

WORLD TRADE ORGANIZATION

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Committee on Trade-Related Investment Measures

CONSIDERATION OF PROPOSALS ON S&D TREATMENT PROVISIONS

Report by the Chairman of the Committee on Trade-Related Investment Measures to the General Council

1. As instructed by the Chairman of the General Council on 20 May, the Committee on Trade-Related Investment Measures has considered two proposals on special and differential treatment that have been submitted by the African Group in document TN/CTD/W/3/Rev.2 with respect to Article 4 and Article 5.3 of the TRIMs Agreement. Specifically, the Committee held an informal meeting on 12 June and held formal meetings on this issue on 19 June and 18 July. In addition, the Chairman has conducted various rounds of consultations in an informal mode. Unfortunately, in view of the divergent views that have been expressed by Members on the proposals at issue, the Committee has been unable to arrive at a solution that would have enabled it to adopt these proposals or alternative compromise solutions.

2. It should, however, be noted that it would appear possible to reach agreement on the first part of the African Group proposal on Article 4. In contrast, serious differences of view persist in respect of the second part of the proposal on Article 4, which provides that the phrase "free to deviate temporarily from the provisions of Article 2" in Article 4 shall refer to a period of not less than six years, and in respect of the proposal on Article 5.3, which would require the Council for Trade in Goods to grant new requests for the extension of transition periods or for fresh transition periods from least-developed country Members and from certain developing country Members.