

WORLD TRADE ORGANIZATION

G/L/491
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(01-4956)

REPORT (2001) OF THE WORKING PARTY ON STATE TRADING ENTERPRISES¹

I. ORGANIZATION OF THE WORK OF THE WORKING PARTY

1. The Working Party on State Trading Enterprises was established by the Council for Trade in Goods at its meeting of 20 February 1995, pursuant to paragraph 5 of the Understanding on the Interpretation of Article XVII of the General Agreement on Tariffs and Trade 1994 (hereinafter "the Understanding"). Membership of the Working Party is open to all Members indicating their wish to serve on it. Observer governments in the General Council of the WTO have observer status in the Working Party. During the period under review (21 November 2000 – 9 October 2001), first Mr. Breffini Carpenter (Ireland), and then Ms. Maija Manika (Latvia), served as Chair of the Working Party.
2. The mandate of the Working Party, as set out in paragraph 5 of the Understanding, is: (i) to review notifications and counter-notifications on state trading; (ii) to review, in the light of the notifications received, the adequacy of the questionnaire on state trading (BISD 9S/184) and the coverage of state trading enterprises notified under paragraph 1 of the Understanding; and (iii) to develop an illustrative list showing the kinds of relationships between governments and enterprises, and the kinds of activities engaged in by these enterprises, which may be relevant for the purposes of Article XVII of GATT 1994.
3. This Report is submitted under paragraph 5 of the Understanding. It sets out the activities of the Working Party during the period under review.
4. Participants in the Working Party's meetings to date are: Argentina; Australia; Bangladesh; Brazil; Brunei Darussalam; Burundi; Canada; Chile; Colombia; Costa Rica; Cuba; Cyprus; Czech Republic; Egypt; El Salvador; European Communities; Guatemala; Hong Kong, China; Honduras; Hungary; Iceland; India; Indonesia; Israel; Japan; Korea; Latvia; Malaysia; Malta; Mauritius; Mexico; Morocco; New Zealand; Norway; Pakistan; Paraguay; Peru; Philippines; Poland; Romania; Singapore; Slovak Republic; South Africa; Switzerland; Thailand; Trinidad and Tobago; Turkey; United States; Uruguay; Venezuela; and Zambia. China, P.R.; Chinese Taipei; Ethiopia; Jordan; Russian Federation; Saudi Arabia; Sudan; and Vietnam participated as observers.
5. The Working Party held one formal meeting during the period under review, on 9 October 2001. The Minutes of this meeting will be circulated in document G/STR/M/19.

¹ As agreed by the Council for Trade in Goods at its meeting of 5 October 2001, this report is being forwarded directly to the General Council following adoption by the Working Party on State Trading Enterprises at its meeting of 9 October 2001.

II. NOTIFICATION AND REVIEW OF MEMBERS' STATE TRADING ACTIVITIES

6. Under Article XVII of GATT 1994 and paragraph 1 of the Understanding, all Members of the WTO are required to submit annual notifications of their state trading activities. New and full notifications were first required in 1995 and, subsequently, every third year thereafter, while updating notifications are to be made in the intervening years, indicating any changes since the last new and full notification. At the formal meeting held during the period under review, the Chairman made a statement concerning the need for timely compliance with notification requirements.

7. New and full notifications for 2001 have been received from 25 Members and for 1998 from 45 Members. Updating notifications for 2000 have been received from 34 Members and for 1999 from 38 Members.² (*See Annex to this Report.*)

8. At its meeting of 9 October 2001, the Working Party reviewed 57 notifications: 2001 new and full notifications of Bolivia; Burundi; Chad; Czech Republic; Estonia; Ghana; Guatemala; Hong Kong, China; Jamaica; Japan; Liechtenstein; Latvia; Macao, China; Malta; Mongolia; New Zealand; Oman; Panama; Romania; Slovenia; South Africa; Switzerland; and Thailand; 2000 updating notifications of Dominica; El Salvador; Guatemala; Jordan; Liechtenstein; Pakistan; Panama; Poland; Romania; St. Vincent and the Grenadines; Slovak Republic; South Africa; Switzerland; and Uganda; 1999 updating notifications of Dominica; El Salvador; Jordan; Pakistan; Panama; Poland; Romania; St. Vincent and the Grenadines; South Africa; and Uganda; 1998 new and full notifications of Dominica; El Salvador; Jordan; Pakistan; Panama; Poland; Romania; St. Vincent and the Grenadines; South Africa; and Uganda. In addition, the 2000 and 1999 updating and 1998 new and full notifications of Bahrain and the 1999 updating and 1998 new and full notifications of Switzerland – reviewed at the Working Party's meeting of 20 November 2000 – were also on the agenda at the meeting of 9 October 2001 on the request of Argentina, which had posed questions on those notifications. At that meeting, the Working Party also adopted its Annual Report to the Council for Trade in Goods for the year 2001.

² The European Communities and its Member States are counted as one Member.

ANNEX

**NOTIFICATIONS SUBMITTED BY WTO MEMBERS UNDER
ARTICLE XVII:4(A) OF GATT 1994 AND PARAGRAPH 1 OF THE
UNDERSTANDING ON THE INTERPRETATION OF ARTICLE XVII**

Status as of 9 October 2001³

| Member | New and Full Notification (1998) G/STR/N/4 | Updating Notification (1999) G/STR/N/5 | Updating Notification (2000) G/STR/N/6 | New and Full Notification (2001) G/STR/N/7 |
|--------------------------|---|---|---|---|
| Albania | n.a. | n.a. | | |
| Angola | | | | |
| Antigua and Barbuda | | | | |
| Argentina | X | X | | |
| Australia | X | X | | |
| Bahrain | X | X | X | |
| Bangladesh | | | | |
| Barbados | | | | |
| Belize | | | | |
| Benin | | | | |
| Bolivia | | X | X | X |
| Botswana | | | | |
| Brazil | | | | |
| Brunei Darussalam | | | | |
| Bulgaria | | | | |
| Burkina Faso | | | | |
| Burundi | | | | X |
| Cameroon | | | | |
| Canada | | | | |
| Central African Republic | | | | |
| Chad | X | X | X | X |
| Chile | X | X | X | X |
| Colombia | X | | | |
| Congo | | | | |
| Costa Rica | X | | | |
| Côte d'Ivoire | | | | |
| Croatia | n.a. | n.a. | n.a. | |

³An "X" indicates that a notification has been made. An "n.a." indicates that the notification obligation did not apply to the country in question as it was not a WTO Member at the time.

| Member | New and Full Notification (1998) G/STR/N/4 | Updating Notification (1999) G/STR/N/5 | Updating Notification (2000) G/STR/N/6 | New and Full Notification (2001) G/STR/N/7 |
|----------------------------------|--|---|---|---|
| Cuba | | | | |
| Cyprus | | | | |
| Czech Republic | X | X | X | X |
| Democratic Republic of the Congo | | | | |
| Djibouti | | | | |
| Dominica | X | X | X | |
| Dominican Republic | | | | |
| Ecuador | | | | |
| Egypt | X | | | |
| El Salvador | X | X | X | |
| Estonia | n.a. | n.a. | | X |
| European Communities | X | | | |
| Fiji | X | | | |
| Gabon | | | | |
| Gambia | | | | |
| Georgia | n.a. | n.a. | | |
| Ghana | | | | X |
| Grenada | | | | |
| Guatemala | X | X | X | X |
| Guinea Bissau | | | | |
| Guinea, Republic of | | | | |
| Guyana | | | | |
| Haiti | X | X | X | |
| Honduras | | | | |
| Hong Kong, China | X | X | X | X |
| Hungary | X | X | X | |
| Iceland | X | X | | |
| India | | | | X |
| Indonesia | X | | | |
| Israel | | | | |
| Jamaica | | | | X |
| Japan | X | | | X |
| Jordan | n.a. | n.a. | X | |
| Kenya | | | | |
| Korea, Republic of | X | | | |

| Member | New and Full Notification (1998) G/STR/N/4 | Updating Notification (1999) G/STR/N/5 | Updating Notification (2000) G/STR/N/6 | New and Full Notification (2001) G/STR/N/7 |
|------------------|---|---|---|---|
| Kuwait | | | | |
| Kyrgyz Republic | n.a. | | | |
| Latvia | X | X | X | X |
| Lesotho | | | | |
| Liechtenstein | X | X | X | X |
| Lithuania | n.a. | n.a. | n.a. | |
| Macao, China | X | X | X | X |
| Madagascar | | | | |
| Malawi | | | | |
| Malaysia | | | | |
| Maldives | | | | |
| Mali | | X | | |
| Malta | X | | X | X |
| Mauritania | | | | |
| Mauritius | | | | |
| Mexico | X | X | X | |
| Moldova | n.a. | n.a. | n.a. | |
| Mongolia | X | X | X | X |
| Morocco | | | | |
| Mozambique | | | | |
| Myanmar | | | | |
| Namibia | X | X | X | |
| New Zealand | X | X | X | X |
| Nicaragua | | | | |
| Niger | | | | |
| Nigeria | | | | |
| Norway | X | X | X | |
| Oman | n.a. | n.a. | | X |
| Pakistan | X | X | X | |
| Panama | X | X | X | X |
| Papua New Guinea | | | | |
| Paraguay | X | | | |
| Peru | | | | |
| Philippines | | | | |
| Poland | X | X | X | |
| Qatar | | X | | |

| Member | New and Full Notification (1998) G/STR/N/4 | Updating Notification (1999) G/STR/N/5 | Updating Notification (2000) G/STR/N/6 | New and Full Notification (2001) G/STR/N/7 |
|--|--|--|--|--|
| Romania | X | X | X | X |
| Rwanda | | | | |
| Saint Kitts & Nevis | | | | |
| Saint Lucia | | | | |
| Saint Vincent & Grenadines | X | X | X | |
| Senegal | | | | |
| Sierra Leone | | | | |
| Singapore | X | X | X | |
| Slovak Republic | X | X | X | |
| Slovenia | X | X | X | X |
| Solomon Islands | | | | |
| South Africa | X | X | X | X |
| Sri Lanka | | | | |
| Suriname | | | | |
| Swaziland | | | | |
| Switzerland | X | X | X | X |
| Tanzania | | | | |
| Thailand | | | | X |
| Togo | | | | |
| Trinidad & Tobago | X | | | |
| Tunisia | | | | |
| Turkey | X | X | X | |
| Uganda | X | X | X | |
| United Arab Emirates | | | | |
| United States | | | | |
| Uruguay | | | | |
| Venezuela | X | X | X | |
| Zambia | X | X | | |
| Zimbabwe | | | | |
| Number of Notifying Members/Total Number of Members⁴ | 45/117 | 38/119 | 34/124 | 25/127 |

⁴ The numerator and denominator used here reflect the fact that, for each notification obligation, the European Communities submits a single notification that covers all 15 Member States. The total membership of the WTO (142 as of the adoption of this report on 9 October 2001) includes the European Communities plus the 15 Member States.