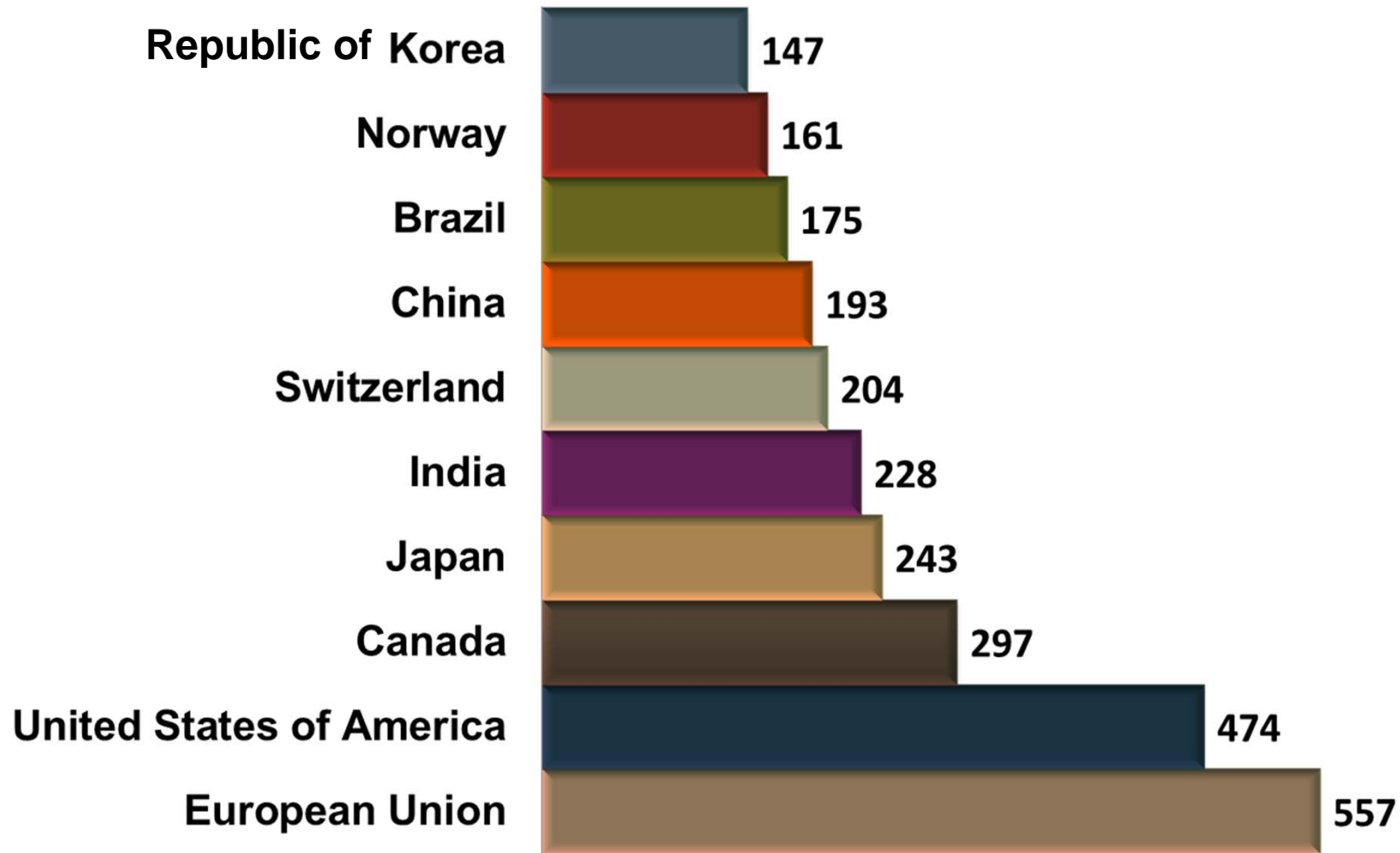
Questions by development status 1995-2015



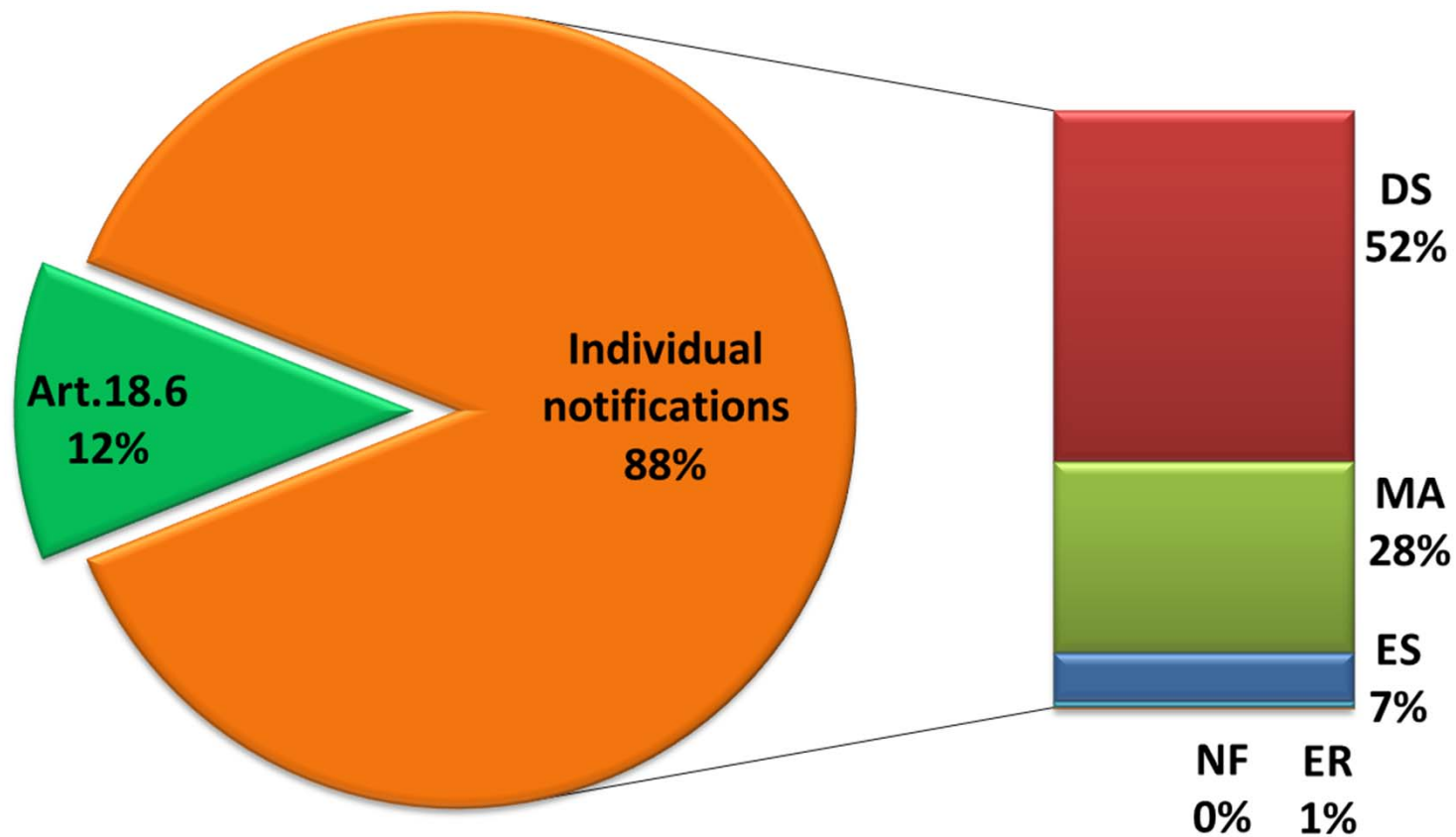
Top 10 questioners 1995-2015



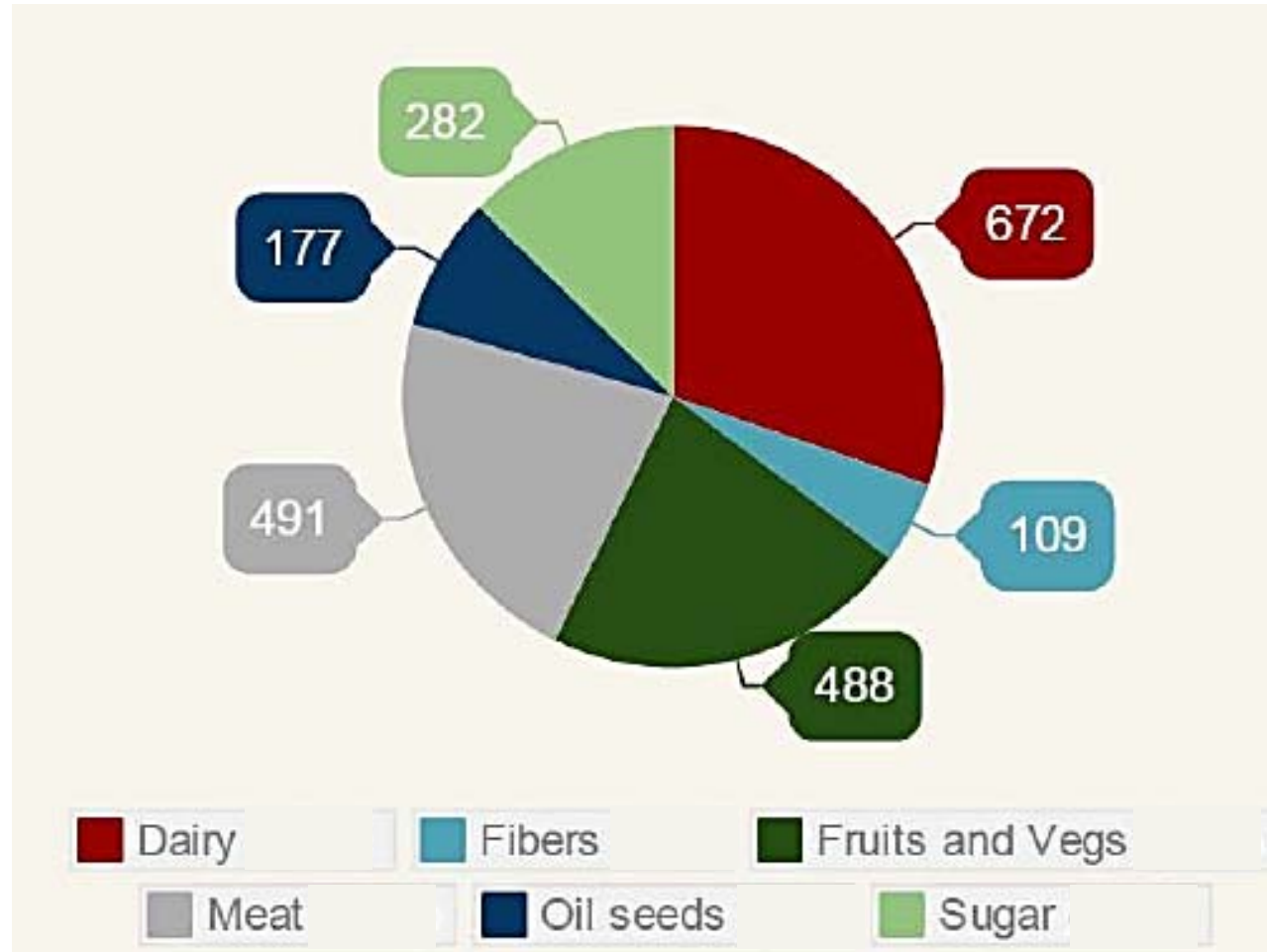
Top 10 questioned Members 1995-2015



Questions per section and area 1995-2015



Main product categories 1995-2015



* Only includes questions where products were identified

Relevant documents:

- Notification Requirements and Formats—**G/AG/2**
- Compliance with notification obligations—**G/AG/GEN/86/Rev.#**
- Improvement of the submission of notifications- documentation guide –**G/AG/W/112/Rev.#**

Relevant documents:

- **Handbook on notification requirements:**

https://www.wto.org/english/tratop_e/agric_e/ag_notif_e.pdf

Handbook on Notification Requirements Under the Agreement on Agriculture



This document has been prepared under the Secretariat's own responsibility and is without prejudice to the positions of Members or to their rights or obligations under the WTO. Some real examples of notifications are referred to in the Handbook. These are referenced only for illustrative purposes without any judgement on the quality or content of the notifications.

Relevant documents:

https://www.wto.org/english/tratop_e/agric_e/cairns_group_paper.pdf



WTO
COMMITTEE ON AGRICULTURE



**WHAT TO LOOK FOR
WHEN REVIEWING
NOTIFICATIONS**