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**Council for Trade in Goods  
Committee on Sanitary and Phytosanitary Measures**

**REPORT ON IMPROVEMENTS IN THE FUNCTIONING OF THE  
COMMITTEE ON SANITARY AND PHYTOSANITARY MEASURES**

REPORT TO THE COUNCIL FOR TRADE IN GOODS BY  
THE CHAIRPERSON OF THE SPS COMMITTEE

**1 INTRODUCTION**

1.1. The following report is being submitted by the Chairperson of the Committee on Sanitary and Phytosanitary Measures (SPS Committee), Mr Tayutic Mena Retana, under his own responsibility, at the request of the Chairperson of the Council for Trade in Goods (CTG).<sup>1</sup> The report was prepared with the assistance of the Secretariat.

1.2. Following the CTG meeting on 30 June 2023, the Chairs of the CTG subsidiary bodies were requested to produce written reports, by the first week of November 2023, summarizing the discussions in their committees and describing the improvements they had agreed on.<sup>2</sup>

1.3. A previous report was submitted in December 2022 on the "current functioning" of the SPS Committee in document [G/L/1476 \(G/SPS/65\)](#), by the former Chairperson Mr Tang-Kai Wang, also at the request of the CTG Chair. A full list of the previous reports submitted by the Chairs of CTG subsidiary bodies is available in [JOB/CTG/19/Rev.2](#). These reports were subsequently compiled by the Secretariat in a matrix ([G/C/W/824/Rev.1](#)), which describes the status of work prior to the discussions.

1.4. Further to MC12, the SPS Committee began its dedicated discussions on the functioning of the SPS Committee in November 2022.<sup>3</sup> Several Members submitted written proposals on how to improve the functioning of the SPS Committee, and/or made suggestions in Committee meetings. On 9 March 2023, and following discussions and suggestions from Members at the CTG, the Chairperson of the CTG requested all Chairpersons of the subsidiary to organize discussions concerning the functioning of their respective body and taking into account the comparative matrix ([JOB/CTG/24](#)). This communication also noted that subsidiary bodies would be requested to submit a written report to the CTG describing the discussions held and improvements introduced for consideration at the last formal meeting of the CTG which was scheduled for 30 November 2023.

1.5. This new report covers all improvements introduced in the SPS Committee since the conclusion of MC12 in June 2022, following extensive discussions by Members and with a view to better responding to their mandate and terms of reference. The report also contains information on the various meetings and discussions held on the written proposals and suggestions received.

<sup>1</sup> [JOB/CTG/29](#) and [JOB/CTG/33](#).

<sup>2</sup> Additional details on the description of the process is available in [JOB/CTG/33](#).

<sup>3</sup> As indicated in [G/L/1476](#), during the period 2019 to 2020, the SPS Committee also held extensive discussions on improving its functioning and processes. This was undertaken within the context of a broader initiative launched by the Ottawa Group, and also as part of the Committee's own reflection on its processes during the COVID-19 pandemic.

## 2 PROCESS AND PROPOSALS

### 2.1 Number and type of meetings

2.1. Since the conclusion of MC12 in June 2022, the SPS Committee has discussed the functioning of the Committee in seven of its meetings. Table 1 below provides an overview of the date and types of these meetings, as well as the document symbols for the corresponding annotated agenda or communication from the SPS Committee Chair, and the Chair summary or summary report of the meetings.

**Table 1: Number of meetings**

Date of meeting	Type of meeting	Agenda/Communication from the Chair	Chair Summary/Summary Report
9 November 2022 (a.m.)	Informal	<a href="#">JOB/SPS/24</a>	<a href="#">G/SPS/R/108</a> <sup>4</sup>
11 November 2022	Formal	<a href="#">JOB/SPS/23</a>	<a href="#">G/SPS/R/108</a>
24 March 2023	Formal	<a href="#">JOB/SPS/26</a>	<a href="#">G/SPS/R/109</a> , <a href="#">G/SPS/R/109/Corr.1</a>
11 May 2023 (a.m.)	Informal	<a href="#">ICN/SPS/2</a>	<a href="#">G/SPS/R/110</a> <sup>5</sup>
12 July 2023 (a.m.)	Informal	<a href="#">JOB/SPS/30</a>	<a href="#">G/SPS/R/110</a> <sup>6</sup>
14 July 2023	Formal	<a href="#">JOB/SPS/29</a>	<a href="#">G/SPS/R/110</a>
29 September 2023	Informal	<a href="#">ICN/SPS/4</a>	<sup>7</sup>

### 2.2 Proposals submitted by Members and other relevant documents circulated by the Secretariat

2.2. Members were provided with various opportunities to submit suggestions on improving the functioning of the SPS Committee. More recently, ahead of the July 2023 SPS Committee meeting, Members were given a deadline of Friday 26 May 2023 for the submission of comments or proposals, for discussion at that meeting.

2.3. During the period February to June 2023, Members submitted three proposals related to the functioning of the SPS Committee. These proposals were either discussed in SPS Committee meetings and/or Members' attention drawn to the relevant documents. Members also made additional suggestions orally in Committee meetings. Table 2 below indicates the Members that submitted proposals, the corresponding document symbols and the date of circulation (see Section 2.3 for additional information on the discussions on these proposals).

**Table 2: Proposals submitted by Members**

Members	Submitted proposal	Date circulated
Argentina, Brazil, Colombia, Ecuador, Paraguay, Peru and Uruguay	<a href="#">JOB/SPS/25/Rev.3</a>	21 June 2023
India	<a href="#">WT/GC/W/874</a>	1 May 2023
United Kingdom	<a href="#">JOB/CTG/26/Rev.1</a>	11 May 2023

2.4. In the informal meeting held on 11 May 2023, the Secretariat presented its feedback on [JOB/SPS/25/Rev.2](#)<sup>8</sup>, at the request of a Member, and subsequently circulated its presentation as a room document. Table 3 below indicates the document symbol and date of circulation (see Section 2.3 for additional information).

<sup>4</sup> The Chair summary of the discussions in the informal meeting are available in Annex B.

<sup>5</sup> The Chair summary of the discussions in the informal meeting are available in Annex C.

<sup>6</sup> The Chair summary of the discussions in the informal meeting are available in Annex B.

<sup>7</sup> The Chair summary of the discussions in the informal meeting will be made available in the Annex of the summary report of the November 2023 Committee meeting.

<sup>8</sup> A third revision (Rev.3) was subsequently circulated, with the addition of some Members.

**Table 3: Other relevant documents circulated by the Secretariat**

Other relevant documents	Date circulated
<a href="#">RD/SPS/227</a>	22 June 2023

### 2.3 Discussions on the functioning of the SPS Committee and on submitted proposals

2.5. The Committee discussions in November 2022 primarily centred on the approach to the preparation of the report on the "current functioning" of the SPS Committee<sup>9</sup> ([G/L/1476 - G/SPS/65](#), circulated in December 2022). However, the discussions in subsequent Committee meetings focused on the written proposals submitted by Members, and other oral suggestions provided by Members in Committee meetings. In addition, the Secretariat provided feedback on various proposals/suggestions, and updated the Committee on related developments. A summary of these discussions is provided in the sections below. At these meetings, it was noted that the SPS Committee regularly discussed how to improve its practices, including in the context of the reviews, and had, in fact, already implemented many of the proposals which had been put forward by Members in the context of the CTG and other Committees.

#### 2.3.1 Proposal submitted by Argentina, Brazil, Colombia, Ecuador, Paraguay, Peru and Uruguay ([JOB/SPS/25/Rev.3](#))

2.6. Ahead of the March 2023 SPS Committee meeting, a group of Members (Argentina, Colombia, Ecuador, Paraguay and Uruguay) submitted some suggestions for the functioning of the CTG and its subsidiary bodies in document [JOB/SPS/25/Rev.1](#), highlighting that the SPS Committee was already applying most of the suggestions, while noting some areas for improvement. The identified areas for improvement included the use of digital tools and eRegistration, as well as the potential implementation of a style manual. Further revisions of the document were subsequently circulated with the addition of Brazil and Peru.

2.7. In the May 2023 intersessional consultations, the Secretariat provided feedback on the suggestions in [JOB/SPS/25/Rev.1](#), in response to a request from a Member in the March 2023 meeting. The Secretariat highlighted areas where the SPS Committee was already implementing best practices and also identified areas that could be improved or harmonized, such as the automatic alert system linked to the WTO calendar of meetings, alignment of formal meeting practices, and eRegistration, noting that some of these were subject to discussions at the CTG level.

2.8. In addition, the Secretariat noted some differences between the SPS Committee and other WTO bodies, for example in its use of summary reports instead of minutes, which had been discussed in the past. The Secretariat's presentation was circulated as room document [RD/SPS/227](#).

2.9. In the May intersessional consultations, Members provided their positive feedback on the SPS Committee's leadership in best practices, welcomed planned improvements to the eRegistration/eDelegate systems, and suggested harmonization of eAgenda practices as used by different WTO bodies. One Member suggested the development of an eAgenda manual and integration of eAgenda deadlines into the annotated draft agenda. Another Member requested that presentations be circulated in advance of meetings for more efficient discussions. In response, the Secretariat indicated that it would look into the development of a manual for eAgenda, and would consult colleagues working on other WTO bodies to discuss the harmonization of eAgenda. The Secretariat also noted that many presentations were submitted at the last minute, but that those received in time could be circulated.

2.10. In the July 2023 informal Committee meeting, Members continued discussions on the functioning of the SPS Committee and were invited to provide additional comments and suggestions. Several Members took the floor to express their appreciation for being part of a Committee that embodied and disseminated best practices to other CTG subsidiary bodies. At the same time, some Members noted there was still room for improvement and that being a model Committee was not a

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<sup>9</sup> This report was prepared by the former Chairperson Mr Tang-Kai Wang with the assistance of the Secretariat.

static position. Some Members also indicated their full support for the areas that had previously been identified and made further suggestions.

2.11. **eAgenda and other online tools:** In relation to eAgenda, a Member made several suggestions, noting the differences across various Committees and advocating for as much harmonization as possible. In particular, reference was made to the practice used by the Market Access Committee in uploading reports and statements by the Chair, highlighting that if delegates could have access in eAgenda to all of the information provided in a Committee meeting, then downloading this information could be comparable to having minutes of the meeting. The Member noted that the SPS eAgenda facilitated many aspects and further invited the exploration of other elements.

2.12. One Member made reference to the navigation of STCs in the SPS eAgenda, as compared to the TBT eAgenda. Another Member suggested to have a sidebar feature to allow for easy navigation in the SPS eAgenda to the STC section.

2.13. Some Members welcomed the suggested improvements if they would add value and make eAgenda more user-friendly, supported the uploading of the Chairperson's report, and agreed that it would be useful to copy the good practices of other committees and have the Chairperson's summary and Secretariat's interventions also available in eAgenda.

2.14. The Secretariat informed the Committee that a draft manual for eAgenda was under development and that the SPS team was in the process of coordinating with other committees that used eAgenda. The Secretariat also noted the varying practices and the different requests made by Members across Committees, which had led to different features in the respective eAgendas. However, it was expected that more Committees would start using eAgenda and that greater focus would be placed on making it user-friendly. The Secretariat further explained that the TBT eAgenda only included STCs and so its main page only included STCs, while the SPS eAgenda included all agenda items for the Committee meeting. However, there had been a request for TBT to include additional agenda items in its eAgenda. The Secretariat indicated its willingness to consult directly with Members on any additional eAgenda queries. In addition, the Secretariat noted that, with respect to the inclusion of other types of information in eAgenda, such as the Chairperson's report, it had started discussions and was seeing how best to decide on what to include.

2.15. The Secretariat provided an update on the eDelegate platform, noting that it had previously drawn attention to this platform in the May intersessional consultations. The eDelegate platform was a dedicated space on the WTO website which would allow delegates to have an interface to manage their participation in WTO Committees, both for Geneva- and capital-based delegates. In addition, it would facilitate the sharing of delegates' contact information, including their assignment to WTO Committees. The platform would first be rolled out as a simple web-based interface (compatible with mobile phones) to be further developed based on feedback from users. An information-sharing session would be organized by the responsible Secretariat team in the future.

### **2.3.1 Proposal submitted by India ([WT/GC/W/874](#))**

2.16. In the informal SPS Committee meeting in July 2023, India drew attention to its proposal in document [WT/GC/W/874](#), circulated in May 2023 to the General Council, which listed 30 operational improvements to the WTO before the organization completed 30 years, using the approach of "reform by doing". The initiative, dubbed as "30 for 30", proposed incremental changes which were doable in an indicative timeframe, and was based on extensive consultations with many Members. The proposal was not geared towards content reform, but addressed the challenges experienced in delegates' daily work.

2.17. The proposal had already been discussed in the General Council and was now being pitched to the SPS Committee. In particular, two points were mentioned: (i) the development of a mobile productivity application, which India had offered to develop; and (ii) the communication hashtag "30 for 30" to broadly communicate the initiative. India noted that many of the suggestions in the document had already been well executed in the SPS Committee, but there remained a few that could still be examined, and it looked forward to engaging with other Members to build consensus on those areas.

### **2.3.2 Proposal submitted by the United Kingdom ([JOB/CTG/26/Rev.1](#))**

2.18. The United Kingdom circulated document [JOB/CTG/26/Rev.1](#), entitled "Compilation of Input on the Functioning of Goods Bodies", in the Council for Trade in Goods. Further to the May 2023 intersessional consultations, the Secretariat followed up to share this document via the SPS delegates e-mail list, at the request of the UK delegation.

### **2.3.3 Other suggestions on improving the functioning of the SPS Committee**

2.19. In the July 2023 informal Committee meeting, some Members proposed other suggestions on how to improve the functioning of the SPS Committee.

2.20. **STC discussions:** One Member made reference to the rigid structure of STC discussions, observing that Members presented their concerns via a formal statement and that written replies were prepared in advance by the responding Member. In particular, the Member expressed concerns that details of new STCs or new elements in existing STCs were presented in statements without sufficient advance communication to responding Members, which meant that targeted specific replies could not be provided. The Member further noted that a more mutually beneficial discussion could take place with advance communication of information, since it was not always possible to provide spontaneous answers.

2.21. Some Members supported this suggestion, expressing interest in seeing how best to improve STC discussions through the provision of advance information on new STCs or new elements in previously raised STCs, and exploring minimum information requirements when proposing a new STC and timelines to update information before Committee meetings.

2.22. Another Member noted that, in its view, the advance submission of written questions to a responding Member did not have an impact on the lengthy delays experienced in receiving a reply. In response, one Member noted its practice of circulating responses to questions and clarified that its suggestion to provide advance information referred to new STCs and not to technical exchanges.

2.23. Some Members were of the view that while it would be useful, especially in the case of new STCs, to have advance information provided, the Committee should avoid being overly prescriptive, for example by using deadlines and criteria as a determinant of whether the responding Member would reply. This could become an excuse to avoid replying to an STC, if in the responding Member's view, insufficient information had been provided. In addition, the suggested approach could impinge on the space for bilateral meetings or become a hindrance to maintaining discussions in the Committee and start a shift towards a written exchange of statements, thereby diminishing the role of the Committee as a forum to raise bilateral issues in a multilateral setting. One Member also noted that delegates sometimes received last minute instructions which would make it difficult to meet pre-established criteria.

2.24. Another Member further observed that no rule stopped Members from having bilateral meetings and that by the time an issue was raised as an STC, all other options had been exhausted. The Member underscored that the provision of advance information, especially for new STCs, was important and allowed the STC process to be effective.

2.25. In relation to the provision of advance information on STCs, the Secretariat reminded Members that the previous deadline for closure of the agenda was 10 days before the Committee meeting, and it had subsequently been changed to 21 days, at the request of Members, to allow for the preparation of responses. Members raising a concern were asked to provide an outline of the issue to responding Members. In addition, eAgenda had a tab titled "brief description of measure" where Members could provide information on the raised concern, however this feature had not really been used by Members.

2.26. One Member queried the procedure for raising STCs, requesting clarification on whether there was always an obligation to inform the responding Member of the concern or if raising the STC via eAgenda was sufficient. The Secretariat explained that while most STCs were raised via eAgenda, the best practice was still to inform the responding Member, noting that information on this practice was also included in the communication sent to delegates ahead of each Committee meeting. The Secretariat also responded to a query regarding the translation of documents, clarifying that the

majority of documents submitted by Members were made available in the three official WTO languages before the start of the meeting. In addition, the Secretariat circulated its documents three weeks in advance of Committee meetings to ensure their translation ahead of Committee meetings.

2.27. One Member further underscored the importance of having productive engagement and interactions with other Members, noting that the SPS Committee (and also the TBT Committee) differentiated itself from other committees by the level of engagement. Digital tools, such as eAgenda, could facilitate the work, however if Members were not constructively engaging with each other, then the tools would not be useful. The Member reminded the Committee of the Member-driven nature of the organization, observing that if sufficient information was not available on STCs, then each Member had the responsibility to seek clarification in the three weeks leading up to the Committee meeting.

2.28. **Order of agenda items:** One Member proposed that the Committee consider restructuring the order of agenda items to have discussions on substantive items before STCs, similar to the approach in CTG meetings. The Member further noted that the TBT Committee had already moved the discussion on some of its substantive items before the agenda item on STCs. In response, the Secretariat indicated that the order of the agenda could be examined and suggested that an idea could be to experiment with changes in the agenda for one meeting, if Members were in agreement.

#### **2.4 How decisions were adopted**

2.29. No formal decisions have been adopted by the Committee in addition to changes implemented before the reporting period. Instead, the Secretariat has implemented changes in consultation with Members.

### **3 IMPROVEMENTS ON THE FUNCTIONING OF THE COMMITTEE**

3.1. As a result of these and other discussions, the following six improvements to the work of the SPS Committee have been or will be undertaken (in addition to the practices that the Committee is already implementing):

General area	Improvements in the functioning of the SPS Committee
<b>A. Assistance to delegates</b>	<ul style="list-style-type: none"> <li><b>Scheduling of periodic introductory sessions on the SPS Committee for new delegates.</b> Since June 2022, an introductory session for delegates was held on 13 March 2023, and another held on 18 September 2023.</li> <li><b>Leaflet produced with relevant information for new SPS delegates.</b></li> </ul>
<b>B. Planning and organization of meetings</b>	<ul style="list-style-type: none"> <li><i>No change - the existing practice of planning and organizing meetings in advance continues, as well as the early circulation of communications to Members and Observers informing them of scheduled meetings.<sup>10</sup></i></li> </ul>
<b>C. Conduct of formal meetings</b>	<ul style="list-style-type: none"> <li><i>No change - the existing conduct of formal meetings continues.<sup>11</sup></i></li> </ul>
<b>D. Conduct of informal meetings</b>	<ul style="list-style-type: none"> <li><b>Use of the ICN document symbol for communications from the Chairperson to convene informal meetings.</b> Since March 2023, the ICN document symbol has been used to convene informal meetings.</li> </ul>
<b>E. Digital tools used by the Committee</b>	<ul style="list-style-type: none"> <li><b>Linking of related trade concerns across committees currently using the Trade Concerns Database (including the SPS Committee).</b></li> <li><b>Ongoing development of user manual for SPS eAgenda</b></li> <li><b>Ongoing efforts to coordinate among WTO Committees using eAgenda.</b></li> </ul>

<sup>10</sup> Information on the SPS Committee's existing practices in relation to the planning and organization of meetings is detailed in [G/L/1476-G/SPS/65](#).

<sup>11</sup> Information on the conduct of formal SPS Committee meetings is detailed in [G/L/1476-G/SPS/65](#).

General area	Improvements in the functioning of the SPS Committee
<b>F. Substantive work</b>	<ul style="list-style-type: none"> <li>The Committee continues to implement and hone several longstanding practices, such as: the organization of thematic sessions; the use of thematic/working groups to advance work; the preparation of Chair summaries of informal meetings; and the use of eAgenda, ePing and the Trade Concerns database, to name a few.</li> </ul>

#### 4 NEXT STEPS

4.1. The SPS Committee will continue to identify new practices that will improve its functioning and also implement changes to its existing working practices, as it has been doing since its creation.

4.2. More specifically, one of the areas that is currently being discussed is how to improve the use of time in Committee meetings, particularly in relation to specific trade concerns. In this respect, the Chairperson and the Secretariat have been disseminating information to Members (in Committee meetings<sup>12</sup> and also in the recently held introductory session for new delegates) on the various avenues that can be used to share information and facilitate exchanges ahead of Committee meetings with a view to addressing trade issues.

4.3. For example, Members have been reminded to use eAgenda to upload their statements before they are read (also to facilitate the work of interpreters), which more Members have started to use. In addition to oral interventions, Members can provide extra information in detailed statements which can be uploaded to eAgenda, and also submitted as GEN documents. Members have been encouraged to use these avenues, and make shorter oral interventions in the Committee meeting. Furthermore, there has been a specific recognition of space during the SPS Committee week to facilitate bilateral consultations among Members.<sup>13</sup>

4.4. In addition, Members have been invited to share their views, in the upcoming November meeting, on a Member's suggestion for the Committee to consider restructuring the order of agenda items for formal meetings, specifically as it relates to having discussions on substantive items before specific trade concerns (see paragraph 2.27 above).

4.5. Another topic under consideration is the number of outstanding requests for observer status which have been pending for several years.<sup>14</sup> The Chairperson has suggested that a communication be sent to these observer organizations indicating the longstanding pending requests and noting that the Committee would consider it important for them to renew their interest, should they still wish their request to be considered. A pertinent timeline would be established for this process.

4.6. These are some of the additional practices that are currently being examined to further improve the functioning of the SPS Committee, and that will be discussed in the November Committee meeting.

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<sup>12</sup> More recently discussed in the informal meeting held on 29 September 2023. The Chair summary of this meeting will be made available in the Annex of the summary report of the November 2023 Committee meeting.

<sup>13</sup> See paragraph 9 of [WTO/AIR/SPS/42](#).

<sup>14</sup> List of organizations available in [G/SPS/W/78/Rev.15](#).