

WORLD TRADE ORGANIZATION

**Working Group on Notification
Obligations and Procedures**

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REPORT (1995) OF THE WORKING GROUP ON NOTIFICATION OBLIGATIONS AND PROCEDURES

The present report is being circulated by the Chairman of the Working Group on Notification Obligations and Procedures.

1. The Ministerial Decision on Notification Procedures, which was adopted by the General Council on 31 January 1995, provided that the Council for Trade in Goods undertake a review of notification obligations and procedures in the Agreements in Annex 1A of the WTO Agreement within the terms of reference set out in that Decision. For this purpose a Working Group on Notification Obligations and Procedures was established by the CTG on 20 February 1995. Mr. A. Shoyer (United States) was appointed Chairman. The Group is required to make recommendations to the CTG not later than two years after the entry into force of the WTO Agreement.

2. The Working Group has held two meetings, on 7 July (G/NOP/1) and on 19 October 1995 (G/NOP/2). In launching its work, Members discussed the scope of the Group's mandate, that is, should it concentrate on developing coherence in the notification procedures and possibly simplifying them or could the Group make recommendations which would affect the substance of the notification provisions in the agreements? As suggested, this question was put to WTO legal advisors, according to whom nothing in the mandate appeared to prevent the Group from making recommendations which would imply a change in the provisions of the Agreement. On this basis, the Group could undertake its work with wide scope to make whatever recommendations it felt appropriate within the terms of reference in the Ministerial Decision.

3. Initial discussion brought forward four general subjects for examination by the Group. These were:

- (i) duplication/overlapping of notification obligations in Annex 1A agreements;
- (ii) simplification of data requirements and standardization of formats;
- (iii) improvement in the timing of the reporting process (uniform periodicity); and
- (iv) assistance to some developing countries in meeting their notification obligations.

4. Discussions at the first two meetings have focused on general issues, with a number of examples of possible duplication being identified and various suggestions being advanced in the other subject

areas for further examination. One example that several delegates have noted is that notification obligations under the Agreement on Agriculture might overlap in some respects with those under the Agreement on Subsidies and Countervailing Measures. While noting that the various committees were actively working towards an efficient notification system in each of their respective areas of responsibility, Members have been urged to bring to the Group their suggestions on how to improve and streamline this system, both on points of a general nature and with respect to specific agreements; it is recognized that Members, themselves, are best placed to identify the problem areas, based on their actual experience. In addition, several Committee Chairpersons of WTO bodies established under Annex 1A Agreements have provided input to the Group, and have been encouraged to continue to do so.

5. To assist the Group in its work, the Secretariat has provided notes: (i) on the history of notification procedures in the GATT; (ii) listing all notifications required under the Annex 1A agreements; and (iii) information on the formats developed for the notifications. Notes being prepared for the next meeting on 28 November 1995 describe the timing aspects (periodicity) in the notification requirements and provisions of the agreements where instances of possible overlap have been cited.

6. The Group is working towards submitting its recommendations next year in time for the CTG to consider them in the preparations for the Ministerial Conference later in the year, if it so wishes.