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# 2025 TRADE POLICY AGENDA

AND

# 2024 ANNUAL REPORT

*of the PRESIDENT of the UNITED STATES  
on the TRADE AGREEMENTS PROGRAM*

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UNITED STATES TRADE REPRESENTATIVE





# **FOREWORD**

The 2025 Trade Policy Agenda and 2024 Annual Report of the President of the United States on the Trade Agreements Program are submitted to the Congress pursuant to Section 163 of the Trade Act of 1974, as amended (19 U.S.C. § 2213).

The 2024 Annual Report comprises six chapters and three annexes. Chapter V and Annex III of this document meet the requirements of Sections 122 and 124 of the Uruguay Round Agreements Act of 1994 with respect to the World Trade Organization (19 U.S.C. §§ 3532, 3534).

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# LIST OF FREQUENTLY USED ACRONYMS

AD.....	Antidumping
AfcFTA .....	African Continental Free Trade Area
AGOA.....	African Growth and Opportunity Act
APEC .....	Asia-Pacific Economic Cooperation
APEP.....	Americas Partnership for Economic Prosperity
ASEAN .....	Association of Southeast Asian Nations
CAFTA–DR.....	Dominican Republic–Central America–United States Free Trade Agreement
CBERA .....	Caribbean Basin Economic Recovery Act
CBI.....	Caribbean Basin Initiative
CBP.....	U.S. Customs and Border Protection of the Department of Homeland Security
CVD .....	Countervailing Duty
DOL .....	U.S. Department of Labor
DSB.....	WTO Dispute Settlement Body
DST .....	Digital Services Tax
DSU .....	WTO Dispute Settlement Understanding
EU .....	European Union
FOIA .....	Freedom of Information Act
FTA.....	Free Trade Agreement
G7.....	Group of Seven
G20.....	Group of Twenty
GATS .....	General Agreement on Trade in Services
GATT.....	General Agreement on Tariffs and Trade
GDP .....	Gross Domestic Product
GE .....	Genetically engineered
GI .....	Geographical Indication
GPA .....	WTO Agreement on Government Procurement
GSP .....	Generalized System of Preferences
ICT .....	Information and Communications Technology
ICTIME.....	Interagency Center on Trade Implementation, Monitoring, and Enforcement
ILO.....	International Labor Organization
IP .....	Intellectual Property
IPEF .....	Indo-Pacific Economic Framework for Prosperity
ITA.....	WTO Information Technology Agreement
KORUS .....	United States–Korea Free Trade Agreement
LDC .....	Least-Developed Country
MENA.....	Middle East and North Africa
MFN.....	Most-Favored-Nation
MOU .....	Memorandum of Understanding
MSME.....	Micro-, Small, and Medium-Sized Enterprise

NMPPs	Non-market policies and practices
OECD	Organization for Economic Cooperation and Development
RPT	Reasonable Period of Time
RRM	Rapid Response Labor Mechanism
SBA	U.S. Small Business Administration
SCM	WTO Agreement on Subsidies and Countervailing Measures
SME	Small and Medium-Sized Enterprise
SPS	Sanitary and Phytosanitary
STIP	United States–Kenya Strategic Trade and Investment Partnership
TAA	Trade Adjustment Assistance
TBT	Technical Barriers to Trade
TCB	Trade Capacity Building
TFA	WTO Trade Facilitation Agreement
TIC	Trade and Investment Council Agreement
TIFA	Trade and Investment Framework Agreement
TPRG	Trade Policy Review Group
TPSC	Trade Policy Staff Committee
TRIMS	Trade-Related Investment Measures
TRIPS	Trade-Related Aspects of Intellectual Property Rights
TRQ	Tariff-Rate Quota
TTC	United States–European Union Trade and Technology Council
USAID	U.S. Agency for International Development
USDA	U.S. Department of Agriculture
USITC	U.S. International Trade Commission
USMCA	United States–Mexico–Canada Agreement
USTR	United States Trade Representative
WOAH	World Organization for Animal Health
WTO	World Trade Organization

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**THE PRESIDENT'S  
2025 TRADE POLICY AGENDA**



# THE PRESIDENT'S 2025 TRADE POLICY AGENDA

## A Trade Policy for the Next Great American Century

The United States of America is the most extraordinary nation the world has ever known. From the very beginning, and even more so as it unfolded across the entire continent, the United States was populated with people of immense talent, drive, and grit. In the previous century it saved the entire world, dispatching three rounds of adversaries by winning two world wars and defeating Communism. It put an American on the moon.

The United States accomplished those feats because it was a tremendous industrial power fueled by innovation and blessed with abundant agricultural and energy resources. Indeed, the very success of the American way of life—its freedom and its prosperity—is supported by two things: a robust middle class earning high wages and a strong national defense. These are, in turn, created by a combination of innovation that fuels productivity growth, domestic work and investment in industry, and the day-to-day choices of individual Americans.

Today, the upward mobility offered by the manufacturing sector is not widely available to the working class, much of our industrial might has moved overseas, and innovation has begun to follow. Manufacturing jobs in the United States declined from 17 million in 1993 to 12 million in 2016.<sup>1</sup> Over 100,000 factories closed between 1997 and 2016.<sup>2,3</sup> And the U.S. goods trade deficit has soared to over a trillion dollars.<sup>4</sup>

These trends are the product of a withering, decades-long assault by globalist elites who have pursued policies—including trade policies—with the aim of enriching themselves at the expense of the working people of the United States. As a result, the middle class has atrophied, and our national security is at the mercy of fragile international supply chains.

President Trump alone recognized the role that trade policy has played in creating these challenges and how trade policy can fix them. Since he first took the oath of office in 2017, President Trump has reshaped the trade policy landscape to prioritize the national interest. He has built a new consensus that tariffs are a legitimate tool of public policy. He has demonstrated the imperative for tough trade enforcement against countries who think they can take advantage of the United States and get away with it. He has shown that the United States has leverage and can negotiate aggressively to open markets for Made in America exports, particularly for agricultural exports. He has proven that a robust and realist trade policy can create jobs, promote innovation, strengthen the national defense, raise wages, support farmers, and foster the manufacturing renaissance that many elites long thought was impossible for the United States to achieve.

## Toward a Production Economy

To reach these objectives, the United States must have an economy focused on production. For much of our history, the American way of life was defined by creating, inventing, building, growing, and producing. Americans are more than just what they consume. And the United States is more than an economy that

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<sup>1</sup> [FRED Economic Data, "All Employees, Manufacturing" \(St. Louis Fed\).](#)

<sup>2</sup> [U.S. Census Bureau, 1997 SUSB Annual Data Tables by Establishment Industry.](#)

<sup>3</sup> [U.S. Census Bureau, 2016 SUSB Annual Data Tables by Establishment Industry.](#)

<sup>4</sup> [U.S. Census Bureau - Annual 2024 Press Highlights.](#)

merely moves money around—it is a nation of intertwined communities, oriented around the production of manufactured goods, agricultural products, services, and knowledge. Ensuring that trade policy favors a Production Economy will help the President Make America Great Again.

Why? It's simple:

*A Production Economy is a high-wage economy.* Manufacturing jobs have a wage premium of roughly 10 percent. However, as the United States deindustrialized, that wage premium declined for manufacturing workers in core production jobs.<sup>5</sup> Using trade policy to increase the number of manufacturing jobs in our country – and the share of manufacturing contributing to gross domestic product – will help raise wages and return our country to one with a more vibrant and secure middle class.

*A Production Economy creates jobs for all.* Trade policy does not need to pit workers or sectors against each other. This is because manufacturing is a sector known for positive spillovers, including in the service sector, that benefit the economy overall. One study found that for every additional manufacturing job created in a community, 1.6 jobs were created in other sectors.<sup>6</sup> And agriculture-related jobs—work that produces the sustenance vital for human life—comprise about 10.4 percent of total U.S. employment.<sup>7</sup>

*A Production Economy is a boon for innovation.* Between 2003 and 2017, research and development (R&D) expenditures in China by U.S. multinationals grew at an average rate of 13.6 percent per year, while R&D investment by U.S. multinationals in the United States grew by an average of just 5 percent per year.<sup>8</sup> Deploying trade policy tools to create incentives to reshore manufacturing will reverse this troubling trend and promote U.S. technological dominance.

*A Production Economy is a vital component of our national defense.* The United States was able to win World War II because of our industrial might, but our manufacturing base has atrophied. Although the United States produced less than 14,000 aircraft in the two decades prior to World War II, it produced 96,000 planes *annually* by 1944.<sup>9</sup> By comparison, today the United States can only produce each month about a third of the 360,000 artillery rounds the military says it needs to deter our adversaries.<sup>10</sup> Trade policy can help strengthen our defense industrial base.

Changing this alarming trajectory requires a trade policy that is strategically coordinated to achieve three things: an increase in the manufacturing sector’s share of gross domestic product; an increase in real median household income; and a decrease in the size of the trade in goods deficit.

## An America First Trade Policy

On January 20, 2025, President Trump signed the Presidential Memorandum “America First Trade Policy” laying out a plan to accomplish the transformational change necessary to reverse our country’s economic decline. The Presidential Memorandum instructs USTR and other agencies to undertake rapid, unprecedented work to put America First on trade.

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<sup>5</sup> [Manufacturing Wage Premiums Have Diverged between Production and Nonproduction Workers \(Fed. Reserve Bank of Cleveland\)](#).

<sup>6</sup> [E. Moretti, "Local Multipliers" \(Am. Econ. Review \(May 2010\)\)](#).

<sup>7</sup> [USDA Economic Research Service, Ag and Food Sectors and the Economy](#).

<sup>8</sup> [K. Malden, "Trends in U.S. Multinational Enterprise Activity in China, 2000-2017,"](#) at 12 (The U.S.-China Economic and Security Review Commission (July 1, 2020).

<sup>9</sup> C. Prestowitz, “The Betrayal of American Prosperity,” at 72.

<sup>10</sup> [R. Delfeld, "The Greater Gunbelt: The Next Defense Industrial Coalition" \(American Affairs, Winter 2024\)](#).

Right away, the Presidential Memorandum strikes at the threat posed by the trade deficit by directing USTR and other agencies to “investigate the causes of our country’s large and persistent annual trade deficits in goods, as well as the economic and national security implications and risks resulting from such deficits.” By reversing the flow of American wealth to foreign countries in the form of the trade deficit, the United States can reclaim its technological, economic, and military edge.

The Presidential Memorandum further instructs the USTR to review our country’s economic relationship with all nations in order to identify their unfair trade practices, including where trading partners engage in non-reciprocal trade with the United States. By identifying, and acting against, such unfair and non-reciprocal practices, the United States can use its leverage to open new markets for U.S. exports and re-shore the production that has been lost.

USTR has been empowered to chart a new course for any trade agreements to ensure they help raise wages and grow our industrial base. USTR will review existing trade agreements to guarantee that those agreements operate in the national interest. For instance, third countries should not be permitted to free ride on our trade agreements with other trading partners. Alongside this review, USTR will commence the statutorily required public consultation process of the United States-Mexico-Canada Agreement (USMCA) in order to “assess the impact of the USMCA on American workers, farmers, ranchers, service providers, and other businesses” in preparation for the mandated review of the agreement in July 2026. USTR will also identify opportunities for bilateral or sector-specific plurilateral agreements that might be negotiated to open new market access for U.S. exports and reorient the trading system to promote U.S. competitiveness.

The Presidential Memorandum also addresses U.S. trade relations with the People’s Republic of China, the single biggest source of our country’s large and persistent trade deficit and a unique economic challenge. In his first term, President Trump negotiated a historic and enforceable Economic and Trade Agreement Between the Government of the United States of America and the Government of the People’s Republic of China (also known as the Phase One Agreement). However, there has been no action taken to enforce the agreement where China has not lived up to its commitments. USTR will assess China’s compliance with the Phase One Agreement.

The Phase One Agreement grew out of USTR’s investigation under Section 301 of the Trade Act of 1974 into China’s acts policies, and practices related to technology transfer, intellectual property (IP), and innovation. Yet, technology and IP-intensive sectors are hardly the only ones that are threatened by China’s non-market behavior. USTR will look broadly at the bilateral relationship to identify, and respond to, additional unfair practices.

President Trump’s interest in addressing challenges in the relationship with China complements significant interest by the U.S. Congress on the topic. Pursuant to the Presidential Memorandum, USTR will assess the recent legislative proposals related to China’s Permanent Normal Trade Relation (PNTR) status and “make recommendations regarding any proposed changes to such legislative proposals.”

Taken together, these workstreams signal a national commitment to continuing the America First approach to trade developed in President Trump’s first term of office. By taking a strategic, yet vigorous, approach, the United States can finally address the structural challenges distorting the global trading system in ways that undermine U.S. competitiveness and course-correct for the short-sighted trade policy mistakes of the past.

## **Building on Past Success**

To summarize: over the last several decades, the United States gave away its leverage by allowing free access to its valuable market without obtaining fair treatment in return. This cost our country an important share of its industrial base and thereby its middle class and national security. Although many sectors benefitted from trade, it was at too high a price—for example, despite its comparative advantage in agricultural production, the United States has even incurred a worrying trade deficit in agriculture over the past two years.

Going forward, the United States will take action to create the leverage needed to rebalance our trading relations and to re-shore production, including, but not limited to, through the use of tariffs. This will raise wages and promote a strong national defense.

Importantly, this America First Trade Policy builds upon President Trump’s accomplishments from his first term.

- Though promised by Presidents past, but never accomplished until his first Administration, President Trump successfully renegotiated NAFTA. Its replacement, the USMCA, contains historic provisions to re-shore manufacturing (especially in the auto sector, which had been decimated by NAFTA), the strongest labor and environment provisions in any trade agreement, new market access for U.S. agricultural products, and high-standard digital trade rules.
- Under his leadership, the United States entered into two important agreements with Japan, opening new access for U.S. agricultural products and securing USMCA-style digital trade rules.
- The United States also engaged extensively at the WTO, calling attention to and defending U.S. rights to take action against non-market policies and practices and reclaiming American sovereignty from unaccountable foreign bureaucrats.
- The United States responded assertively to China’s unfair trading practices, negotiating the Phase One Agreement to protect U.S. firms against China’s forced technology transfer and IP theft and imposing significant bilateral tariffs at the same time.

These past successes on trade demonstrates the wisdom and efficacy of President Trump’s America First approach.

First, the proof is in the pocketbook: In 2001, the year China joined the WTO, real median household income in the United States (measured in 2023 dollars) was \$70,020. In 2016, the comparable figure was \$73,520—real median household incomes had grown only 5 percent in sixteen years.<sup>11</sup> That’s an annual average growth rate of 0.3 percent. Then, from 2016 to 2019, the last year before the U.S. economy was disrupted by COVID-19, real median household incomes had grown to \$78,250—an increase of 10.5 percent over the course of only three years.<sup>12</sup> That’s an average annual growth rate of 3.4 percent, over ten times the annual average growth rate that prevailed from 2000 to 2016. By putting America First on trade, President Trump restarted our Production Economy in a single term; something prior Presidents failed to do *for a generation*.

Further proof is in our newfound national security strength resulting from President Trump’s first term. An America First posture, complemented by new investments in our industrial base, showed that the United

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<sup>11</sup> [FRED Economic Data, "Real Median Household Income in the United States" \(St. Louis Fed\)](#).

<sup>12</sup> [FRED Economic Data, "Real Median Household Income in the United States" \(St. Louis Fed\)](#).

States is still a superpower. President Trump's first term peace dividend brought benefits not only to Americans, but also to the rest of the world.

Lastly, one of the most satisfying pieces of evidence for the America First approach is its bipartisan credibility: all of President Trump's first term trade accomplishments were retained by the next administration and, in some cases, even expanded upon.

President Trump's ability to deliver for all Americans while forging a new consensus on trade validates his inaugural pledge: the trade challenges facing our country will "be annihilated" because "from this moment on, America's decline is over."



# **THE WORLD TRADE ORGANIZATION AT THIRTY AND U.S. INTERESTS**



# THE WORLD TRADE ORGANIZATION AT THIRTY AND U.S. INTERESTS

In accordance with 19 U.S.C. § 3535(a), this report analyzes the effects of the WTO Agreement on the interests of the United States, the costs and benefits to the United States of its participation in the WTO, and the value of the continued participation of the United States in the WTO. As set forth below, persistent systemic failures at the WTO and the intransigence of certain WTO Members have prevented the United States from realizing all of the benefits envisioned at the WTO’s creation. While the United States has continued to seek constructive ways to engage at the WTO, renewed efforts and new vision from other WTO Members are necessary if the WTO is to achieve much-needed reform.

## A. Introduction

The World Trade Organization was established by 124 Governments through the Marrakesh Agreement Establishing the World Trade Organization (WTO Agreement) agreed in April 1994. This agreement replaced an earlier world trade framework under the General Agreement on Tariffs and Trade (GATT) established in October 1947.

At the time of its establishment, the WTO’s purpose and direction was clear. In the preamble to the Marrakesh Declaration in 1994, the Parties expressed their determination to participate “in the world trading system, based on open, market-oriented policies and the commitments set out in the Uruguay Round Agreements and Decisions.<sup>1</sup> In the preamble to the WTO Agreement, the Parties expressed their determination “to develop an integrated, more viable and durable multilateral trading system.”<sup>2</sup>

Thirty years later, the viability and durability of the WTO is increasingly in question. In fundamental respects, the organization, now comprised of 166 Members, has lost its way.

This did not occur overnight. It began in large part when China abandoned the market-oriented reform path on which its 2001 accession was premised and embraced state-led, non-market economic practices. The WTO was neither able nor willing to address China’s economic system, which is fundamentally incompatible with the open, market-oriented direction envisioned by WTO Members and is contrary to the original principles of the WTO and its agreements. Faced with unfair and ruinous competition from the world’s largest exporter and a manufacturing superpower, various Members tried unsuccessfully for years to find meaningful redress through the WTO’s monitoring, negotiating, and dispute settlement functions. When these Members were then compelled to take action to protect their industries and workers from China’s unfair practices, China accused them of undermining the trading system and turned the WTO’s processes and its own economic leverage against them.

China’s non-market economy is not the only factor in the WTO losing its way. The WTO is also mired in a development agenda that has made it nearly impossible to reach meaningful outcomes through multilateral negotiations at the WTO. Concepts like special and differential treatment (SDT) carveouts make a mockery of the rules and limit negotiating ambition. Moreover, an activist dispute settlement architecture, replete with erroneous Appellate Body and panel interpretations, degrades national sovereignty. Each individually—let alone together—imposes serious strain on the multilateral system.

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<sup>1</sup> [Preamble to the Marrakesh Declaration of 15 April 1994.](#)

<sup>2</sup> [Preamble to the Marrakesh Agreement Establishing the World Trade Organization.](#)

Still, at the time of USTR’s last report on the WTO in early 2020, there were reasons for cautious optimism on the direction of the WTO. At the Eleventh Ministerial Conference (MC11) in December 2017, Members responded to the growing impasse in the WTO’s negotiating function by launching several Joint Statement Initiatives that could lead to negotiations among plurilateral groups of Members. The USTR applauded the result, noting that “[m]any Members recognized that the WTO must pursue a fresh start in key areas so that like-minded WTO Members and their constituents are not held back by the few Members that are not ready to act.”<sup>3</sup> Meanwhile, deliberations on reform were also showing promise. Driven by the United States, a reform agenda targeting institutional problems affecting the WTO’s negotiating arm was taking shape, focused initially on transparency and on differentiating among self-declared developing Members.

However, recent developments have dashed that cautious optimism. Plurilateral groups of Members have advanced and concluded several negotiations, as envisioned in 2017, but a small subset of Members refuses to allow the parties to incorporate these agreements into the WTO’s legal architecture. Blocking these outcomes from taking effect signals that while there may be a future for plurilateral negotiations to address today’s trade challenges, it is not at the WTO. The reform agenda has also collapsed. Serious efforts aimed at improving the WTO’s negotiating arm have been replaced by an unambitious focus on improving a few committee procedures—a lowest-common-denominator effort that was given the fittingly vacuous slogan “reform by doing.” Further, waiving intellectual property rights under the TRIPS Agreement for COVID-19 vaccines, as well as the conclusion of a weak agreement on fisheries subsidies, show that rather than boldly tackling global challenges the WTO is prisoner to its lowest-common-denominator.

This report describes several of the most serious challenges facing the United States at the WTO. It concludes with a reflection on these challenges and a look ahead to the future.

## B. The WTO Has Been Unable to Reduce Disparities and Imbalances

As specified in the WTO’s founding documents and demonstrated by dozens of Accession Protocols, the WTO is designed to be an organization of Members committed to market-oriented policies and reciprocal arrangements to reduce trade barriers, predicated on free and fair competition in global markets.

However, since the WTO was established in 1995, the WTO has not concluded a single multilateral agreement that liberalizes market access. The root cause of the failure lies primarily with institutional shortcomings. For example, the most serious effort by Members to negotiate non-agricultural market access collapsed in 2008, principally because the advanced self-declared developing Members used their status to claim a right to SDT and deflect pressure to make meaningful offers, thereby depriving the talks of the ambition needed for a successful outcome. Another significant—though largely unspoken—contributor to the failure was that Members already understood that China’s non-market economy had created an unlevel playing field. Gains from liberalization would be captured by China, and not through fair competition and market-oriented policies. By 2008, Members were well aware of the “China Shock” that had decimated U.S. industries and workers. If the United States was struggling to protect itself from China’s deepening embrace of state-led, mercantilist practices, Members across the development spectrum could rationally conclude that it would be unwise to lower tariffs and other barriers.

One result of this negotiating failure is many trading powers continue to have very high bound tariff rates, far in excess of the rates applied by the United States or to which the United States is bound. As of 2023, the United States’ average bound tariff rate was 3.4 percent, and its applied most-favored-nation rate (MFN) rate was 3.3 percent. In comparison, Brazil’s average bound tariff rate was 31.4 percent, and its applied MFN rate was 11.2 percent. India’s average bound and applied MFN tariff rates were 50.8 percent and

<sup>3</sup> [“USTR Robert Lighthizer Statement on the Conclusion of the WTO Ministerial Conference”](#) (December 14, 2017).

17.0 percent, respectively, with only 74 percent of its tariff lines bound. Korea's average bound and applied MFN tariff rates were 17.0 percent and 13.4 percent, respectively.

Under current WTO rules, Members' bound rates are locked in place with no sunset clause or meaningful mechanism to allow the United States and other Members to address disparities that were once envisaged as temporary and negotiated in an era when economic and geopolitical realities were very different. It is unreasonable to expect that Members will tolerate being locked into these nonreciprocal rates in perpetuity. For the trading system to be durable, commitments on tariffs must keep pace with reality.

### C. The WTO Has Been Unable to Address Non-Market Policies and Practices

The political, economic, and trade landscape in 2025 differs greatly from the world as it existed in 1994. At that time, and across the world, there was hope that nations would coalesce around a model of open societies, free markets, and democratic values. Further, this great convergence would usher in an era of peace, safeguarded by deepening economic interdependency, and diminish the role of geopolitics in international economic relations. This optimism prevailed in Washington and other capitals long after warning signs emerged that many nations were not interested in that model or that outcome.

Thirty years later, Members are grappling with a more challenging era marked by growing divergence. The United States has been treated unfairly by trading partners for many years, and our workers and industries bear the brunt of unfair practices and limited access to foreign markets. The WTO is poorly suited to the challenges of this era, with no better example of this failing than the inability of the WTO's monitoring, dispute settlement, and multilateral negotiating functions to address the challenges posed by China's non-market economy.

China's well-chronicled and endemic lack of transparency has long frustrated Members' attempts to understand China's trade-distorting non-market policies and practices and monitor their compliance with WTO rules and principles. Numerous times, the United States has been compelled to counter-notify Chinese subsidy programs and state trading enterprises to provide a bare minimum of transparency. But these were temporary band-aids. We must face a stubborn fact—years of careful monitoring work in the WTO's committee system has had no discernible impact on China's transparency and, more importantly, its pervasive use of non-market policies and practices.

Not only has the dispute settlement system failed to adequately redress violations, but it has also undermined Members' ability to address the harms from China's non-market economy. A WTO dispute takes years to wind through the system, and even if a specific Chinese measure is found to be non-compliant, severe and irreversible harm was suffered long ago when jobs dried up, factories shuttered, and communities suffered in real time. Despite prosecuting dozens of WTO disputes against China, the United States has realized little economic benefit from these successful disputes – China's non-market policies continue unabated. Furthermore, the WTO's Appellate Body actively harmed Members' ability to counter China's non-market economic distortions, including pervasive market-distorting subsidies, and to provide relief from unfairly traded imports.

Some WTO Members naively cling to hopes that China's non-market policies and practices can be addressed through multilateral rulemaking. But hope is not a strategy. Multilateral negotiations at the WTO require consensus, and so any one Member opposed to reform has the power to prevent it. After two decades of experience, we have no faith that China would comply with the fundamental rules changes necessary to discipline its economy, even if it were somehow to agree to them.

#### **D. The WTO Has Been Unable to Adhere to and Enforce Agreed Rules**

The Uruguay Round Agreements Act Statement of Administrative Action makes clear that the United States is a sovereign country and that when negotiating trade policy, U.S. officials are responsible to the American people. But the WTO's Appellate Body and WTO panels have diverged from this understanding and attempted to impose limits on U.S. policymaking beyond the rules agreed to by the United States.<sup>4</sup>

Article 3.2 of the WTO Dispute Settlement Understanding plainly states, "Recommendations and rulings of the Dispute Settlement Body cannot add to or diminish the rights and obligations provided in the covered agreements."<sup>5</sup> In other words, the dispute settlement process was never intended to make new rules for WTO Members. It was instead designed to help Members resolve specific disputes among themselves. These limitations remain vital to U.S. sovereignty because they ensure the United States does not become subject to rules that Congress has not approved.

Over the past quarter century, the United States has become the chief target of litigation at the WTO, and it has lost the overwhelming majority of cases brought against it. The WTO has effectively treated the world's freest and most open economy – with an enormous and growing trade deficit – as the world's greatest trade outlaw. In so doing, the WTO's Appellate Body and panels have time and again created new obligations from whole cloth. For example:

- WTO panels have repeatedly interpreted WTO rules to find that the WTO has the authority to pass judgment on actions determined by the United States to be in its essential security interests.
- A WTO panel has faulted the United States for using tariffs to defend its economy from China's harmful forced technology transfer practices, including widespread state-supported cyber theft and industrial espionage, and refused even to examine the extensive evidence and findings by the United States – effectively misreading the WTO Agreement and allowing it to serve as a shield for China's unfair, non-market policies.
- The Appellate Body has restricted the U.S. ability to pursue legitimate policy objectives by introducing requirements not found in the text of the national treatment provision of the GATT 1994 or the Agreement on Technical Barriers to Trade.
- The Appellate Body has attacked U.S. countervailing duty laws, making it more difficult to remedy the market-distorting subsidies of China and other trading partners.
- The Appellate Body has created requirements that undermine the ability to calculate accurate antidumping margins and to provide relief to U.S. workers and businesses from dumped imports.
- The Appellate Body has interpreted WTO rules in a manner that puts the U.S. tax system at an unfair and illogical disadvantage compared to that of many trading partners.
- The Appellate Body has interpreted the Agreement on Safeguards – an agreement critical to addressing global import surges that can overwhelm a particular industry – in a manner that significantly limits the ability of Members to use that vital provision.
- The Appellate Body has interfered with the appropriations process by limiting Congress's ability to spend money collected through antidumping and countervailing duties.

<sup>4</sup> [U.S. Trade Representative Report on the Appellate Body of the World Trade Organization \(February 2020\)](#).

<sup>5</sup> [Understanding on Rules and Procedures Governing the Settlement of Disputes](#).

It would be contrary to U.S. interests to support a dispute settlement system that adopts these and other interpretations that depart from the plain text as agreed to by the United States. These interpretations of the Appellate Body and WTO panels facilitate efforts by some WTO Members to achieve more advantageous outcomes through litigation than could be achieved through negotiation. The consequences of this strategy—enabled by the judicial activism of WTO adjudicators – are tangible: they represent an effort to prevent the United States from taking action to protect its essential security interests, address unfair trade practices that hurt U.S. workers, and pursue other legitimate policy objectives. In this sense, they also usurp the U.S. Government’s accountability to those who are truly sovereign—the American people.

These actions are illustrative of a tendency by the Appellate Body, in particular, to both institute substantive and procedural rules to which WTO Members have not agreed and to flout clearly written existing procedural rules. This has led to a significant decline in trust in the Appellate Body, which opened the entire dispute settlement system to serious vulnerabilities. The WTO simply cannot claim to stand for a rules-based trading system if its own institutions fail to follow clear and explicit rules. Actions by the Appellate Body or dispute panels that were contrary to or beyond the agreed-upon rules undermined the legitimacy of the dispute resolution system while also undermining the WTO’s role as a negotiation forum.

For many years, U.S. Administrations under both parties have warned trading partners of the harm resulting from the WTO dispute settlement system’s activism. Without the consent of WTO Members, including the United States, the Appellate Body and panels simply cannot be allowed to unilaterally amend substantive WTO rules through erroneous interpretations and undermine our sovereignty.

Fundamental reform of WTO dispute settlement is needed to maintain U.S. participation. The United States recognizes the value of a mechanism to assist Members in the resolution of their trade disputes and has invested considerable effort over a span of years to identify appropriate reforms with WTO Members. Despite this engagement, WTO Members continue to have vastly different perspectives on the role of WTO dispute settlement in today’s world and the reforms that are needed. The United States will reflect on the extent to which it is possible to achieve a reformed WTO dispute settlement system that advances U.S. interests while preserving U.S. sovereignty.

## E. The WTO Has Been Unable to Reform

The United States proactively put reform on the WTO’s agenda. Shortly after the Doha Development Agenda ended in failure in December 2015, the United States recognized it would be difficult for the organization to find a way forward in the near-term without significant changes, and so began to diagnose institutional problems. Two longstanding problems quickly became clear: Members’ poor record in meeting WTO notification rules, and the inability to differentiate among self-declared developing Members.

Notification commitments are fundamental elements of many WTO agreements and critical to the proper functioning of the WTO’s monitoring and negotiating functions. Certain Members’ persistent lack of transparency, including their demonstrated unwillingness to meet their notification obligations, have undermined Members’ work in WTO committees to monitor compliance with WTO obligations and the wider credibility of the organization.

The persistent lack of transparency of certain Members has also hindered the broader Membership’s efforts to identify opportunities to negotiate the “reciprocal and mutually advantageous arrangements” envisioned in the WTO’s founding documents.<sup>6</sup> Negotiations rely on trust, and trust depends on the openness and

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<sup>6</sup> Preamble to the Marrakesh Agreement Establishing the World Trade Organization.

honesty of each Member regarding its economic and trade policies and practices. At a practical level, no Member would sit down to negotiate rules without an adequate understanding of other Members' current practices and measures in that area. Guesswork is no basis for negotiating rules.

In November 2017, the United States became the first Member to put forward a concrete proposal for WTO reform, aiming to improve Members' compliance with their notification commitments. The proposal set up a bottom-up, Member-driven process, led by a Working Group open to all Members, to identify and recommend improvements in notification processes and procedures. Recognizing that some Members, particularly least developed countries (LDCs), face capacity constraints with notifications, the proposal created opportunities for targeted delivery of notification-related technical assistance and capacity building. Importantly, the proposal also included administrative measures to hold accountable those Members that chronically do not adhere to their notification obligations and have no need of technical assistance. As the United States explained in the General Council, "WTO Membership is a privilege that also includes notification obligations that all Members agreed to as a condition of Membership."<sup>7</sup>

The United States then consulted with other Members to steadily build support among the Membership. Along the way, we made useful improvements with our growing list of co-sponsors, but we also made a difficult concession, dropping the administrative measures due to a clear lack of support within the Membership. The choice was unfortunately clear: take a small step forward that helps Members truly in need but does not increase accountability for those Members that are unwilling to be transparent—or take no steps at all. The United States and its co-sponsors—by then totaling more than one-third of the Membership—chose the former.

Whether that choice was sound in hindsight, this limited effort to increase transparency was blocked. When the proposal was tabled in the General Council for decision in 2022, China was joined by many Members in raising spurious concerns and questions. China said the proposal did not define "complete notification," even though the term is used in many WTO documents, including the first Ministerial Declaration in 1996.<sup>8</sup> Others took China's cue and erroneously stated or implied the proposal would impose new burdens; South Africa, for example, said the proposal would create "a new set of far-reaching obligations."<sup>9</sup> The U.S. Representative closed the discussion by asking Members to simply read the proposal, because there were no new rules or obligations.<sup>10</sup> However, the writing was on the wall. Even in its least ambitious form, the proposal did not come close to achieving consensus.

Compounding these transparency-related impediments to reform is the WTO's continued treatment of advanced or wealthy economies self-designating as developing countries.

Despite significant and sustained development strides made in the years since the WTO's inception, the WTO remains stuck in a binary construct of developed and developing countries that does not reflect the realities of 2025. This framework has allowed some WTO Members to gain unfair advantages at the WTO, particularly at the negotiating table, where they seek to perpetuate a system in which all of the rules apply to a few (the developed countries), and just some of the rules apply to most – including advanced, sophisticated, or very wealthy Members.

SDT status provides several benefits, including generous transition periods, higher tariff bindings, and the ability to use prohibited subsidies. Under the current system, countries can obtain SDT benefits by merely self-declaring as "developing"—regardless of their per capita gross national income, their income

<sup>7</sup> [WTO General Council "Minutes of Meeting"](#), at 81 (Meeting held November 22-23, 2021).

<sup>8</sup> [WTO General Council "Minutes of Meeting"](#), at 68 (Meeting held July 25-26, 2022).

<sup>9</sup> [WTO General Council "Minutes of Meeting"](#), at 71 (Meeting held July 25-26, 2022).

<sup>10</sup> [WTO General Council "Minutes of Meeting"](#), at 78 (Meeting held July 25-26, 2022).

classification according to the World Bank, their OECD membership or application status, their weight in global merchandise trade, or any other objective criteria.

Today, about three-quarters of WTO Members claim developing-country status, arguing they are entitled to SDT as a matter of right. Many such designations are entirely unreasonable and are contrary to nearly any objective criteria. For example, advanced economies like China, Israel, Mexico, Saudi Arabia, and Türkiye continue to insist they are automatically entitled to SDT. A similar claim is made by some of the richest nations in the world, including Kuwait, Qatar, and the United Arab Emirates.

Allowing self-declaration of development status to determine eligibility for SDT damages the negotiating arm of the WTO. By demanding the same flexibilities as much smaller, poorer Members, export powerhouses and wealthy Members create asymmetries that hinder efforts to sustain meaningful outcomes. Members cannot find mutually agreeable trade-offs or build coalitions when significant players use self-declared development status to avoid making meaningful offers. Basing eligibility for SDT on self-declared development status also dilutes the benefit for those Members that truly are less developed or have specific needs that require flexibility.

In an effort to resolve this issue through reform, the United States in early 2019 tabled a proposal in the General Council to establish objective criteria to determine eligibility for SDT. If a Member met at least one of the criteria, that Member would forego SDT in those current and future negotiations. The criteria were: high income status, according to the World Bank; membership or applicant to the OECD; meeting a threshold share of global merchandise trade; and G20 membership.

As the reform conversation continued in Geneva, several Members demonstrated leadership and an interest in pursuing meaningful reform. Specifically, Brazil, Singapore, Korea, and Costa Rica announced they would forego SDT in current and future WTO negotiations. But other Members refused to consider that step, despite growing evidence that they are too advanced, sophisticated, or wealthy to warrant SDT.

As China approaches the World Bank's threshold for High Income status, it has begun to indicate it would voluntarily not avail itself of SDT in some—but not all—negotiations. While appearing magnanimous, this gambit is a cynical attempt to gain negotiation leverage. If a Member gets to decide when to claim SDT and when not to claim SDT, that Member can choose to scuttle any negotiations if the Member does not like where the negotiations have landed by claiming a right to SDT.

This issue—and the damage it imposed on the WTO's multilateral negotiating arm—will not be resolved until China and other advanced, sophisticated or wealthy Members announce they will forego SDT in all current and future WTO negotiations.

## **F. The WTO Has Been Unable to Negotiate Meaningful Outcomes**

Despite years or even decades of conversation and debate on the same topics, WTO negotiations frequently result in agreements that do not meaningfully promote U.S. interests, and in some cases actively undermine them.

The WTO Agreement on Fisheries Subsidies (AFS), adopted at the 12th Ministerial Conference (MC12) in June 2022, is only the second multilateral agreement reached at the WTO since its inception, following the Trade Facilitation Agreement which entered into force in 2017. In the two years since its adoption, the AFS has yet to enter into force. As of February 2025, there are 90 instruments of acceptance deposited by Members out of the 111 required (two thirds of the WTO Membership). Historically, fisheries subsidies have been under notified, if at all, and the majority of Members have been non-transparent with respect to such subsidies. The AFS prohibits fisheries subsidies to: vessels or operators engaged in illegal, unreported,

and unregulated (IUU) fishing; fishing or fishing related activities regarding overfished stocks; and fishing or fishing related activities on the unregulated high seas. During MC12, negotiators were unable to reach consensus on disciplining certain forms of fisheries subsidies that contribute to overcapacity and overfishing (OCOF), and as a result, negotiations on comprehensive disciplines continue. The AFS includes a sunset clause such that if negotiations on comprehensive disciplines are not concluded within four years after entry into force of the AFS, the agreement will expire unless otherwise agreed by the Membership.

Following a strategic pause, negotiations on the additional OCOF disciplines, including on fisheries subsidies contingent upon fishing outside a Member's national jurisdiction, have been ongoing since January 2023. Members were close to an outcome at the Thirteenth Ministerial Conference (MC13) in February 2024, but one Member blocked consensus on the text and continued to do so throughout 2024, along with a small group of other Members. The impasse, and subsequent negotiations, has resulted in a continued watering down of the negotiating text. Developing country WTO Members have continued to press for extensive carve outs from any meaningful discipline on their fisheries subsidies. The lack of willingness of major fishing nations, developing or developed, to take measures to discipline the most harmful fisheries subsidies will undoubtedly undermine the effectiveness of the AFS and the ability of Members to reform their fisheries subsidies and fully implement the agreement or any additional disciplines.

The WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement), which came into effect in 1995 as part of the Uruguay Round negotiations creating the WTO, sets minimum standards for the protection and enforcement of intellectual property rights, including in the areas of copyright, trademarks, patents, and undisclosed information. During the COVID-19 pandemic, certain developing country Members increased their long-standing attacks against the TRIPS Agreement, arguing that some of its commitments regarding intellectual property protections, specifically patent protections for COVID-19 vaccines, were "hindering or potentially hindering timely provisioning of affordable medical products to the patients."

Other Members pointed out how robust intellectual property protections were critical to the rapid development of COVID-19 vaccines and treatments and how other factors were the main roadblocks to access to medicines, including inadequate regulatory systems and measures that developing country Members took themselves, such as maintaining high tariffs on pharmaceutical products. They also provided numerous examples of voluntary licensing on mutually agreed terms, including those involving companies based in developing country Members, that increased access to vaccines and treatments. However, this did not stop a vocal group of Members from requesting a broad waiver from "the implementation, application and enforcement of Sections 1, 4, 5, and 7 of Part II of the TRIPS Agreement in relation to prevention, containment or treatment of COVID-19," which would cover copyright, industrial designs, patents, and undisclosed information.<sup>11</sup>

After nearly two years of debate, WTO Members adopted the Ministerial Decision on the TRIPS Agreement in June 2022, which set forth clarifications and a waiver for eligible WTO Members to authorize the use of the subject matter of a patent required for the production and supply of COVID-19 vaccines. This five-year waiver has not increased access to COVID-19 vaccines but instead may actually negatively impact the development of new treatments and cures for the next pandemic by weakening the standard for intellectual property protections and furthering a false narrative about the role of intellectual property and access to medicines.

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<sup>11</sup> ["Waiver from Certain provisions of the TRIPS Agreement for the Prevention, Containment and Treatment of COVID-19,"](#) (WTO, Council for Trade-Related Aspects of Intellectual Property Rights (Oct. 2, 2020)).

## **G. Conclusion**

The United States traces our leadership role in the multilateral system back more than seven decades, to the signing of the GATT. During the Uruguay Round, we were a key architect of the WTO, and since 1995, the United States has been deeply engaged in every facet of work in the organization.

In its previous five-year report assessing the WTO at 25, USTR called attention to these challenges. In fact, all previous Administrations have—on a bipartisan basis, no less—raised these exact concerns. What is new is that, despite turning 30 years old, the WTO has not matured. The same problems persist. The same behaviors continue to go uncorrected. The longstanding critique, and raft of proposed solutions, have not been taken seriously. In fact, the problems have only grown. As the weak Agreement on Fisheries Subsidies and the debacle over the TRIPS waiver demonstrate, recent activities at the WTO have undermined the interests of members and made a farce of the institution. The United States has tried—and will continue to try—to solve these problems. But patience wears thin.

In closing, we must recognize that the WTO that the United States helped create is in key respects not the WTO we have today, and the WTO we have today does not further the objectives of the countries that founded it. This is not a sudden development, and the United States has engaged in good faith over a long period of time to try to find solutions. Going forward, the United States will continue to look for new avenues to make the WTO more relevant and viable in light of the realities of today, but it will do so with an appreciation that meaningful reform will require participation by other Members, including those that have benefited from the failure of the WTO to fulfill its objectives.



**THE 2024 ANNUAL REPORT  
OF THE PRESIDENT  
ON THE TRADE AGREEMENTS PROGRAM**



# I. PROGRAMS, AGREEMENTS, NEGOTIATIONS, AND OTHER INITIATIVES

## A. PREFERENCE PROGRAMS

### 1. Generalized System of Preferences

The U.S. Generalized System of Preferences (GSP) program (19 U.S.C. § 2461 *et seq.*) was created by the Trade Act of 1974 and promotes sustainable development by providing eligible developing countries with duty-free access to the U.S. market for approximately 3,500 non-import sensitive products and an additional approximately 1,500 products for least developed beneficiary developing countries (LDBDCs). GSP was authorized initially for a 10-year period, beginning on January 1, 1976. Congress reauthorized the program 14 times subsequently, most recently in March 2018. That authorization lapsed on December 31, 2020.

As a result of the lapse of GSP's authorization, the Office of the United States Trade Representative (USTR) did not carry out an annual product review to consider the addition or removal of products or waivers to competitive need limitations in 2024. However, the United States engaged with GSP beneficiaries, including Argentina, Armenia, Azerbaijan, Cambodia, Ecuador, Kazakhstan, Kyrgyz Republic, Maldives, Pacific Islands, Paraguay, the Philippines, Thailand, and Uzbekistan, to help improve utilization of GSP benefits and compliance with GSP eligibility requirements, in preparation for the GSP program's potential reauthorization by the U.S. Congress.

*For further discussion of the GSP program, see Chapters II.F.1 Preference Programs, Monitoring and Enforcement and IV.E.2 Labor and Trade Monitoring and Enforcement Activities of Existing Agreements.*

### 2. African Growth and Opportunity Act

The African Growth and Opportunity Act (AGOA) (Title I of The Trade and Development Act of 2000, P.L. 106-200, 19 U.S.C. § 3701 *et seq.*) provides eligible sub-Saharan African countries with duty free access to the U.S. market for certain products. The AGOA requires the President to designate annually which of the sub-Saharan African countries listed in the Act are eligible to receive AGOA benefits. The AGOA Implementation Subcommittee of the Trade Policy Staff Committee examines, through an annual review, whether each country already eligible for AGOA benefits has continued to meet the eligibility criteria and whether circumstances in ineligible countries have improved sufficiently to warrant their designation as AGOA beneficiary countries. The AGOA eligibility criteria include establishing or making continual progress in establishing: (1) a market-based economy; (2) rule of law; (3) poverty-reduction policies; (4) a system to combat corruption and bribery; and (5) protection of internationally recognized worker rights. The AGOA also requires that eligible countries do not engage in activities that undermine U.S. national security or foreign policy interests or engage in gross violations of internationally recognized human rights.

The annual review takes into account information drawn from U.S. Government agencies, civil society, African governments, the private sector, and other interested stakeholders. Through the AGOA eligibility review process, the AGOA Forum, and ongoing dialogue with AGOA partners, the AGOA provides incentives to promote economic and political reform as well as trade expansion in AGOA-eligible countries in support of broad-based economic development. As a result of the AGOA eligibility review conducted during 2024, 32 sub-Saharan African countries remain eligible for AGOA benefits as of January 1, 2025. Additionally, during 2024, the United States continued to closely monitor Mauritania's progress in

effectively and decisively protecting international recognized worker rights, particularly eradicating the scourge of hereditary slavery.

On June 28, 2024, the Office of the United States Representative (USTR) released its [2024 Biennial Report on the Implementation of the African Growth and Opportunity Act](#), a requirement under Section 110 of the Trade Preferences Extension Act of 2015. This report provided a description of the status of trade and investment between the United States and sub-Saharan Africa, changes in country eligibility for AGOA benefits, an analysis of country compliance with the AGOA eligibility criteria, and an overview of regional integration and U.S. trade capacity building efforts in sub-Saharan Africa.

*For information on the AGOA Eligibility Review, see Chapter II.F.1 Preference Programs, Monitoring and Enforcement.*

### **2024 African Growth and Opportunity Act Forum**

From July 24 through July 26, 2024, the U.S. Trade Representative co-hosted the 21st U.S.-sub-Saharan Africa Trade and Economic Cooperation Forum, also known as the AGOA Forum, in Washington, D.C.

The 2024 AGOA Forum convened senior government officials from the United States and 32 AGOA-eligible countries, representatives of continental and regional economic organizations, and U.S. and African representatives from labor organizations, civil society, and the private sector. The 2024 AGOA Forum placed significant emphasis on the future of the AGOA and the importance of improving the AGOA to deliver tangible benefits to more working communities. The United States highlighted its commitment to the AGOA program and hosted a number of conversations on a broad range of issues, including using the AGOA to drive economic growth for Africans and Americans, as well as further deepening U.S.-Africa trade and economic relations.

### **Value of Trade Entering the United States under the African Growth and Opportunity Act**

Total imports claimed under the AGOA program (including under the U.S. GSP program) in 2024 were \$8.4 billion, down 13.8 percent from 2023 and down 19.1 percent from 2022. The decrease in exports to \$8.4 billion in 2024 was due largely to a decrease in exports of petroleum oil (\$2.2 billion) in 2024. AGOA non-oil trade increased by 15.1 percent to \$6.4 billion in 2023.

The top five exports to the United States at the Harmonized System (HS) 6-digit level under the AGOA program during 2024 were: passenger motor vehicles, petroleum oils, refined copper cathodes, jewelry, and ferrochromium.

The top five AGOA users by value in 2023 were: South Africa, Nigeria, Kenya, Ghana, and Madagascar.

## **3. Caribbean Basin Initiative**

Seventeen Caribbean countries and territories are beneficiaries of the Caribbean Basin Initiative (CBI), which was launched in 1983 through the Caribbean Basin Economic Recovery Act (CBERA) (P.L. 98-67), 19 U.S.C. § 2701 *et seq.* The CBERA facilitates the development of Caribbean Basin economies by providing beneficiary countries with duty-free access to the U.S. market for most goods. In 2000, the United States enacted the Caribbean Basin Trade Partnership Act (CBTPA) (Title II of the Trade and Development Act of 2000, P.L. 106-200), to enhance existing CBERA preferences. The CBTPA recognized the significance of apparel as a component of CBI exports to the United States and expanded the degree of preferential treatment applied to U.S. imports of apparel made in the Caribbean Basin region.

Eight of the CBERA beneficiary countries and territories are also beneficiaries under the CBTPA. The CBTPA has been renewed by Congress several times since it was enacted, most recently on October 10, 2020, when the program was extended until September 30, 2030.

CBI benefits for Haiti were further expanded with the Haitian Hemispheric Opportunity through Partnership Encouragement Act of 2006 (HOPE Act) (P.L. 109-432, Div. D, Title V), the HOPE II Act of 2008 (HOPE II Act) (P.L. 110-234, Title XV, Subtitle D, Part I), and the Haitian Economic Lift Program Act of 2010 (HELP Act) (P.L. 111-171), which provided Haiti preferential treatment for its textile and apparel products. The Trade Preferences Extension Act of 2015 (TPEA) (P.L. 114-27) extended trade benefits provided to Haiti in the HOPE Act, the HOPE II Act, and the HELP Act until September 30, 2025. The TPEA also extended the value-added rule for apparel articles wholly assembled or knit-to-shape in Haiti until December 19, 2025.

During 2024, total imports claimed under the CBI were \$1.4 billion and accounted for 12.5 percent of total U.S. imports from CBI beneficiary countries.

*For further discussion of the CBI, see Chapter II.F.1 Preference Programs, Monitoring and Enforcement.*

#### **4. Haitian Hemispheric Opportunity Through Partnership Encouragement Act**

The Haitian Hemispheric Opportunity through Partnership Encouragement Act of 2006 (HOPE Act) (P.L. 109-432, Div. D, Title V), the HOPE II Act of 2008 (HOPE II Act) (P.L. 110-234, Title XV, Subtitle D, Part I), and the Haitian Economic Lift Program Act of 2010 (HELP Act) (P.L. 111-171) provide duty-free treatment for eligible imports of apparel, select textiles, and certain other goods from Haiti until September 30, 2025. During 2024, total imports claimed under the HOPE/HELP program were \$387 million and accounted for 61.3 percent of total U.S. imports from Haiti.

Pursuant to HOPE II requirements, Haitian producers must comply with internationally recognized worker rights to be eligible for duty-free treatment under HOPE II. The U.S. Government, in cooperation with the International Labor Organization, monitors compliance of producers with worker rights and issues an annual report on the status of the Technical Assistance Improvement and Compliance Needs Assessment and Remediation (TAICNAR) program. (For information on monitoring efforts, see the [2024 USTR Annual Report on the Implementation of the Technical Assistance Improvement and Compliance Needs Assessment and Remediation \(TAICNAR\) Program and Assessment of Producer Eligibility.](#))

*For further discussion of HOPE II, see Chapter II.F.1 Preference Programs, Monitoring and Enforcement.*

#### **5. Nepal Trade Preference Program**

The Nepal Trade Preference Program (NTPP) (19 U.S.C. § 4454) was authorized by the Trade Facilitation and Trade Enforcement Act of 2015 and provides duty-free treatment for 77 tariff lines from Nepal, which include certain carpets, headgear, shawls, and scarves through December 31, 2025, when the program expires. During 2024, total imports claimed under the NTPP program were \$3.4 million and accounted for roughly 2.8 percent of total U.S. imports from Nepal.

The NTPP includes statutory criteria necessary to receive the benefits of the preference program, which include, among other criteria, establishing or making continual progress toward establishing a market-based economy, rule of law, and the protection of internationally recognized worker rights. The statute requires the President to report annually to Congress on the implementation of the NTPP; an assessment of Nepal's

compliance with the statutory eligibility requirements to receive the benefits; and information on U.S. trade and investment policy with respect to Nepal. (See the [2024 USTR Annual Report to Congress on the Implementation of the Nepal Trade Preference Program](#).)

*For further discussion of the NTPP, see Chapter II.F.1 Preference Programs, Monitoring and Enforcement.*

## B. TRADE NEGOTIATION INITIATIVES

### 1. Indo-Pacific Economic Framework for Prosperity

The goal of the Indo-Pacific Economic Framework for Prosperity (IPEF) is to work with like-minded partners to advance cooperation, stability, prosperity, development, and peace within the Indo-Pacific region and provide tangible economic benefits for workers, consumers, and businesses (including micro-, small, and medium-sized enterprises) across the region.

In May 2022, the United States launched IPEF with Australia, Brunei Darussalam, Fiji, India, Indonesia, Japan, the Republic of Korea, Malaysia, New Zealand, the Philippines, Singapore, Thailand, and Vietnam. The group is pursuing cooperation under four “Pillars”: (I) Trade, (II) Supply Chains, (III) Clean Economy, and (IV) Fair Economy. In addition to the four Pillars, the IPEF partners negotiated Ministers-level coordinating mechanisms under the Agreement on IPEF to facilitate overarching cooperation. IPEF is designed to be flexible, and the IPEF partners are not required to participate in all four pillars.

The Office of the United States Trade Representative (USTR) leads the Trade Pillar, and the U.S. Department of Commerce leads on the Supply Chains, Clean Economy, and Fair Economy Pillars, while co-leading with USTR on anticorruption in the Fair Economy Pillar. Trade Pillar partners are: Australia, Brunei Darussalam, Fiji, Indonesia, Japan, the Republic of Korea, Malaysia, New Zealand, the Philippines, Singapore, Thailand, and Vietnam. In addition to the Trade Pillar partners, India also joined negotiations for the Supply Chain, Clean Economy, and Fair Economy Pillars.

As of December 31, 2024, negotiations on the Trade Pillar were still ongoing. Through the Trade Pillar negotiations, the United States has been seeking to build high-standard trade commitments and to develop new, creative, and economically meaningful approaches to trade policy in the Indo-Pacific region. USTR had been endeavoring to advance U.S. trade policy goals of resilience and sustainability by negotiating commitments in the following areas: labor, environment, agriculture, transparency and good regulatory practices, services domestic regulation, competition and consumer protection policy, customs administration and trade facilitation, digital economy, and technical assistance and economic cooperation.

As of December 31, 2024, the IPEF partners had completed negotiation of the three Commerce-led Pillars. The IPEF Agreement Relating to Supply Chain Resilience was signed in November 2023 and entered into force on February 24, 2024. The IPEF Agreement Relating to a Clean Economy was signed in June 2024 and entered into force on October 11, 2024. The IPEF Agreement relating to a Fair Economy was signed in June 2024 and entered into force on October 12, 2024.

The Agreement on IPEF, which establishes overarching coordinating bodies to facilitate continued cooperation across the various IPEF pillars, was signed in June 2024 and entered into force on October 11, 2024. Commerce and USTR led negotiations on this agreement.

## **2. United States–Taiwan Initiative on 21st-Century Trade**

On June 1, 2022, the United States launched the U.S.–Taiwan Initiative on 21st-Century Trade (Initiative) under the auspices of the American Institute in Taiwan (AIT) and the Taipei Economic and Cultural Representative Office in the United States (TECRO). On August 17, 2022, after a public comment period, the two sides announced the official negotiating mandate for the Initiative and commenced formal negotiations.

The Initiative is intended to develop concrete ways to deepen the economic and trade relationship between the two economies, advance mutual trade priorities based on shared values, and promote innovation and economic growth for workers and businesses. On June 1, 2023, AIT and TECRO signed the first agreement under the Initiative. This agreement includes high-standard commitments and economically meaningful outcomes in the areas of anticorruption, good regulatory practices, customs administration and trade facilitation, services domestic regulation, and small and medium-sized enterprises. The first agreement entered into force on December 10, 2024.

Shortly after the signing of the first agreement under the Initiative, the two sides began negotiating the remaining trade areas set forth in the negotiating mandate. These negotiations included in-person negotiating rounds and virtual meetings in 2023 and 2024 and focused on the areas of agriculture, environment, labor, and dispute settlement.

## **3. United States–Kenya Strategic Trade and Investment Partnership**

The U.S. Government continued to negotiate the United States-Kenya Strategic Trade and Investment Partnership (STIP) throughout 2024.

On May 17, 2024, the United States and Kenya issued a [joint statement](#) highlighting the progress to that date and renewed their commitment toward a high standard, ambitious STIP that reflects mutually shared goals and values. Those goals included increasing investment; promoting economic growth; benefiting workers, consumers, and businesses (including micro-, small, and medium-sized enterprises); facilitating agricultural trade and sustainable agricultural practices; and, supporting African regional economic integration.

In 2024, the United States and Kenya held negotiating rounds in January, April, May, June, August, and September. The subject matters under negotiation included: agriculture; anticorruption; customs and trade facilitation; environment; good regulatory practices; micro-, small, and medium-sized enterprises; services domestic regulation; and workers' rights and protections.

As part of USTR's commitment to transparency and robust external engagement, USTR posted public summaries of the U.S. proposals in those subject matters on its [website](#) and hosted stakeholder listening sessions co-chaired by the two sides' Chief Negotiators on the margins of each round.

## **4. African Continental Free Trade Area Memorandum of Understanding**

In 2024, the U.S. Government and the African Continental Free Trade Area (AfCFTA) Secretariat continued work to implement the Memorandum of Understanding (MOU) signed on December 14, 2022, and developed to support implementation of the AfCFTA; promote trade; boost competitiveness and attract investment to the continent; and help African countries move into more advanced manufacturing in closer partnership with U.S. companies operating across the continent.

Technical working groups comprising experts from the AfCFTA Secretariat, the Office of the United States Trade Representative, and other U.S. Government agencies continued to exchange information on best practices, supported technical assistance on the implementation of the AfCFTA, and facilitated stakeholder participation in high-level events and workshops throughout 2024.

## C. COMPREHENSIVE FREE TRADE AGREEMENTS IN FORCE

### 1. Australia

The United States–Australia Free Trade Agreement (FTA) entered into force on January 1, 2005.

#### **Operation of the United States–Australia Free Trade Agreement**

The United States–Australia Joint Committee is the central oversight body for the FTA. The United States met regularly with Australia throughout 2024 to monitor implementation of the FTA and review concerns about market access, and continued to work closely with Australia to deepen the bilateral trade relationship and coordinate on issues of regional and international importance.

#### **Agriculture**

*For a discussion of agriculture-related activities, see Chapter III.B.3 Agriculture and Trade, Monitoring and Enforcement Activities of Existing Agreements.*

### 2. Bahrain

The United States–Bahrain Free Trade Agreement (FTA) entered into force on August 1, 2006. Under the FTA, as of August 1, 2006, Bahrain provides duty-free access to 100 percent of the trade in industrial and consumer products, and trade in most agricultural products. In addition, under the FTA, Bahrain opened its services market, which provides opportunities for U.S. financial services providers and U.S. companies that offer telecommunication, audiovisual, express delivery, distribution, health care, architecture, and engineering services. Under the 2018 United States–Bahrain Memorandum of Understanding on Trade in Food and Agriculture Products, Bahrain continues to accept existing U.S. export certifications for food and agricultural products.

The United States–Bahrain Bilateral Investment Treaty, which took effect on May 30, 2001, covers investment issues between the two countries.

#### **Operation of the United States–Bahrain Free Trade Agreement**

The United States–Bahrain Joint Committee is the central oversight body for the FTA. The Joint Committee met in Washington, D.C., on June 24, 2024, focusing on the ongoing labor consultations outlined below.

#### **Labor**

During 2024, the Office of the United States Trade Representative and the U.S. Department of Labor continued to monitor and engage with the Government of Bahrain on labor rights in Bahrain, in particular with respect to employment discrimination and freedom of association related concerns that were highlighted initially during consultations that began in 2013 under the United States–Bahrain FTA.

*For further discussion of labor-related activities, see Chapter III.E.2 Labor and Trade, Monitoring and Enforcement Activities of Existing Agreements.*

### **3. Central America and the Dominican Republic**

On August 5, 2004, the United States signed the Dominican Republic–Central America–United States Free Trade Agreement (CAFTA–DR) with five Central American countries (Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua) and the Dominican Republic. The Agreement entered into force for the United States and El Salvador on March 1, 2006; for Honduras and Nicaragua on April 1, 2007; for Guatemala on July 1, 2006; for the Dominican Republic on March 1, 2007; and for Costa Rica on January 1, 2009.

The CAFTA–DR eliminates tariffs, reduces barriers to services, and promotes transparency and customs and administrative efficiencies, facilitating intra-regional supply chains and integrated operations and fostering greater prosperity, formal employment, and economic opportunities throughout the region. U.S. export and investment opportunities with Central America and the Dominican Republic have continued to grow under the CAFTA–DR. All of the CAFTA–DR Parties have committed to strengthening trade facilitation, regional supply chains, and implementation of the Agreement. U.S. consumer and industrial goods may enter duty free in CAFTA–DR member country markets. U.S. textile and apparel goods meeting the Agreement’s rules of origin enter CAFTA–DR countries’ markets duty free and quota free. Under the CAFTA–DR, tariff-rate quotas (TRQs) for sensitive agricultural products will increase annually through 2025, after which some TRQs will continue to expand while most will be eliminated and the affected products will enter CAFTA–DR countries duty free.

#### **Operation of the Dominican Republic–Central America–United States Free Trade Agreement**

The CAFTA–DR Free Trade Commission is the central oversight body for the Agreement.

#### **Agriculture**

*For a discussion on agriculture-related activities, see Chapter III.B.3 Agriculture and Trade, Monitoring and Enforcement Activities of Existing Agreements.*

#### **Environment**

In 2024, the United States continued to monitor and enforce the CAFTA–DR Environment Chapter. In 2024, trade and environment officials from the United States and several other CAFTA–DR countries met to continue to advance the work of monitoring and implementing CAFTA–DR’s Environment Chapter obligations, including to review cooperation activities and share updates on Environment Chapter implementation.

*For further discussion on environment-related activities, see Chapter III.C.2 Environment and Trade, Monitoring and Enforcement Activities of Existing Agreements.*

#### **Labor**

Ongoing CAFTA–DR labor capacity building activities, including the exchange of views on best practices, support efforts to promote labor rights and improve the enforcement of labor laws in the CAFTA–DR countries. In 2024, both the U.S. Department of Labor (DOL) and the U.S. Agency for International

Development (USAID) continued to fund labor-related technical assistance projects that supported CAFTA–DR objectives.

*For a discussion on labor-related activities, see Chapter III.E.2 Labor and Trade, Monitoring and Enforcement Activities of Existing Agreements.*

*For information on USTR’s implementation of the President’s Trade Agreements Program with respect to Nicaragua, see Chapter II.B.1 Section 301, Nicaragua’s Acts, Policies, and Practices Related to Labor Rights, Human Rights, and Rule of Law.*

### **Dominican Republic**

In 2024, the United States continued to engage with the Dominican Republic on improving labor law enforcement in the Dominican sugar sector, including with officials from the responsible trade, labor, and foreign affairs ministries. These efforts took into account the commitment of the two countries to enforce labor laws (including those regarding forced labor) and to improve labor conditions in accordance with international standards, in accordance with their shared interest in continuing their long-standing partnership on addressing these issues.

In this regard, U. S. officials continued to engage with Dominican Republic officials, the sugar industry, and civil society groups on the concerns identified in a 2013 DOL report prepared in response to a submission from the public filed under the Labor Chapter of the CAFTA–DR:

- As part of the U.S. Government’s efforts to address labor-related concerns, the DOL awarded a \$3 million project to strengthen worker engagement and empowerment in the sugar sector.
- Sugar producers have engaged in the process to varying degrees and have implemented some reforms that address concerns raised in the submission and recommended in the DOL report.

### **Honduras**

Since 2015, the United States and Honduras have been working together to fulfill commitments that Honduras made following the 2015 DOL report prepared in response to a submission from the public filed under the Labor Chapter of the CAFTA–DR and the signing of the Labor Rights Monitoring and Action Plan (MAP). These commitments include addressing legal and regulatory frameworks for labor rights, undertaking institutional improvements, intensifying targeted enforcement, and improving transparency. In 2024, the United States conducted numerous missions to Honduras to monitor implementation of the MAP and encouraged Honduras to take the required actions. In July 2024, USTR led an interagency delegation to Honduras, which resulted in a commitment to renew discussions of ongoing and new labor issues that may arise under a tripartite group, including labor, business, and government representatives.

The United States continued to provide technical cooperation projects in Honduras to support employment and labor rights, including a program funded by the U.S. Department of State to combat labor violence. In 2024, the DOL managed technical assistance projects in Honduras addressing issues related to child labor, workplace safety, freedom of association and collective bargaining, and forced labor in agricultural and manufacturing sectors.

### **Additional CAFTA–DR Labor-Related Technical Capacity Building**

In 2024, USAID’s Regional Human Rights and Democracy project continued to build legislative and institutional capacity and advocate for labor rights in the Central American region. At a regional level, this

included cooperation with the Inter-American Commission on Human Rights and the International Labor Organization (ILO) to conduct training on labor rights for public employees and civil society representatives. Through this activity, the ILO supported entrepreneurship opportunities for journalists, human rights defenders, and vulnerable workers. In Guatemala, the project partner Asociación de Capacitación y Asistencia Técnica en Educación y Discapacidad, an association for training and technical assistance on education and disabilities, was able to find employment for 20 persons with disabilities, through awareness raising and negotiations with businesses and municipalities. The Honduras subgrantee, the Association of Nongovernmental Organizations, a network of civil society organizations, expounded on guidelines for the Honduras Secretariat for Labor and Social Security in an effort to prevent abuses, violence, and labor harassment.

*For further discussion of labor-related activities, see Chapter III.E.2 Labor and Trade, Monitoring and Enforcement Activities of Existing Agreements.*

### **Textiles**

*See discussion below on Other Implementation Matters and Chapter III.H Textiles and Trade.*

### **Other Implementation Matters**

Throughout 2024, the United States continued to advance its broad strategy with Central America to address the root causes of migration, including strengthening economic prosperity, labor rights and protections, democratic governance, and the rule of law. Through engagement with CAFTA–DR partner countries and stakeholders, the United States focused on strengthening labor and environment standards; building resilient regional supply chains; highlighting the textile and apparel sector in the region as an area of opportunity for resilient economic growth and facilitating trade; and improving transparency and good regulatory practices, to build trade and economic opportunities and formal sector employment in the region. Through bilateral and subregional discussions, CAFTA–DR Coordinators addressed policy cooperation and trade capacity building activities related to improving efficiencies and expanding bilateral and intra-regional trade and investment opportunities. The Coordinators also discussed other regulatory and policy issues to prioritize for improvement, including strengthening: (1) resilient and legitimate trade, investment, and the regional supply chain in the textiles and apparel sector; (2) worker rights and labor protections to foster economic trade and investment opportunities; and (3) environmental protections to foster economic development and investment opportunities.

The United States also continued to work closely with other CAFTA–DR Parties on bilateral and regional matters related to implementation of the CAFTA–DR, including agricultural and sanitary and phytosanitary (SPS) trade matters. The U.S. Government worked to improve the transparency and effectiveness of Central American regulatory and customs practices, which has resulted in improved customs procedures.

The CAFTA–DR Free Trade Commission has emphasized the need for greater regional integration, which the United States continued to support through various trade capacity building efforts to promote economic prosperity. These initiatives included efforts to support the U.S. textile and apparel industry by strengthening utilization of the CAFTA–DR and regional supply chains. Throughout 2024, USTR undertook various efforts to support the U.S. textiles and apparel supply industry and strengthen the CAFTA–DR supply chain including the following:

***The CAFTA–DR Textiles and Apparel Supply Chain Directory:*** USTR, Central American trade agencies, and textiles and apparel industry stakeholders worked together, with support from the Inter-American Development Bank (IDB), to build a CAFTA–DR regional directory to facilitate sourcing of CAFTA–DR textiles and apparel products, and bolster the region’s supply chain. This supports trade under the CAFTA–

DR to strengthen the U.S.-Central America supply chain for textiles and apparel, promotes resiliency and nearshoring, and bolsters labor and environment standards.

***Trade and Customs Capacity Building for Secure Textiles and Apparel Trade:*** USTR and the U.S. Department of Homeland Security Customs and Border Protection launched a trade capacity building program to promote trade in textiles and apparel between the United States and Guatemala that is secure by encouraging regional engagement. Collaboration continued with existing bilateral government-to-industry stakeholder partnerships under, for example, the United States Customs Trade Partnership Against Terrorism Program (CTPAT) and Guatemala's Superintendence of Tax Administration, Authorized Economic Operator (AEO) Program.

### **Trade Capacity Building**

During 2024, USTR coordinated with other U.S. Government trade-related agencies and CAFTA-DR partner countries to identify and explore trade capacity building activities and to work with government agencies and international donors to prioritize and coordinate technical assistance under the Trade Capacity Building (TCB) Committee.

Trade capacity building programs and planning continued throughout 2024. USTR, along with other U.S. Government trade and donor agencies, such as the U.S. Departments of Agriculture, Commerce, Labor, and State, carried out bilateral and regional projects with CAFTA-DR partner countries to facilitate trade and economic opportunity, strengthen labor rights and protections, and increase capacity within the CAFTA-DR countries.

*For further discussion of trade capacity building, see Chapter IV.E Multilateral Initiatives, Trade Capacity Building.*

## **4. Chile**

The United States–Chile Free Trade Agreement (FTA) entered into force on January 1, 2004. Under the FTA, since January 1, 2015, Chile has provided duty-free access to all goods exports.

### **Operation of the United States–Chile Free Trade Agreement**

The United States–Chile Free Trade Commission (FTC) is the central oversight body for the FTA. Both governments met regularly in 2024 to develop an agenda for the next FTC meeting.

### **Agriculture**

The United States engaged regularly with Chile in 2024 to discuss trade issues related to agriculture. In particular, after three years of persistent effort, the United States concluded negotiations with Chile on a binding agreement that addresses U.S. stakeholders' concerns that a new trade agreement between the European Union and Chile could negatively impact U.S. cheese and meat producers' ability to sell their products in Chile. The agreement between Chile and the United States, reflected in an exchange of letters signed on June 21, 2024, affirms market access for U.S. producers that export to and sell products in Chile using certain cheese and meat terms, such as mozzarella, provolone, brie, salami, and prosciutto, among others. This agreement also allows any current or future U.S. national to continue using certain terms, such as parmesan, in the Chilean market. The agreement entered into force on December 29, 2024.

## **Environment**

In 2024, the United States continued to monitor and enforce the Environment Chapter of the United States–Chile FTA. On October 29, 2024, the United States and Chile held the tenth meeting of the Environmental Affairs Council to review the Parties’ implementation of and compliance with Environment Chapter obligations. Both countries also held the eighth meeting of the Joint Commission for Environmental Cooperation to review ongoing activities and priorities for upcoming cooperation under the 2025-2028 Work Program.

*For further discussion of environment-related activities, see Chapter III.C.2 Environment and Trade, Monitoring and Enforcement Activities of Existing Agreements.*

## **Labor**

The United States continued its engagement with Chile on labor issues in 2024. In its [2023 Report on Findings on the Worst Forms of Child Labor](#), the U.S. Department of Labor recognized Chile as having made “significant advancement” in its efforts to eliminate the worst forms of child labor.

In 2024, the U.S. Department of Labor continued to fund two technical assistance projects in Chile, one combating child and forced labor and another focused on promoting labor rights in the agricultural sector.

## **5. Colombia**

The United States–Colombia Trade Promotion Agreement (CTPA) entered into force on May 15, 2012. Under the CTPA, Colombia provides duty-free access to all U.S. consumer and industrial products. More than half of U.S. agricultural exports to Colombia became duty free immediately upon entry into force, with virtually all remaining tariffs on U.S. agricultural goods to be eliminated by 2026 (reflecting a 15-year phase-out period). Tariffs on a few of the most sensitive agricultural products will be phased out 17 to 19 years after entry into force.

### **Operation of the United States-Colombia Trade Promotion Agreement**

The United States–Colombia Free Trade Commission (FTC) is the central oversight body for the CTPA. The United States and Colombia held numerous CTPA committee meetings during 2024 to maintain dialogue on various issues.

Additionally, the United States was able to secure a pragmatic solution to a Colombian procedural requirement involving the certification of certain food products. The United States also continued to work with Colombia on regulatory and certification matters in 2024, including on Colombia’s acceptance of self-certification for U.S. vehicles manufactured in accordance with the U.S. Federal Motor Vehicle Safety Standards.

## **Agriculture**

On February 26, 2024, the Office of the United States Trade Representative (USTR) and the U.S. Department of Agriculture successfully restored market access to Colombia for U.S. poultry products, which had lost access in August 2023. On April 15, 2024, Colombia imposed a ban on U.S. beef exports originating in states where avian influenza had been detected in cattle—one of the only countries in the world to impose such a ban. After several months of U.S. engagement, on September 16, 2024, Colombia announced its decision to lift its ban on U.S. beef imports.

*For further discussion of agriculture-related activities, see Chapter III.B.3 Agriculture and Trade, Monitoring and Enforcement Activities of Existing Agreements.*

### **Environment**

In 2024, the United States continued to monitor and enforce the Environment Chapter of the CTPA and oversee the operation of the Secretariat for Environmental Enforcement Matters. On September 26, 2024, trade and environment officials from the United States and Colombia met to share high-level Environment Chapter implementation updates and review cooperation activities.

*For further discussion of environment-related activities, see Chapter III.C.2 Environment and Trade, Monitoring and Enforcement Activities of Existing Agreements.*

### **Labor**

The United States engaged with Colombia on labor issues throughout 2024. USTR organized an exchange with the Colombian Attorney General's Office and Ministries of Labor and Trade on violence and threats of violence against unions, underscoring for Colombia the importance of these issues to trade policy. In addition, the United States engaged with Colombia on the country's ongoing efforts to reform its labor legislation and address issues that were identified in a 2016 submission filed under the Labor Chapter of the CTPA. The concerns raised in the 2016 submission led to recommendations provided by the United States to improve Colombia's labor law inspection system, improve the application and collection of fines for employers who violate labor laws, combat abusive subcontracting and collective pacts, and improve the investigation and prosecution of cases of violence and threats against unionists. The U.S. Department of Labor (DOL) Labor Attaché at the U.S. Embassy in Bogota continued to monitor labor issues and engage with Colombian officials and labor stakeholders, highlighting the U.S. commitment to ensuring close engagement with Colombia on labor rights.

In addition, the DOL continued to manage technical assistance projects in Colombia that aim to improve labor law enforcement and promote labor rights covered by the CTPA. These projects range in scope from advancing labor law compliance in the port sector, to addressing child and forced labor in palm oil supply chains, to promoting access to quality jobs and a better understanding of labor rights for women and girls in agriculture. Colombia is also one of three countries (in addition to Brazil and Peru) included in a DOL-funded project to promote workers' voices, advance unionization and collective bargaining in key trade sectors, and elevate unions' substantive participation in social dialogue and policy deliberations with government and industry representatives. In its [2023 Report on the Findings on the Worst Forms of Child Labor](#), the DOL recognized Colombia as having made "significant advancement" in its efforts to eliminate the worst forms of child labor.

*For further discussion of labor-related activities, see Chapter III.E.2 Labor and Trade, Monitoring and Enforcement Activities of Existing Agreements.*

### **Textiles**

*For a discussion of textiles-related activities, see Chapter III.H Textiles and Trade.*

## **6. Israel**

The United States–Israel Free Trade Agreement (FTA) entered into force on August 19, 1985. The Agreement was the United States’ first FTA, and continues to serve as the foundation for the trade and investment relationship between the United States and Israel.

### **Operation of the United States–Israel Free Trade Agreement**

The United States–Israel Joint Committee is the central oversight body for the FTA. The governments continued collaborative efforts to improve bilateral trade and investment, including with respect to Israel’s progress in addressing a number of standards-related and customs barriers to bilateral trade. Both countries continued to work toward resolving these and additional trade impediments.

At a February 2016 Joint Committee meeting, Israel had proposed resuming negotiations on a permanent successor agreement to the current United States–Israel Agreement on Trade in Agricultural Products (ATAP). The current ATAP is the second of two temporary ATAPs that the United States and Israel have negotiated due to a disagreement over interpretation of the FTA that arose after the Uruguay Round was concluded. The first ATAP, negotiated in 1996, allowed for limited preferential tariff treatment for some U.S. agricultural products. The 2004 successor ATAP achieved modest additional market access for U.S. agricultural products. That ATAP was originally set to remain in effect until the end of 2008, but has been continued each year since then through a series of one-year extensions. Under the 2004 ATAP, Israel provides the United States less advantageous tariff treatment than the United States provides Israel: The United States provides Israel with duty-free access to 90 percent of agricultural tariff lines, while Israel provides the United States with duty-free access to only 72 percent of agricultural tariff lines. Because of existing disparities, the United States remains committed to negotiating a more balanced permanent successor agreement. Negotiations were last held in 2019.

## **7. Jordan**

The United States–Jordan Free Trade Agreement (FTA) entered into force on December 17, 2001. Under the FTA, Jordan provides duty-free access to substantially all U.S. exports.

Jordanian exporters benefit from the Qualifying Industrial Zones (QIZs) program established by the U.S. Congress in 1996. The QIZ program allows products exported from Jordan with a specified amount of Israeli content to enter the United States duty free if manufactured in Egypt, Jordan, or the West Bank and Gaza. QIZ products accounted for about two percent of Jordanian exports to the United States in 2024. The QIZ share of Jordanian exports is declining relative to the share of Jordanian exports shipped to the United States under the FTA.

### **Operation of the United States–Jordan Free Trade Agreement**

The United States–Jordan Joint Committee is the central oversight body for the FTA. During the May 2023 Joint Committee meeting, the United States and Jordan discussed a range of bilateral trade and investment issues to promote greater reciprocal exchanges of agricultural and industrial goods and services. The discussions focused on issues of common interest that will yield benefits for middle income families and workers. The United States followed up on Jordan’s commitment to develop a Road Map to increase respect for freedom of association and elevate workers’ voices in Jordan. In 2024, both governments remedied outstanding agricultural trade concerns, including import licensing issues affecting U.S. exports of poultry and apples, and import sampling issues affecting U.S. corn exports.

## **Agriculture**

*For further discussion of agriculture-related activities, see Chapter III.B.1 Agriculture and Trade, Opening Export Markets for American Agriculture*

## **Labor**

The United States continued to monitor labor rights in Jordan pursuant to labor provisions of the FTA and to work with Jordan in the area of labor standards. The United States and Jordan previously recognized serious labor concerns in Jordan's garment factories, including anti-union discrimination against foreign workers, poor conditions of accommodations for foreign workers, and gender discrimination and harassment. To address these concerns, in 2013, the United States and Jordan developed the Implementation Plan Related to Working and Living Conditions of Workers in Jordan (Implementation Plan). Pursuant to its commitments under the Implementation Plan, Jordan has improved the coordination of inspections in garment factory dormitories since 2013 though there have been some cases of backsliding in the garment sector. The U.S. Government engaged heavily with garment sector companies and the Jordanian Government to ensure that workers who had not been paid for months and were subject to deportation were instead "made whole" and permitted to stay in Jordan when a factory closed. The U.S. Government in 2024 also continued to engage with the Jordanian Ministry of Labor on systemic concerns related to migrant worker rights and on addressing limitations to freedom of association and democratic worker representation. Further, as part of the Implementation Plan, the DOL continued to fund a migrant worker center in the garment sector and, under the International Labor Organization's Better Work program, a pilot program that focuses on the mental health of workers.

*For further discussion of labor-related activities, see Chapter III.E.2 Labor and Trade, Monitoring and Enforcement Activities of Existing Agreements.*

## **8. Korea**

The United States–Korea Free Trade Agreement (KORUS) entered into force on March 15, 2012. In 2018, the United States negotiated further amendments and modifications, which entered into force on January 1, 2019.

### **Operation of the United States–Korea Free Trade Agreement**

The United States monitors and enforces implementation of KORUS commitments through the 21 committees and working groups established under KORUS. Throughout 2024, the United States continued to use the committees and working groups to raise and resolve trade issues and ensure Korea is implementing its obligations under KORUS. The Joint Committee that oversees the implementation of KORUS met in March 2024. The United States and Korea engaged under the Labor Cooperation Mechanism in April 2024. The Committee on Trade Remedies, the Government Procurement Working Group, and the Origin Verification Working Group met in May 2024, and the Environmental Affairs Council convened in July 2024. The Financial Services Committee, the Committee on Agricultural Trade, and the Committee on Sanitary and Phytosanitary Matters convened in September 2024. The Committee on Textiles and Apparel, the Committee on Trade in Goods, and the Automotive Working Group met in December 2024.

Issues addressed in the 2024 meetings included: (1) impediments to U.S. meat and poultry exports; (2) Korea's approval process for genetically engineered products; (3) Korea's positive list system for

pesticides; (4) Korea’s administration of its tariff-rate quotas on agricultural products; (5) procurement of cloud computing services; and (6) Korea’s requirements for cross border transfer of data.

The United States also addressed KORUS compliance and other trade issues through regular inter-sessional meetings and other engagements with the Korean Government.

### **Agriculture**

*For further discussion of agriculture-related activities, see Chapter III.B.3 Agriculture and Trade, Monitoring and Enforcement Activities of Existing Agreements.*

### **Labor**

*For a discussion of labor-related activities, see Chapter III.E.2 Labor and Trade, Monitoring and Enforcement Activities of Existing Agreements.*

### **Textiles**

*For a discussion of textiles-related activities, see Chapter III.H Textiles and Trade.*

### **Environment**

*For a discussion of environment-related activities, see Chapter III.C.2 Environment and Trade, Monitoring and Enforcement Activities of Existing Agreements.*

## **9. Mexico and Canada**

The United States–Mexico–Canada Agreement (USMCA) entered into force on July 1, 2020. The USMCA maintains the zero tariffs among the three countries that were in place under the North American Free Trade Agreement (NAFTA), while also modernizing the NAFTA to include strong, enforceable labor and environmental obligations in its core text, including a facility-specific Rapid Response Labor Mechanism (RRM) that provides for quick review of alleged denials of workers’ rights to freedom of association and collective bargaining.

The USMCA also includes provisions covering small and medium-sized enterprises (SMEs).

*For further discussion on SME activities, see Chapter III.A Small and Medium-Sized Enterprise Initiative.*

The USMCA includes updated rules of origin for automobiles and automotive parts that were intended to create strong incentives to invest and manufacture in North America, ensuring that benefits of the USMCA provisions accrue to the Parties. The USMCA also contains important improvements that benefit American farmers, ranchers, and agribusinesses, including expanded access into the Canadian market for U.S. dairy, poultry, and egg products.

The USMCA includes commitments on investment, financial services, intellectual property rights, and digital trade. The USMCA also addresses problematic non-tariff barriers, which can hinder U.S. exports, through provisions on transparency and regulatory matters, including chapters covering technical barriers to trade, sanitary and phytosanitary measures, and good regulatory practices. Finally, the USMCA contains provisions to combat subsidies and non-market practices that have the potential to disadvantage American workers and businesses, including a chapter to address unfair currency practices, rules on trade distortions

caused by state-owned enterprises, and transparency obligations with respect to any USMCA Party’s future trade negotiations with non-market economies.

The fourth Free Trade Commission meeting under the USMCA took place in Phoenix, Arizona, on May 22, 2024. During 2024, the following committees established by the USMCA convened: Agriculture, Trade Facilitation, Textiles, Technical Barriers to Trade, Good Regulatory Practices, Trade Facilitation, State-Owned Enterprises, Small and Medium-Sized Enterprises, and North American Competitiveness.

During 2024, the Parties focused the work of the Competitiveness Committee on expanding trilateral cooperation on North American workforce development issues and establishing mechanisms for cooperation during emergency situations that affect North American trade flows, including by establishing a joint understanding of critical infrastructure priorities in North America. The purpose of the Competitiveness Committee is to discuss and develop cooperative activities in support of a strong economic environment that incentivizes production in North America, facilitates regional trade and investment, enhances a predictable and transparent regulatory environment, encourages the swift movement of goods and the provision of services throughout the region, and responds to market developments and emerging technologies.

Recognizing that the disruption of North American trade flows in emergency situations can have significant negative impacts on the Parties’ domestic economies and on North American competitiveness, the Free Trade Commission issued Decision No. 5, which became effective on February 22, 2023. Decision No. 5 establishes a trilateral Sub-Committee on Emergency Response under the USMCA Competitiveness Committee to coordinate North American efforts to maintain regional trade flows during emergency situations. In addition, the Decision created a Working Group under the Sub-Committee to develop a shared understanding of what constitutes critical infrastructure priorities. The Office of the United States Trade Representative leads coordination of both the Sub-Committee and Working Group in partnership with technical experts from other U.S. Government agencies with emergency response and critical infrastructure expertise. Each Party has shared its relevant information on domestic coordination and consultation procedures. In May 2024, the Parties adopted a proposal on procedures for coordination and consultation in response to specific emergency situations. The Parties continued working to complete the required report describing shared critical infrastructure priorities.

*For further discussion on manufacturing and trade activities, see Chapter III.F Manufacturing and Trade.*

### **Operation of the United States–Mexico–Canada Agreement**

#### **Automotive Rules**

The USMCA raises regional value content requirements to 75 percent for automobiles and requires that at least 70 percent of a producer’s steel and aluminum purchases originate in North America. The USMCA also includes a new labor value content rule that requires that a certain percentage of qualifying vehicles be produced by employees making an average of at least \$16 per hour.

The United States–Mexico–Canada Agreement Implementation Act (P.L. 116-113) (USMCA Implementation Act) required the establishment of an Interagency Committee on Trade in Automotive Goods (Interagency Autos Committee), which was established on February 28, 2020. The Interagency Autos Committee met regularly throughout 2024 to monitor the implementation of the USMCA’s automotive rules of origin.

In order to provide vehicle manufacturers time to adjust to the new requirements, the USMCA afforded the opportunity for manufacturers to apply for an alternative staging regime that would create a detailed and

credible plan to gradually meet regional value content and labor value content levels before having to satisfy the standard USMCA rules of origin requirements. The alternative staging regime differs from the standard staging regime by providing additional flexibility with respect to the phase-in of certain rules of origin requirements.

The United States Trade Representative's 2024 review of the USMCA's automotive provisions found that vehicle and parts producers continue to make significant investments in North American sourcing and production in order to meet the USMCA rules of origin. At the same time, stakeholders suggested that the rules of origin are not functioning as intended. Stakeholders expressed a desire for more information and transparency around the USMCA rules of origin and how those rules are enforced. Automotive suppliers reported that the complexity of the rules of origin continues to impose administrative burdens on suppliers, and U.S. trade statistics suggest that suppliers are not attempting to claim USMCA preference for a growing share of automotive parts trade. Labor stakeholders expressed concerns that a lack of transparency around implementation and enforcement of the rules of origin, including the alternative staging regimes and the labor value content requirements, has made it difficult for stakeholders to assess the efficacy of those provisions.

### **Agriculture**

*For a discussion of agriculture-related activities, see Chapter III.B.3 Agriculture and Trade, Monitoring and Enforcement Activities of Existing Agreements.*

### **Environment**

The USMCA Environment Chapter obligations are fully enforceable under the USMCA's dispute settlement mechanism and address key environmental challenges, such as illegal, unreported, and unregulated (IUU) fishing and disciplining harmful fisheries subsidies. The USMCA commits the United States, Mexico, and Canada to take actions to combat and prevent trafficking in timber, fish, and other wildlife, and includes provisions to address other environmental issues, such as air quality and marine litter.

The USMCA Implementation Act allocated over \$400 million in new resources to agencies to support cooperation and enhanced monitoring and enforcement of USMCA environment provisions, including resources to support the construction of high-priority wastewater facilities along the United States–Mexico border as well as cooperation to combat IUU fishing and address marine litter. USTR was allocated \$60 million of these resources over four years to bolster monitoring and enforcement of USMCA obligations. These resources supported the Interagency Environment Committee on Monitoring and Enforcement to monitor and enforce USMCA environmental obligations and three environment Attaché positions in the U.S. Embassy in Mexico City, Mexico, to liaise directly with government, industry, and civil society counterparts to further assist with monitoring and enforcement of environmental obligations. The resources allocated to USTR have enabled it to strengthen other U.S. Government agencies' capacity to deliver on their respective monitoring and enforcement mandates by providing additional resources that enhance U.S. intelligence and enforcement capacity, promote sustainable forest management and combat illegal logging, and promote sustainable fisheries management and conservation of marine species.

In parallel with the USMCA Environment Chapter, the Parties agreed to continue their long-standing and successful history of environmental cooperation under the Commission on Environmental Cooperation, as outlined in the Environmental Cooperation Agreement (ECA), which entered into force on July 1, 2020. Among other objectives, the ECA supports the implementation of the USMCA Environment Chapter commitments. The ECA facilitates trilateral cooperation in a variety of areas, including efforts to reduce pollution, strengthen environmental governance, conserve biological diversity, and sustainably manage

natural resources. The ECA updates and supersedes the North American Agreement on Environmental Cooperation.

*For further discussion of the USMCA Environment Chapter, see Chapter III.C.2 Environment and Trade, Monitoring and Enforcement Activities of Existing Agreements.*

## **Labor**

The USMCA's robust and comprehensive labor provisions are fully incorporated into its core text and fully enforceable under the USMCA's dispute settlement mechanism. Among other obligations, the USMCA includes provisions requiring Parties to take measures to prohibit the importation of goods produced by forced labor and to address violence against workers exercising their labor rights. The USMCA also includes an innovative Rapid Response Labor Mechanism in the dispute settlement chapter to address the protection of freedom of association and collective bargaining rights at the facility level. The mechanism provides for the suspension of USMCA tariff benefits or the imposition of other penalties, such as blocking imports from businesses that are repeat offenders, in cases of noncompliance with key labor obligations.

In 2024, the United States initiated the RRM 13 times, seeking review by the Government of Mexico for alleged denials of rights at various facilities. The United States also launched five dispute settlement panels under the mechanism and worked collaboratively with Mexico to successfully resolve multiple cases, including through negotiating and implementing courses of remediation in two cases. Work through the mechanism has resulted in concrete and positive outcomes for workers, such as reinstatement and backpay for dismissed workers, increased opportunities for unions to organize and compete on equal footing, free and fair union representation elections in which workers selected unions to represent them, and new collective bargaining agreements with substantial improvements in wages and working conditions.

Throughout 2024, the U.S. Government continued to consult closely with the Mexican Government, including through the Interagency Labor Committee for Monitoring and Enforcement (Interagency Labor Committee), regarding the implementation of the labor justice reform included in the Labor Chapter Annex to ensure compliance with Mexico's obligations under the USMCA.

The Interagency Labor Committee, established in 2020 and co-chaired by the U.S. Trade Representative and the U.S. Secretary of Labor, met regularly in 2024 to review labor rights issues in Mexico and prepare reports to the U.S. Congress.

*For further discussion of labor-related activities, see Chapter III.E.2 Labor and Trade, Monitoring and Enforcement Activities of Existing Agreements.*

## **Textiles**

*For a discussion on textiles-related activities, see Chapter III.H Textiles and Trade.*

## **10. Morocco**

The United States–Morocco Free Trade Agreement (FTA) entered into force on January 1, 2006. The FTA has supported the ongoing economic and political reforms in Morocco and has laid the groundwork for improved commercial opportunities for U.S. exports to Morocco in several agricultural and industrial sectors.

### **Operation of the United States–Morocco Free Trade Agreement**

The United States–Morocco Joint Committee (JC) is the central oversight body for the FTA. During its July 1, 2024 meeting in Washington, D.C., the JC explored labor, environment, various agricultural and sanitary and phytosanitary issues, certain customs issues, rules of origin, and a number of textile and apparel matters.

*For a discussion of Textiles, see Chapter III.H Textiles and Trade.*

#### **Labor**

In 2024, the Office of the United States Trade Representative continued to monitor labor issues in Morocco. Morocco continued to implement a domestic worker law that extends protections and benefits to domestic workers by setting a minimum wage, establishing a minimum age for employment, limiting weekly hours of work, and providing such workers with a day of rest. The law addresses an area of concern raised by the United States in several FTA JC meetings. In its [2023 Findings on the Worst Forms of Child Labor](#), the U.S. Department of Labor recognized Morocco as having made “moderate advancement” in its efforts to eliminate the worst forms of child labor.

## **11. Oman**

The United States–Oman Free Trade Agreement (FTA) entered into force on January 1, 2009. The FTA, along with other U.S. FTAs in the Middle East and North Africa (MENA) region, promotes economic reform and openness throughout the region. Under the FTA, Oman provides duty-free access to all industrial and consumer products. The FTA also contains comprehensive obligations for services and investment.

### **Operation of the United States–Oman Free Trade Agreement**

The United States–Oman Joint Committee is the central oversight body for the FTA. The Joint Committee did not meet in 2024.

#### **Labor**

As a result of the process for bringing the FTA into force, Oman enacted major labor reforms in 2006, allowing for the formation of trade unions in Oman for the first time. Regulations to implement the reforms provided for the establishment of the General Federation of Oman Trade Unions (now the General Federation of Oman Workers), which held its founding conference in 2010. Oman has since seen an increase in unionization with over 270 enterprise-level unions and several sectoral sub-federations for trade unions established by the beginning of 2020, including in the oil, gas, and industrial sectors. In 2024, the Office of the United States Trade Representative and the U.S. Department of Labor (DOL) continued to monitor labor rights in Oman pursuant to labor provisions of the FTA. In its [2023 Report on the Findings on the Worst Forms of Child Labor](#), the DOL recognized Oman as having made “moderate advancement” in its efforts to eliminate the worst forms of child labor, including by launching a two-month human trafficking public awareness campaign, which included billboards, airport displays, websites, and social media posts in several languages.

## **Environment**

In 2024, the United States continued to monitor and enforce the Environment Chapter of the United States–Oman FTA. In February 2024, the United States and Oman held the inaugural meeting of the Subcommittee on Environmental Affairs to review the Parties’ implementation of and compliance with Environment Chapter obligations. Both countries also held the fourth meeting of the Joint Forum on Environmental Cooperation to review ongoing activities and priorities for cooperation under the 2024-2027 Plan of Action.

*For further discussion of environment-related activities, see Chapter III.C.2 Environment and Trade, Monitoring and Enforcement Activities of Existing Agreements.*

## **12. Panama**

The United States–Panama Trade Promotion Agreement (Agreement) entered into force on October 31, 2012. Under the TPA, Panama provides duty-free access to all U.S. consumer and industrial products. Nearly half of U.S. agricultural exports immediately became duty free upon entry into force, with remaining tariffs on most U.S. agricultural goods to be eliminated by January 1, 2026. Tariffs on most sensitive agricultural products will be phased out 18 to 20 years after entry into force. The Agreement also provides access to Panama’s estimated \$56 billion services market.

Prior to the Agreement’s entry into force, Panama improved its tax transparency practices, including via signature of a Tax Information Exchange Agreement with the United States, which entered into force on April 18, 2011.

### **Operation of the United States–Panama Trade Promotion Agreement**

The United States–Panama Free Trade Commission is the central oversight body for the TPA. In addition to formal meetings, USTR engaged with ministries in Panama to facilitate implementation of the Agreement.

## **Agriculture**

*For a discussion of agriculture-related activities, see Chapter III.B.3 Agriculture and Trade, Monitoring and Enforcement Activities of Existing Agreements.*

## **Environment**

In 2024, the United States continued to monitor and enforce the Environment Chapter of the TPA, including overseeing the operation of the Secretariat for Environmental Enforcement Matters (Secretariat). Trade and environment officials from the United States and Panama reviewed outcomes of ongoing environmental cooperation activities, including efforts to address concerns raised in past submissions on environmental enforcement matters filed with the Secretariat.

*For further discussion of environment-related activities, see Chapter III.C.2 Environment and Trade, Monitoring and Enforcement Activities of Existing Agreements.*

## **Labor**

The United States continued to work with Panama on labor-related topics of mutual interest in 2024, through the Cooperative Labor Dialogue under the Agreement.

## **13. Peru**

The United States–Peru Trade Promotion Agreement (Agreement) entered into force on February 1, 2009. Under the Agreement, customs duties for qualifying U.S. goods have been eliminated on substantially all Peruvian tariff lines. Peru will continue to reduce duties each January 1, with all remaining tariffs, which apply only to select agricultural products, to be eliminated by 2026.

### **Operation of the United States–Peru Trade Promotion Agreement**

The United States–Peru Free Trade Commission (FTC) is the central oversight body for the Agreement. The United States convened the sixth FTC Meeting on February 15, 2024, in Lima, Peru. In addition, seven other institutions of the Agreement met in 2024, including the Committee on Customs and Trade Facilitation, the Forest Sector Sub-Committee, the Environmental Affairs Council, the Environmental Cooperation Commission, the Committee on Technical Barriers to Trade, the Committee on Sanitary and Phytosanitary Measures, and the Committee on Trade in Goods – Rules of Origin.

### **Environment**

The United States continued to work with Peru on logging issues under the Annex on Forest Sector Governance (Forest Annex). The Forest Annex includes concrete steps Peru must take to strengthen forest sector governance and combat illegal logging and illegal trade in timber and wildlife products. The Forest Annex also includes monitoring tools, such as a requirement that Peru conduct periodic audits of producers and exporters, as well as verifications of particular timber shipments upon request from the United States.

On September 18, 2024, the United States requested that Peru verify whether the exporter and producers of five particular shipments of timber products from Peru to the United States complied with applicable Peruvian laws, regulations, and other measures. Peru agreed to plan a site visit to the premises and prepare a report on the results of the verification.

*For further discussion on environment-related activities, see Chapter III.C.2 Environment and Trade, Monitoring and Enforcement Activities of Existing Agreements.*

### **Labor**

In 2024, the United States continued to engage with Peru, Peruvian unions, and industry representatives on the issues identified in the March 2016 U.S. Department of Labor (DOL) report that was prepared in response to a July 2015 submission from civil society under the Agreement’s Labor Chapter. The submission raised issues related to Peru’s adoption and maintenance of laws and practices that protect fundamental labor rights and to Peru’s effective enforcement of labor laws, particularly with regard to Peru’s laws on the use of temporary contracts in non-traditional exports in the textile and agricultural sectors. At the sixth FTC Meeting, the United States shared the status of the 2015 submission review and Peru provided additional updates. The DOL has engaged Peru in several technical-level exchanges to explore areas of cooperation under the Agreement.

In its [2023 Report on the Findings on the Worst Forms of Child Labor](#), the DOL recognized Peru as having made “moderate advancement” in its efforts to eliminate the worst forms of child labor.

In 2024, the DOL continued to fund four technical assistance projects to improve Peru’s enforcement of labor laws and compliance with the Agreement’s Labor Chapter. One of these projects provides ongoing

support to address child labor by strengthening civil society organizations at local and national levels. Another project focuses on promoting decent working conditions in the fishing sector with pilot activities in Peru and Ecuador. One project encompasses Peru and two other countries (Brazil and Colombia) and is intended to promote workers' voices and advance unionization and collective bargaining in key trade sectors. Another multi-country project that includes Peru focuses on building research capacity on forced labor.

*For further discussion on labor-related activities, see Chapter III.E.2 Labor and Trade, Monitoring and Enforcement Activities of Existing Agreements.*

## **14. Singapore**

The United States–Singapore Free Trade Agreement (FTA) entered into force on January 1, 2004.

### **Operation of the United States–Singapore Free Trade Agreement**

The United States–Singapore Joint Committee is the central oversight body for the FTA. The Joint Committee met on April 30, 2024, in Washington, D.C. During 2024, the United States and Singapore continued to work together on shared areas of interest through the FTA framework, including on environment, labor, digital trade, supply chains, and intellectual property. Throughout 2024, the United States also continued to work closely with Singapore to deepen the bilateral trade relationship and coordinate on issues of regional and international importance.

Prior to the Joint Committee meeting, the United States and Singapore held a meeting on April 19, 2024, in Washington, D.C., to review implementation of the Environment Chapter of the FTA. The meeting served as an important opportunity to continue and enhance the long-standing bilateral relationship between the United States and Singapore and to highlight a shared commitment to environmental protection and the sustainable use of natural resources.

*For further discussion of environment-related activities, see Chapter III.C.2 Environment and Trade, Monitoring and Enforcement Activities of Existing Agreements.*

## **D OTHER AGREEMENTS AND TRADE-RELATED INITIATIVES**

### **1. The Americas**

The United States has six free trade agreements (FTAs) with 12 countries in the Americas: Mexico and Canada under the United States–Mexico–Canada Agreement (USMCA) (2020), which replaced the North American Free Trade Agreement (NAFTA) (1994); Chile (2004); Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, and the Dominican Republic under the Dominican Republic–Central America–United States Free Trade Agreement (2006–2009); Peru (2009); Colombia (2012); and Panama (2012).

*For further discussion of the free trade agreements, see Chapter I.C Comprehensive Free Trade Agreements in Force.*

## **Americas Partnership for Economic Prosperity**

The Americas Partnership for Economic Prosperity (Americas Partnership) is a regional initiative to establish an enduring forum for regional competitiveness and investment mobilization, first announced in 2022 at the Summit of the Americas. During 2024, the Office of the United States Trade Representative (USTR) led work under the Trade Track. Trade Ministers met for the first in-person Trade Ministerial on August 1, 2024, in Quito, Ecuador. Senior officials for trade, comprising the Council on Trade and Competitiveness (CTC), met throughout the year and facilitated committee-level work. Committees under the CTC included: Trade and Labor, Trade and Environment, Sustainable Value and Supply Chains, Trade Rules and Transparency, and Inclusive Trade and Small and Medium-Sized Enterprises (SMEs). In July 2024, in Bogota, Colombia, Partnership countries convened to share experiences in implementation of the WTO Agreement on Trade Facilitation (TFA), focusing on border agency cooperation, single windows, and pre-arrival processing. As a result of this exchange, Ministers adopted a Declaration on Best Practices on Pre-Arrival Processing during the Quito Ministerial. On February 14, 2025, current Administration officials announced that the United States will not continue to participate in the Americas Partnership initiative.

## **Trade and Investment Framework Agreements and Other Bilateral Trade Mechanisms**

USTR chairs bilateral meetings with non-FTA partners in the Americas to discuss a wide range of issues, including labor and the environment, market access, regulatory matters, and enhancing opportunities for SMEs, and to address trade irritants. The United States has trade and investment framework agreements (TIFAs) or trade and investment council agreements (TICs) in force with Argentina, Bolivia, the Caribbean Community (CARICOM), Ecuador, Paraguay, and Uruguay. The United States has an Agreement on Trade and Economic Cooperation (ATEC) in force with Brazil.

In 2024, the United States continued its engagement with its non-FTA partners in the region with the goal of promoting trade and resolving trade problems. The activities below describe the key outcomes that advance the U.S. trade and investment agenda with these countries. In all of these engagements, USTR has emphasized agricultural trade, environmental sustainability, and labor standards as fundamental for advancing this work.

*For further discussion see Chapter III.B Agriculture and Trade, Chapter III.C Environment and Trade, and Chapter III.E Labor and Trade, respectively.*

### **Argentina**

On June 5, 2024, USTR led a U.S. delegation to Buenos Aires, Argentina, for the fourth meeting of the Trade and Investment Council under the United States–Argentina TIFA. During the meetings, the two governments discussed market access interests on both sides, as well as priorities on trade facilitation, good regulatory practices, and agricultural trade. Further, the two governments established a Working Group on Supply Chain Resilience to deepen cooperation on diverse, resilient, high standard supply chains for critical minerals and other sectors. The TIFA meeting was followed by the eighth meeting of the Innovation and Creativity for Economic Development Forum on June 6 and 7, 2024, also in Buenos Aires, Argentina.

### **Brazil**

Bilateral dialogue with Brazil is conducted through the United States–Brazil Commission on Economic and Trade Relations, established by the ATEC. During 2024, the United States and Brazil continued to work on full implementation of the 2020 Protocol to the Agreement on Trade and Economic Cooperation Relating

to Trade Rules and Transparency. The Protocol entered into force on February 2, 2022, and comprises annexes on anticorruption, good regulatory practices, and trade facilitation and customs administration.

In 2024, U.S. and Brazilian officials discussed how to strengthen and deepen the bilateral trade and economic partnership through the ATEC. In addition, USTR’s Chief Agricultural Negotiator traveled to Brazil to engage on U.S. priorities, including access to Brazil’s ethanol market.

## **CARICOM**

In June 2024, senior officials of the United States and CARICOM held a virtual mid-year meeting to monitor progress since the October 2023 TIFA meeting. On August 2, 2024, the U.S. Trade Representative traveled to Guyana to meet with Guyanese officials, opposition leaders, and stakeholders. The U.S. Trade Representative also met with CARICOM trade ministers to underscore the commitment of the United States to working with Caribbean partners to expand economic opportunities. On October 18, 2024, the U.S. Trade Representative convened a virtual meeting with CARICOM trade ministers to deepen engagement on sustainable development.

## **Ecuador**

In 2024, the United States and Ecuador convened the fifth meeting of the United States–Ecuador TIC and agreed to establish new committees on labor, environment, and fair trade. The two governments also engaged in several bilateral dialogues under the TIC Agriculture Working Group. On July 30 both countries convened the first SME Dialogue as part of the ongoing cooperation under the TIC in Quito, Ecuador. The SME Dialogue included presentations from several U.S. and Ecuadorian Government agencies and stakeholders and participants from over 150 U.S. and Ecuadorian SMEs, associations, and government representatives.

## **Nicaragua**

On December 10, 2024, the U.S. Trade Representative initiated an investigation under Section 302(b) of the Trade Act (19 U.S.C. § 2412(b)) to determine whether acts, policies, and practices of the Government of Nicaragua related to labor rights, human rights, and the rule of law are unreasonable or discriminatory and burden or restrict U.S. commerce. *For further discussion, see Chapter II.B.1 Nicaragua’s Acts, Policies, and Practices Related to Labor Rights, Human Rights, and Rule of Law.*

## **Paraguay**

On September 10 through September 11, 2024, in Washington, D.C., the United States and Paraguay convened the third meeting of the TIC Council under the United States–Paraguay TIFA. During the wide-ranging discussions, the two countries agreed on further work in areas including labor rights, agricultural trade, anticorruption, good regulatory practices, trade facilitation, and government procurement. In addition, the two governments assessed progress under the United States–Paraguay Intellectual Property Work Plan that was finalized in September 2022.

## **Uruguay**

In 2024, the United States and Uruguay continued negotiations on an update to the United States–Uruguay TIFA with a Protocol on Trade Rules and Transparency. In June 2024, USTR officials traveled to Montevideo, Uruguay, to engage with Uruguay officials on this and other topics to advance the bilateral relationship.

## **2. Europe and the Middle East**

The United States in 2024 engaged through its free trade agreements (FTAs), bilateral investment treaties, trade and investment framework agreements (TIFAs), negotiations on select issues, enforcement tools, and other mechanisms with the European Union (EU) and its 27 Member States, non-EU European countries, certain countries of western Eurasia, and countries in the Middle East and North Africa (MENA). The goals of these engagements were to improve protection of worker rights, foster partner country policies grounded in the rule of law, eliminate trade barriers, increase U.S. exports, encourage the development of intraregional economic engagement, and, where relevant, advance countries' accessions to the World Trade Organization (WTO).

*For a discussion of WTO accessions, see Chapter V.G.6 Accessions to the World Trade Organization.*

In 2024, the United States engaged with the EU to reduce non-tariff barriers to U.S. exports and to strengthen cooperation on global trade issues and on third countries of common concern, especially the People's Republic of China. The United States promoted policies in Eurasia to promote transparent and predictable markets, based on the rule of law in an effort to further economic security in the region. U.S. efforts in the MENA region centered on promoting further economic reforms in partner countries, with a view toward encouraging those countries to open their economies to further engagement with the United States.

### **European Union**

The U.S. trade and investment relationship with the EU is the largest and most complex economic relationship in the world. Transatlantic trade flows (goods and services trade) averaged an estimated \$6.1 billion each day of 2023 (latest data available). The total stock of transatlantic investment was \$5.1 trillion in 2022 (latest data available).

The United States–European Union Trade and Technology Council (TTC) continued to be the principal coordination mechanism through which the United States engaged the EU on trade policy during 2024. Across 10 TTC working groups, the United States and the EU continued to pursue policy outcomes on trade and technology that align with U.S. and EU shared values and promote a rules-based economic system. Outside of the TTC, the United States continued to engage robustly with the EU during 2024 on non-tariff barriers that affect U.S. companies across a broad range of sectors.

### **United States–European Union Trade and Technology Council**

The United States–European Union Trade and Technology Council (TTC) held its fifth ministerial meeting in Washington, D.C., on January 30, 2024. The TTC held its sixth ministerial meeting in Leuven, Belgium, on April 4 through April 5, 2024. The U.S. Trade Representative co-chaired both of the ministerial meetings along with the U.S. Secretaries of State and Commerce, and two European Commission Executive Vice Presidents.

At both TTC ministerial meetings, the United States and the EU reiterated the desire to address the threat posed by a range of non-market policies and practices of third countries, including the People's Republic of China. In 2024, the United States and the EU continued to exchange views and information about these policies and practices in the medical devices sector in China and their adverse impact on U.S. and EU workers and businesses and coordinated joint actions in response to these policies and practices. The United States and the EU also continued to discuss fostering supply chain diversification, reducing dependencies, and building resilience to economic coercion.

The United States and the EU further shared information related to concerns about the impact of non-market policies and practices on the global supply of semiconductors, particularly in legacy chips. To avoid negative impact from market distortions, the United States and the EU, in cooperation with like-minded partners, exchanged information and market intelligence about non-market policies and practices that undermine the well-being of the global semiconductor industry and explored cooperative measures to address the distortionary effects of these policies and practices.

*For further discussion of non-market policies and practices, see Chapter II.E Enforcement Activities to Counter Non-Market Policies and Practices and Enhance Economic Security.*

During the fifth TTC ministerial meeting, the United States and the EU established the Transatlantic Initiative for Sustainable Trade (TIST).

During the sixth TTC ministerial meeting, the U.S. Trade Representative and the European Commission Executive Vice President for Trade led a high-level meeting of the tripartite U.S.–EU Trade and Labor Dialogue (TALD). The participants, U.S. and EU labor and business representatives, discussed how to eradicate forced labor from U.S. and EU supply chains.

*For further discussion of labor-related activities, see Chapter III.E.2 Labor and Trade, Monitoring and Enforcement Activities of Existing Agreements.*

On April 5, 2024, the United States and the EU published a Joint Declaration on electronic invoicing with the intent to continue cooperation and coordination for greater compatibility of each side's electronic invoicing initiatives. The goal of the United States and the EU is to reduce transaction costs through the use of digital technology.

For more information on the initiatives launched by the TTC, see the [U.S.-EU Joint Statement of the Trade and Technology Council](#) issued by the U.S. and EU TTC co-chairs on April 8, 2024.

### **United States–European Union Critical Minerals Agreement**

During 2024, the Office of the United States Trade Representative, in close coordination with the U.S. Department of Treasury, continued to lead the negotiations on a targeted critical minerals agreement with the EU, with the shared goal of reaching an agreement that facilitates trade in critical minerals, promotes supply chain diversification, and includes robust labor and environmental commitments.

*For further discussion of Critical Minerals Agreements, see Chapter II.E Enforcement Activities to Counter Non-Market Policies and Practices and Enhance Economic Security.*

### **United States–European Union Global Arrangement on Sustainable Steel and Aluminum**

Since 2021, the United States and the EU have continued negotiations on future arrangements for trade in the steel and aluminum sectors that take account of both global non-market excess capacity as well as the emissions intensity of these industries.

On October 31, 2021, the United States announced that it would allow historical levels of EU steel and aluminum to enter duty-free trade under tariff rate quotas. In turn, the EU suspended the additional duties it had imposed on certain U.S. goods since June 22, 2018. This agreement was set to expire at the end of 2023. On January 1, 2024, the United States extended the EU's access to U.S. tariff rate quotas (TRQs) for steel and aluminum until December 31, 2025.

*For further discussion of the global arrangement, see Chapter III.F Manufacturing and Trade.*

*For a discussion of non-market policies and practices, see Chapter II.E Enforcement Activities to Counter Non-Market Policies and Practices and Enhance Economic Security.*

### **United Kingdom**

In 2024, the United States continued to engage with the United Kingdom (UK) through the Atlantic Declaration: A Framework for a Twenty-First Century U.S.-UK Economic Partnership and multiple meetings to discuss opportunities to advance bilateral and multilateral trade and the bilateral investment relationship.

On April 16, 2024, the United States and the UK convened the eighth U.S.-UK Small and Medium-Sized Enterprises (SME) Dialogue in Belfast, Northern Ireland, to engage SME stakeholders on opportunities and challenges in U.S.-UK trade and ways to promote more inclusive trade.

*For further discussion, see Chapter III.A Small and Medium-Sized Enterprise Initiative.*

### **United States—United Kingdom Critical Minerals Agreement**

Pursuant to the Atlantic Declaration, in 2024, the Office of the United States Trade Representative (USTR), in close coordination with the U.S. Department of Treasury continued negotiations on a targeted critical minerals agreement, with the shared goal of reaching an agreement that facilitates trade in critical minerals, promotes supply chain diversification, and includes robust labor and environmental commitments.

*For further discussion of Critical Minerals Agreements, see Chapter II.E Enforcement Activities to Counter Non-Market Policies and Practices and Enhance Economic Security.*

### **Türkiye, the Middle East, and North Africa**

Throughout 2024, USTR continued exploring, in consultation with other U.S. Government agencies, as well as with outside experts and stakeholders in the United States, prospective areas for trade and investment cooperation with Türkiye and MENA countries.

In 2024, the United States continued to monitor, implement, and enforce existing U.S. FTAs in the region (Bahrain, Israel, Jordan, Morocco, and Oman) and sought to engage other MENA countries through existing TIFA mechanisms and preference program review processes. The United States held FTA Joint Committee consultations with Morocco on July 1, 2024, in Washington, D.C.

The United States held a TIFA Council meeting with Türkiye in Ankara on April 30, 2024. The United States held an FTA Joint Committee meeting with Bahrain in Washington, D.C., on June 24. The United States also held TIFA Council meetings with Member States of the Gulf Cooperation Council (GCC) collectively in Washington, D.C., on June 26 and with Saudi Arabia in Washington, D.C., on June 27. On October 29 through October 30, 2024, the United States held a TIFA Council meeting with Egypt in Washington, D.C., in which a number of issues were discussed, including efforts to find a path forward for Egypt to accept vehicles certified to U.S. Federal Motor Vehicle Safety Standards.

## **Eurasia**

The U.S. engagement in Eurasia in 2024 continued to be largely shaped by the conflict in Ukraine in February 2022. The United States, working with its partners and allies, imposed sanctions, import bans, export controls, and tariff increases on Russia. In addition, the United States has ceased direct engagement with Russia on trade and investment issues. (For information on Russia's compliance with its WTO commitments, see the [2024 Report on the Implementation and Enforcement of Russia's WTO Commitments](#).)

In November 2023, the United States hosted the twelfth meeting of the United States–Ukraine Trade and Investment Council in Washington, D.C., and focused on ways to help lay the foundation for a sustainable economic recovery and long-term reconstruction, including through the use of innovative agricultural technologies. The participants also continued to hold discussions to upgrade the 2008 Trade and Investment Cooperation Agreement to support Ukraine's efforts to establish a more transparent and predictable business environment.

In 2024, the United States continued to engage with Armenia, Azerbaijan, Georgia, and Moldova on trade and investment related issues to strengthen economic relationships. The United States held a TIFA Council meeting with Armenia in Washington, D.C., on March 8, 2024.

## **3. Japan and Korea**

The United States engaged with Japan and the Republic of Korea through negotiations on the Indo-Pacific Economic Framework for Prosperity (IPEF). Other IPEF partners include Australia, Brunei, Fiji, India, Indonesia, Malaysia, New Zealand, the Philippines, Singapore, Thailand, and Vietnam.

*For further information, see I.B.1 Indo-Pacific Economic Framework for Prosperity.*

### **Japan**

In 2024, the United States and Japan continued to engage through the United States–Japan Partnership on Trade, an initiative under which the two countries meet on a regular basis to advance a shared agenda of cooperation across a broad range of issue areas and to address bilateral trade matters of concern. The areas of collaboration in 2024 included planning for the second meeting of the Task Force on the Promotion of Human Rights and International Labor Standards in Supply Chains, sharing the impact of and plans for addressing common challenges related to the non-market policies and practices of third countries, reviewing progress towards meeting commitments under the United States–Japan Critical Minerals Agreement, and sharing perspectives towards building a positive ecosystem for the digital economy. The United States also raised a number of bilateral trade concerns in the Partnership meetings, including regulatory transparency and due process, ensuring a level playing field for certain products and services, trade in seafood, and areas for cooperation to increase the globally available supply of sustainable aviation fuels and feedstocks, including those that are ethanol-based.

In 2024, the United States and Japan held the first two rounds of government and stakeholder dialogues under the Task Force on the Promotion of Human Rights and International Labor Standards in Supply Chains. The Task Force, which is co-led by the Office of the United States Trade Representative and Japan's Ministry of Economy, Trade and Industry, is a mechanism for the United States and Japan to protect and promote human rights and internationally recognized labor rights, including by combating the use of forced labor in supply chains through trade policy. In the first round's government dialogue, both governments exchanged information on relevant laws, policies, and guidance, including labor provisions in

U.S. trade policy such as the United States–Mexico–Canada Agreement Rapid Response Labor Mechanism and implementation of the Uyghur Forced Labor Prevention Act (UFLPA). In the first round’s stakeholder dialogue, stakeholders from both countries, including worker organizations, civil society organizations, and businesses, engaged in discussion and information sharing on best practices for corporate due diligence on human rights and internationally recognized labor rights. The second round of the Task Force adopted a sectoral focus on seafood supply chains. Its government dialogue featured information sharing on the UFLPA’s enforcement status and interagency-coordinated efforts to address labor exploitation in seafood supply chains, while its stakeholder dialogue involved outreach to industry about both governments’ actions to protect human rights in the sector.

The United States, Japan, and the European Union continued to meet throughout 2024 under their trilateral partnership to address the global challenges posed by non-market policies and practices of third countries.

*For further information on the trilateral partnership, see Chapter II.E Enforcement Activities to Counter Non-Market Policies and Practices and Enhance Economic Security.*

In addition, the United States actively engaged with Japan in 2024 on a range of important bilateral issues of concern to U.S. stakeholders, including issues related to Japan’s automotive industry incentives, evolving regulation of the digital economy, and agricultural policies, to ensure measures are nondiscriminatory and do not impede market access for U.S. goods exporters and service providers.

The United States also worked closely with Japan in various fora during 2024 to address trade issues of common interest, including those in third-country markets.

### **United States–Japan Critical Minerals Agreement**

In 2024, the United States engaged with Japan on implementation of the Agreement Between the Government of Japan and the Government of the United States of America on Strengthening Critical Minerals Supply Chains (Critical Minerals Agreement), including during discussions of the United States–Japan Partnership on Trade. The objective of the Critical Minerals Agreement, signed on March 28, 2023, is to strengthen and diversify critical minerals supply chains and promote the adoption of electric vehicle battery technologies. In particular, the Critical Minerals Agreement memorializes the shared commitment of the United States and Japan with respect to the critical minerals sector to facilitate trade, promote fair competition and market oriented conditions for trade in critical minerals, advance robust labor and environment standards, and cooperate in efforts to ensure secure and transparent critical minerals supply chains.

### **Korea**

In 2024, the United States continued to engage actively with counterparts in the Korean Government through meetings of the committees and working groups established under the United States–Korea Free Trade Agreement (KORUS). The United States also continued to hold bilateral consultations at the technical level with Korea on an *ad hoc* basis to address existing and emerging bilateral trade issues not be covered by KORUS provisions, in addition to regional and global trade issues. These meetings were augmented by senior-level engagement. In 2024, the United States raised and addressed a number of outstanding issues with Korea, including certain issues related to agriculture and information technology services.

*For further discussion of the United States–Korea Free Trade Agreement, see Chapter I.C.8 Korea.*

## **4. China, Hong Kong, Taiwan, and Mongolia**

### **China**

*For information on USTR’s implementation of the President’s Trade Agreements Program with respect to China, see Chapter II.B.1 China’s Targeting of the Semiconductor Industry for Dominance; Chapter II.B.3 China’s Targeting the Maritime, Logistics, and Shipbuilding Sectors for Dominance; Chapter II.B.4 China’s Acts, Policies, and Practices Related to Technology Transfer, Intellectual Property, and Innovation, which covers the Section 301 investigation, Four Year Review, Phase One Agreement implementation, and exclusions; Chapter II.E Enforcement Activities to Counter Non-Market Policies and Practices and Enhance Economic Security; and [USTR’s 2024 Report to Congress on China’s WTO Compliance](#).*

### **Hong Kong, China**

In 2024, the United States addressed trade matters with respect to Hong Kong, China (Hong Kong), as appropriate, and the United States has continued to urge Hong Kong to update its copyright system to address concerns regarding digital copyright piracy.

### **Taiwan**

The United States and Taiwan, under the auspices of the American Institute in Taiwan (AIT) and the Taipei Economic and Cultural Representative Office in the United States (TECRO), engaged in negotiations under the United States–Taiwan Initiative on 21st-Century Trade. The two sides signed in June 2023 a first agreement under the trade initiative covering anticorruption, good regulatory practices, customs administration and trade facilitation, services domestic regulation, and small and medium-sized enterprises. The first agreement entered into force on December 10, 2024. Since the signing of the first agreement, the two sides have been holding negotiations addressing other trade areas set forth in the negotiating mandate.

*For further information, see Chapter I.B.2 United States–Taiwan Initiative on 21st-Century Trade.*

The United States–Taiwan Trade and Investment Framework Agreement (TIFA) Council, which meets under the auspices of AIT and TECRO, is the key forum for both economies to resolve and make progress on a wide range of issues affecting the United States–Taiwan trade and investment relationship. The United States continued to monitor the progress being made by Taiwan on matters discussed during the TIFA Council meeting held in June 2021 and raised concerns with Taiwan on an *ad hoc* basis.

## **5. Southeast Asia and the Pacific**

The United States has free trade agreements (FTAs) with Australia and Singapore. In 2024, the United States engaged closely in negotiations on the Indo-Pacific Economic Framework for Prosperity (IPEF) with Australia, Brunei, Fiji, India, Indonesia, Japan, the Republic of Korea, Malaysia, New Zealand, the Philippines, Singapore, Thailand, and Vietnam.

*For further information, see Chapters I.C.1 Australia, I.C.14 Singapore, and I.B.1 Indo-Pacific Economic Framework for Prosperity.*

## **Trade and Investment Framework Agreements and Other Bilateral Trade Mechanisms**

The United States has bilateral trade and investment framework agreements (TIFAs) with Brunei, Burma (engagement suspended), Cambodia, Fiji, Indonesia, Laos, Malaysia, New Zealand, the Philippines, Thailand, and Vietnam.

The United States continued to engage throughout 2024 with countries in Southeast Asia and the Pacific to pursue outcomes that would strengthen trade and economic relations and advance economic growth. The U.S. activities in the region focused on: (1) leveling the playing field for U.S. workers and companies; (2) promoting respect for internationally recognized labor rights; (3) confronting structural barriers in Southeast Asian markets; and (4) countering the People's Republic of China's economic influence in the region. Notable engagements included:

- The U.S. Trade Representative made determinations following two investigations initiated in 2020 with respect to Vietnam under Section 301 of the Trade Act of 1974: (1) Vietnam's acts, policies, and practices related to the valuation of its currency and (2) Vietnam's acts, policies, and practices related to the import and use of timber that is illegally harvested or traded. On July 23, 2021, USTR determined that no trade action under Section 301 in the currency investigation was warranted because an agreement reached between the U.S. Department of Treasury and the State Bank of Vietnam and associated measures called for in the agreement provided a satisfactory resolution of the matter subject to this investigation. During 2024, in coordination with the U.S. Department of Treasury, USTR continued to monitor Vietnam's implementation of its commitments under the agreement.
- Separately, on October 1, 2021, the United States and Vietnam signed an agreement that addresses U.S. concerns in the Section 301 timber investigation. The agreement secured commitments that are expected to help keep illegally harvested or traded timber out of the supply chain and protect the environment and natural resources. The agreement further established the Timber Working Group to facilitate coordination and oversee implementation of the agreement. On May 21 through May 22, 2024, the United States and Vietnam convened the fourth Timber Working Group meeting. During 2024, the United States continued to closely monitor Vietnam's implementation of the agreement.

*For further information, see Chapters II.B.7 Section 301 Vietnam's Acts, Policies, and Practices Related to Currency Valuation; and II.B.6 Section 301 Vietnam's Acts, Policies, and Practices Related to the Import and Use of Illegal Timber.*

- U.S. Government officials met with Cambodian Government officials and labor stakeholders in 2024 to address ongoing concerns related to protections for worker rights in Cambodia, including through a virtual TIFA Labor Working Group meeting, and other trade issues.
- USTR hosted a United States–Philippines TIFA meeting in July 2024 to engage with the Philippines on bilateral trade and investment issues, including agriculture, labor, government procurement, intellectual property, environment, automotive safety standards, and supply chains. This engagement followed TIFA working group meetings held on agriculture and labor in May 2024 and a virtual working group meeting on intellectual property held in June 2024.
- In 2024, USTR continued to engage with Thailand following the September 2023 United States–Thailand TIFA Joint Council Meeting on priority economic concerns, including agriculture, labor, intellectual property, digital trade and customs cooperation.

- Throughout 2024, the United States engaged with Vietnam following the December 2023 United States–Vietnam TIFA Council meeting, which discussed agriculture, labor, environment, intellectual property, digital trade and services issues, and other bilateral trade concerns. The United States convened a virtual TIFA Working Group on Digital Trade and Services meeting in September 2024.

### **United States–Association of Southeast Asian Nations Trade and Investment Framework Arrangement**

The United States continued to work under the auspices of the United States–Association of Southeast Asian Nations (ASEAN) Trade and Investment Framework Arrangement to advance economic growth and further enhance trade and investment ties between the United States and ASEAN, which collectively represents the United States’ fourth-largest trading partner. At the annual ASEAN Economic Ministers–USTR Consultation in September 2024, the United States and ASEAN decided to continue cooperation on labor, agriculture, sustainability, good regulatory practices, micro-, small, and medium-enterprise development, trade facilitation, the digital economy, and intellectual property rights.

### **United States–Pacific Islands Trade and Investment Dialogue**

The United States continued to engage with the Pacific Islands Forum (PIF) in 2024, following the September 2022 establishment of the United States–Pacific Islands Forum (PIF) Trade and Investment Dialogue, and the inaugural Dialogue meeting in February 2023. In February 2024, the United States met with the PIF to discuss U.S. sanitary and phytosanitary (SPS) import requirements.

## **6. Sub-Saharan Africa**

Throughout 2024, the Office of the United States Trade Representative (USTR) continued efforts to deepen U.S. trade and investment ties with sub-Saharan Africa. USTR also continued negotiations of the U.S.–Kenya Strategic Trade and Investment Partnership; hosting the July 2024 U.S.–sub-Saharan Africa Trade and Economic Cooperation Forum (AGOA Forum) in Washington, D.C.; and implementation of the Memorandum of Understanding (MOU) with the African Continental Free Trade Area (AfCFTA) Secretariat, signed at the U.S.-African Leaders Summit in Washington, D.C., in December 2022.

During 2024, USTR also provided substantial support for other initiatives with sub-Saharan Africa, including: follow-up efforts from the December 2022 U.S.–Africa Leaders Summit, held in Washington, D.C.; continued implementation of the [U.S. Strategy Toward Sub-Saharan Africa](#) released by the White House in August 2022; support for the Digital Transformation with Africa initiative, which was launched in December 2022 and worked to expand digital access across Africa and foster a resilient African digital ecosystem; and collaboration on the Prosper Africa initiative, the goal of which has been to substantially increase two-way trade and investment between the United States and Africa.

*For further information on the STIP, see Chapter I.B.3 the United States–Kenya Strategic Trade and Investment Partnership.*

### **The African Growth and Opportunity Act**

Every year, the African Growth and Opportunity Act (AGOA) Implementation Subcommittee of the Trade Policy Staff Committee examines whether each country eligible for AGOA benefits continues to meet the eligibility criteria. No countries were reinstated or terminated from the program as a result of AGOA

eligibility review conducted during 2024. As a result of the eligibility review, 32 sub-Saharan African countries remain eligible for AGOA benefits as of January 1, 2025.

In July 2024, the U.S. Trade Representative co-hosted the 21st U.S.-sub-Saharan Africa Trade and Economic Cooperation Forum, also known as the AGOA Forum, in Washington, D.C. The 2024 AGOA Forum emphasized the future of AGOA and the importance of improving AGOA to deliver tangible benefits to more working communities.

*For further discussion of the African Growth and Opportunity Act, see Chapters I.A.2 African Growth and Opportunity Act and II.F.1 Preference Programs Monitoring and Enforcement.*

### **African Continental Free Trade Area**

In 2024, the U.S. Government and the AfCFTA Secretariat continued to work to implement the MOU signed on December 14, 2022, at the U.S.–Africa Leaders’ Summit in Washington, D.C. The two sides engaged in technical meetings throughout 2024.

*For further information on the African Continental Free Trade Area, see Chapter I.B.4 African Continental Free Trade Area Memorandum of Understanding.*

## **7. South and Central Asia**

U.S. engagement with countries across South and Central Asia in 2024 focused on advancing the resolution of a range of issues related to respect for internationally recognized worker rights, agricultural trade, intellectual property (IP) protection and enforcement, and the digital economy.

The United States has bilateral Trade and Investment Framework Agreements (TIFAs) with Afghanistan, Bangladesh, Iraq, Maldives, Nepal, Pakistan, Sri Lanka, and, collectively, the Central Asian states of Kazakhstan, the Kyrgyz Republic, Tajikistan, Turkmenistan, and Uzbekistan. A Trade Policy Forum (TPF) exists to facilitate trade and investment dialogue between the United States and India.

U.S. trade policy engagement in South and Central Asia sought to foster economic growth and regional trade and security through dialogue on and adherence to trade rules. The region encompasses approximately two billion people, and many countries have been experiencing rapid economic growth and progression up the development ladder, presenting important opportunities for U.S. exporters of goods, services, and agricultural products. The digital economy is also a potential engine for growth in the U.S. bilateral economic relationships with South Asian partners. Similarly, the United States increased its engagement on technical barriers that have affected certain U.S. export sectors and fostered discussions on the need for high-standard commitments to address emerging trade challenges.

### **Trade and Investment Framework Agreement Activity in South and Central Asia**

The activities below describe the key outcomes that advanced the U.S. trade and investment agenda with countries in the South and Central Asia region during 2024.

*India:* During 2024, the United States worked with India to implement the agreement to resolve the last outstanding dispute at the World Trade Organization between the United States and India, *India – Measures Concerning the Importation of Certain Agricultural Products* (DS430). This resulted in expanded market access opportunities in India for U.S. agricultural producers by reducing tariffs on frozen duck; frozen turkey; and fresh, frozen, dried, and processed blueberries and cranberries.

Throughout 2024, the United States also engaged with India on an ongoing basis in response to specific concerns affecting the full range of the bilateral trade relationship. During the January 12, 2024 TPF meeting, the principal bilateral forum for discussing trade and investment issues affecting the two countries, the United States and India established a pathway to reduce burdensome conformity assessment requirements and continued engagement on the use of best practices with respect to customs and trade facilitation. The United States also welcomed India's efforts to modernize its patent system and registration processes. The year was also characterized by regular engagement through the five technical-level working groups of the TPF: (1) agricultural goods; (2) non-agricultural goods; (3) services and investment; (4) IP; and (5) resilient trade. These TPF working groups, which include participation by senior-level officials from U.S. Government agencies, provide an opportunity to achieve meaningful results and to address challenging policies in India that continue to inhibit the bilateral trade relationship.

*Bangladesh:* Throughout 2024, USTR engaged with the Bangladesh Ministry of Commerce. Worker safety standards and worker rights have been issues of concern after Bangladesh's eligibility for the Generalized System of Preferences was terminated in 2013. While Bangladesh has made some progress on worker safety standards in the last decade, the United States continued to urge Bangladesh to align its domestic labor laws with international labor standards. For instance, during the April 21, 2024, intersessional United States–Bangladesh Trade and Investment Cooperation Forum Agreement (TICFA) Council meeting in Dhaka, Bangladesh, the United States presented a Labor Action Plan, which described how Bangladesh might address U.S. concerns on worker rights in the areas of violence against and harassment of workers, unfair labor practices, freedom of association, and collective bargaining. The United States continued to engage with Bangladesh on these issues, highlighting the importance of amending the Bangladesh Labor Act to align with international labor standards and the need for a fair and transparent minimum wage process for garment workers. USTR worked closely with stakeholders such as trade union leaders, workers, trade associations, NGOs, and apparel brands to increase support for improvements in worker rights in Bangladesh.

During the intersessional TICFA Council meeting, the United States also engaged with Bangladesh on a full range of pressing bilateral trade issues, including trade in agricultural products, services, investment and digital trade policies, as well as IP protection and enforcement.

*Pakistan:* U.S. bilateral engagement with Pakistan in 2024 focused on market access for agricultural and non-agricultural goods and services; regulatory developments affecting digital content; and technical barriers to trade. During the April 25, 2024, intersessional meeting of the United States–Pakistan TIFA Council in Islamabad, Pakistan, USTR continued efforts to finalize U.S. beef access to the Pakistani market, re-open the market for U.S. soybeans, address concerns regarding IP protection and enforcement, and explore additional priority areas such as labor rights, good regulatory practices, and the digital economy.

*Sri Lanka:* The United States held the 14th United States–Sri Lanka TIFA Council meeting in September 2023. In subsequent bilateral meetings during 2024, USTR advocated for stronger anticorruption measures, labor reforms, IP protection and enforcement, and market access for U.S. agricultural exports. The United States and Sri Lanka have discussed conducting virtual engagements on labor policy reforms and agricultural barriers in order to make progress on outcomes before the next TIFA Council meeting.

*Nepal:* The 7th meeting of the United States–Nepal TIFA Council was held in September 16, 2024, in Kathmandu, Nepal, and was preceded by several virtual meetings. The two governments engaged on a range of bilateral trade issues related to labor rights, transparency, the investment climate, technical assistance under the Nepal Trade Preference Program (NTPP), IP protection and enforcement, agriculture, the digital economy, and services trade. Notably, the Government of Nepal committed to take the necessary steps to allow imports of U.S. pork and poultry. U.S. officials also regularly met with their Nepali

counterparts to ensure that Nepal is meeting the statutory criteria for receiving the benefits under the NTPP, which was established in 2015 and is set to expire on December 31, 2025. Nepal has expressed strong interest in extending and expanding the NTPP beyond 2025.

*For a discussion of the Nepal Trade Preference Program, see Chapter I.A.5 Nepal Trade Preference Program.*

*Central Asia (Kazakhstan, the Kyrgyz Republic, Tajikistan, Turkmenistan, and Uzbekistan):* In 2024, USTR engaged with the Central Asian Ministries responsible for trade on several U.S. priorities, including regional economic security and connectivity. Five working groups operate under the auspices of the United States–Central Asia TIFA: (1) customs; (2) sanitary and phytosanitary issues and standards; (3) IP protection and enforcement; (4) women’s economic empowerment; and (5) digital trade. The United States–Central Asia TIFA Council meeting took place in June 14, 2024, in Astana, Kazakhstan to advance the objectives of the working groups and to diversify trade and investment opportunities by improving supply chain resilience and promoting regulatory transparency and stakeholder consultation.

*Iraq:* On May 7, 2024, USTR hosted the third United States–Iraq TIFA Council meeting in Washington, D.C. The meeting focused on business climate concerns, customs and trade facilitation, standards, IP protection and enforcement, market access for agricultural goods (including poultry, rice, and wheat), technical barriers to trade, and tariff rates. In particular, the United States and Iraq deepened their engagement on IP, trade facilitation, standards setting, and stakeholder consultation through dedicated engagements, as well as committed to increasing information exchanges at the technical level.

*Maldives:* On July 12, 2024, USTR hosted the third meeting of the United States–Maldives TIFA Council in Washington D.C., which was the first meeting of the Council since 2019. USTR highlighted the importance of worker rights, IP protection and enforcement, and transparency in rulemaking and procurement. The United States and the Maldives continued to engage on issues of economic diversification, environmental sustainability, and trade in services.



## II. TRADE ENFORCEMENT INITIATIVES AND ACTIONS

### A. OVERVIEW

The Office of the United States Trade Representative (USTR) coordinates the U.S. Government monitoring and enforcement of rules and norms that underlie the international trading system and promote fair, market-oriented conditions for U.S. workers and businesses. USTR enforces laws that promotes fair and competitive trade and foreign government compliance with trade agreements to which the United States is a party, including through the use of dispute settlement procedures and applying the full range of U.S. trade laws. Vigorous monitoring and investigation efforts by USTR and relevant expert agencies, including the U.S. Departments of Agriculture, Commerce, Homeland Security, Justice, Labor, State, and Treasury, help ensure that these agreements yield the maximum benefits in terms of ensuring market access for Americans, advancing understanding and respect for international commitments, and creating a fair, competitive, and market-oriented trading environment.

Ensuring full implementation of U.S. trade agreements is one of the strategic priorities of the United States. USTR seeks to achieve this goal through a variety of means, including:

- Asserting U.S. rights through World Trade Organization (WTO) bodies and committees charged with monitoring implementation and surveillance of agreements and disciplines, and use of dispute settlement as appropriate;
- Promoting U.S. interests under free trade agreements (FTAs) through work programs, accelerated tariff reductions, and strategic use of dispute settlement mechanisms, including with respect to labor and environmental obligations, such as through the United States–Mexico–Canada Agreement (USMCA) Facility-Specific Rapid-Response Labor Mechanism (*for further discussion of the Rapid-Response Labor Mechanism, see Chapter III.E.2 Labor and Trade, Monitoring and Enforcement Activities of Existing Agreements*);
- Vigorously monitoring and enforcing other bilateral and plurilateral agreements;
- Invoking U.S. trade laws to promote compliance, including in conjunction with bilateral, plurilateral, and WTO mechanisms when appropriate; and
- Providing technical assistance to trading partners, especially to developing countries, to ensure that key obligations are implemented on schedule.

Through the vigorous application of U.S. trade laws and strategic use of dispute settlement procedures, the United States helps defend U.S. workers, businesses, and farmers against unfair practices; promotes a level playing field through promoting respect for fair, competitive, market-oriented conditions; and opens foreign markets to U.S. goods and services. For example, USTR’s Office of Monitoring and Enforcement leads U.S. efforts to defend U.S. interests through investigations and actions under Section 301, in WTO and FTA disputes, and through investigations and actions under the USMCA Rapid Response Labor Mechanism. These enforcement efforts have resulted in major benefits for U.S. workers, businesses, and farmers, as well as workers around the world.

## **Favorable Dispute Resolutions or Settlements**

Dispute settlement is one mechanism that the United States may use to secure benefits for U.S. stakeholders. Whenever possible, the United States has sought to reach favorable resolutions or settlements that eliminate the foreign breach without having to resort to engaging in prolonged litigation.

In 2023, the United States was able to achieve this preferred result in four disputes involving: India's import restrictions on poultry products; India's domestic content requirements for participation in solar power generation; India's measures relating to certain export subsidy programs; and India's imposition of additional duties in retaliation for the U.S. Section 232 national security measures on steel and aluminum.

In previous years, the United States had already achieved this preferred result in 38 disputes concluded, involving: Argentina's protection and enforcement of patents; Australia's ban on salmon imports; Belgium's duties on rice imports; Brazil's automotive investment measures; Brazil's patent law; Canada's additional duties on certain products; Canada's antidumping and countervailing duty investigation on corn; China's value-added tax exemptions for certain domestically produced aircraft; China's Demonstration Base/Common Service Platform export subsidy program; China's Automobile and Automobile Parts Export Bases prohibited subsidy program; China's value-added tax on integrated circuits; China's use of prohibited subsidies for green technologies; China's treatment of foreign financial information suppliers; China's subsidies for so-called Famous Brands; China's support for wind power equipment; Denmark's civil procedures for IP enforcement; Egypt's apparel tariffs; the European Union's (EU) market access for grains; an EU import surcharge on corn gluten feed; the EU's subsidies to Airbus for large civil aircraft; the EU's claim of compliance in the dispute involving subsidies to Airbus for large civil aircraft; the EU's additional duties imposed on a variety of U.S. exports; Greece's protection of copyrighted motion pictures and television programs; Hungary's agricultural export subsidies; India's compliance regarding its patent protection; Indonesia's barriers to the importation of horticultural products (two disputes); Ireland's protection of copyrights; Japan's protection of sound recordings; Korea's shelf life standards for beef and pork; Mexico's additional duties on certain products; Mexico's restrictions on hog imports; Pakistan's protection of patents; the Philippines' market access for pork and poultry; the Philippines' automotive regime; Portugal's protection of patents; Romania's customs valuation regime; Sweden's enforcement of IP rights; and Türkiye's box office taxes on motion pictures.

## **Litigation Successes**

When U.S. trading partners have not been willing to negotiate settlements, USTR has pursued its offensive cases to conclusion. In 2023, the United States prevailed in two disputes involving: China's imposition of additional duties in retaliation for the U.S. Section 232 national security measures on steel and aluminum; and Türkiye's imposition of additional duties in retaliation for the U.S. Section 232 national security measures on steel and aluminum.

In previous years, the United States had prevailed in 47 cases against foreign trade barriers involving: Argentina's import licensing restrictions and other trade-related requirements; Argentina's tax and duties on textiles, apparel, and footwear; Australia's export subsidies on automotive leather; Canada's administration of USMCA dairy tariff-rate quotas; Canada's barriers to the sale and distribution of magazines; Canada's export subsidies and an import barrier on dairy products; Canada's law protecting patents; China's provision of agricultural domestic support for grains producers in excess of its commitment levels; China's administration of its tariff-rate quotas for grains; China's charges on imported automobile parts; China's measures restricting trading rights and distribution services for certain publications and audiovisual entertainment products; China's enforcement and protection of IP rights; China's measures related to the exportation of raw materials; China's countervailing and antidumping duties on grain oriented flat-rolled electrical steel from the United States; China's claim of compliance in the dispute involving

China's countervailing and antidumping duties on grain oriented flat-rolled electrical steel from the United States; China's measures affecting electronic payment services; China's countervailing and antidumping duties on broiler parts from the United States; China's countervailing and antidumping duties on automobiles from the United States; China's export restrictions on rare earths and other materials; the EU's subsidies to Airbus for large civil aircraft; the EU's claim of compliance in the dispute involving subsidies to Airbus for large civil aircraft; the EU's import barriers on bananas; the EU's ban on imports of beef; the EU's regime for protecting geographical indications; the EU's moratorium on biotechnology products; the EU's non-uniform classification of LCD monitors; the EU's tariff treatment of certain information technology products; India's export subsidies on a variety of products; India's ban on poultry meat and various other U.S. agricultural products allegedly to protect against avian influenza; India's import bans and other restrictions on 2,700 items; India's protection of patents on pharmaceuticals and agricultural chemicals; India's discriminatory local content requirements for solar cells and modules under its National Solar Mission (two merged complaints); India's and Indonesia's discriminatory measures on imports of U.S. automobiles; Indonesia's barriers on the importation of horticultural products, beef, poultry, and animals (three complaints); Japan's restrictions affecting imports of apples, cherries, and other fruits; Japan's barriers to apple imports; Japan's and Korea's discriminatory taxes on distilled spirits; Korea's restrictions on beef imports; Mexico's antidumping duties on high fructose corn syrup; Mexico's telecommunications barriers; Mexico's antidumping duties on rice; Mexico's discriminatory soft drink tax; the Philippines' discriminatory taxation of imported distilled spirits; and Türkiye's measures affecting the importation of rice.

USTR also worked in consultation with other U.S. Government agencies to ensure the most effective use of U.S. trade laws to complement its litigation strategy and to address problems that are outside the scope of the WTO and U.S. free trade agreements.

USTR has applied Section 301 of the Trade Act of 1974 to address unfair foreign government measures, Special 301 for IP rights protection and enforcement, and Section 1377 of the Omnibus Trade and Competitiveness Act of 1988 for telecommunications trade problems.

*For further discussion of the application of these trade law tools, see Chapters II.B Section 301, II.E.2 Special 301, and II.E.3 Section 1377 Review of Telecommunications Agreements, respectively.*

### **Interagency Center for Trade Implementation, Monitoring and Enforcement**

On February 24, 2016, the Trade Facilitation and Trade Enforcement Act of 2015 was signed into law. Section 604 of the law established the Interagency Center for Trade Implementation, Monitoring and Enforcement (ICTIME) in USTR to support the activities of USTR in: investigating potential disputes under the WTO and bilateral and regional trade agreements; monitoring and enforcing trade agreements to which the United States is a party; and monitoring implementation by foreign parties of trade agreements. The statute provided funding to USTR to staff ICTIME directly. ICTIME brings together research, analytical resources, and expertise from within USTR and across the federal government into one office within USTR to significantly enhance USTR's capability to investigate foreign trade practices that are potentially unfair or adverse to U.S. commercial interests.

In 2023, ICTIME contributed to USTR's four-year review of its tariff action brought under Section 301 of the 1974 Trade Act pertaining to China's unfair acts, policies, and practices related to technology transfer, intellectual property, and innovation. ICTIME also continued to provide analysis in USTR's monitoring of the United States–China Economic and Trade Agreement (Phase One Agreement); monitored the Agreement Between the United States and Vietnam to Resolve the Timber Section 301 Investigation; and continued to provide analysis in ongoing dispute settlement at the WTO and under the USMCA Facility-Specific Rapid Response Labor Mechanism.

## B. SECTION 301

Section 301 of the Trade Act of 1974 (Trade Act) is designed to address unfair foreign practices affecting U.S. commerce. Section 301 may be used to enforce U.S. rights under bilateral and multilateral trade agreements or to respond to unreasonable, unjustifiable, or discriminatory foreign government practices that burden or restrict U.S. commerce. For example, Section 301 investigations may be initiated in response to foreign policies, actions, or practices that limit market opportunities for U.S. goods and services, break labor or environmental norms or trade commitments, constitute anticompetitive activities, or discriminate against or hinder U.S. intellectual property rights.

### Operation of the Statute

The Section 301 provisions of the Trade Act provide a domestic procedure through which interested persons may petition the U.S. Trade Representative to investigate a foreign government act, policy, or practice and take appropriate action. The U.S. Trade Representative also may self-initiate an investigation.

In each investigation, the U.S. Trade Representative must seek consultations with the foreign government whose acts, policies, or practices are under investigation. If the acts, policies, or practices are determined to violate a trade agreement or to be unjustifiable, the U.S. Trade Representative generally must take action. If they are determined to be unreasonable or discriminatory and to burden or restrict U.S. commerce, the U.S. Trade Representative must determine whether action is appropriate and, if so, what action to take.

Actions that the U.S. Trade Representative may take under Section 301 include to: (1) suspend trade agreement concessions; (2) impose duties or other import restrictions; (3) impose fees or restrictions on services; (4) enter into agreements with the subject country to eliminate the offending practice or to provide compensatory benefits for the United States; or (5) restrict service sector authorizations. The Office of the United States Trade Representative (USTR) is required to monitor a foreign country's implementation of any agreements entered into, or measures undertaken, to resolve a matter that was the subject of the investigation. If the foreign country fails to comply with an agreement or the U.S. Trade Representative considers that the country fails to implement a World Trade Organization (WTO) recommendation, the U.S. Trade Representative must determine what further action to take under Section 301.

### **1. China's Targeting of the Semiconductor Industry for Dominance**

On December 23, 2024, the U.S. Trade Representative initiated an investigation under Section 302(b) of the Trade Act (19 U.S.C. § 2412(b)) regarding acts, policies, and practices of the Government of the People's Republic of China related to targeting of the semiconductor industry for dominance.

Evidence indicates that China seeks to dominate domestic and global markets in the semiconductor industry and undertakes extensive anticompetitive and non-market means, including setting and pursuing market share targets, to achieve indigenization and self-sufficiency. China's acts, policies, and practices appear to have and to threaten detrimental impacts on the United States and other economies, undermining the competitiveness of American industry and workers, critical U.S. supply chains, and U.S. economic security.

The investigation will initially focus on China's manufacturing of foundational semiconductors (also known as legacy or mature node semiconductors), including to the extent that they are incorporated as components into downstream products for critical industries like defense, automotive, medical devices, aerospace, telecommunications, and power generation and the electrical grid. The investigation will also initially assess whether the impact of China's acts, policies, and practices on the production of silicon

carbide substrates (or other wafers used as inputs into semiconductor fabrication) contributes to any unreasonableness or discrimination and any burden or restriction on U.S. commerce.

The U.S. Trade Representative must seek consultations with the foreign government whose acts, policies, or practices are under investigation. USTR has requested consultations with China in connection with the investigation. The investigation is ongoing.

## **2. Nicaragua's Acts, Policies, and Practices Related to Labor Rights, Human Rights, and Rule of Law**

On December 10, 2024, the U.S. Trade Representative initiated an investigation under Section 302(b) of the Trade Act (19 U.S.C. § 2412(b)) to determine whether acts, policies, and practices of the Government of Nicaragua related to labor rights, human rights, and the rule of law are unreasonable or discriminatory and burden or restrict U.S. commerce.

Numerous credible reports by the U.S. Government, as well as the United Nations Office of the High Commissioner for Human Rights, the Inter-American Commission on Human Rights, the International Labor Organization, and the United Nations Group of Human Rights Experts on Nicaragua, document that the Ortega-Murillo regime in Nicaragua engages in labor rights and human rights violations and dismantling of the rule of law. These actions include: politically-motivated arrests and imprisonments; repression of members of religious groups and non-governmental organizations; extrajudicial killings; cruel, inhuman or degrading treatment; restrictions on freedom of expression and movement; violence against members of marginalized groups; repression of freedom of association and collective bargaining; forced labor; human trafficking; eliminating legislative and judicial independence; spurious seizures of property; arbitrary fines and rulings; and other harmful acts. Such actions exacerbate worker exploitation and diminish economic growth and trade opportunities.

The investigation is the first under Section 301 to investigate acts, policies, and practices that may violate labor rights, human rights, and dismantle the rule of law that may burden U.S. commerce.

The U.S. Trade Representative must seek consultations with the foreign government whose acts, policies, or practices are under investigation. USTR has requested consultations with Nicaragua in connection with the investigation. The investigation is ongoing.

## **3. China's Targeting the Maritime, Logistics, and Shipbuilding Sectors for Dominance**

On March 12, 2024, five national labor unions filed a petition requesting an investigation into the acts, policies, and practices of the Government of the People's Republic of China targeting the maritime, logistics, and shipbuilding sectors for dominance. The petition was filed pursuant to Section 302(a)(1) of the Trade Act (19 U.S.C. § 2412(a)(1)), requesting action pursuant to Section 301(b) (19 U.S.C. § 2411(b)).

On April 17, 2024, after consideration of the petition and on the advice of the Section 301 Committee, the U.S. Trade Representative initiated the investigation. The U.S. Trade Representative also requested consultations with the government of China pursuant to Section 303 of the Trade Act (19 U.S.C. 2413). The government of China declined to hold consultations regarding the investigation under this statutory framework.

Based on the information obtained during the investigation, USTR released a public report on the investigation. The report supports the determination that China's targeting of the maritime, logistics, and

shipbuilding sectors for dominance is unreasonable and burdens or restricts U.S. commerce and thus is actionable.

As detailed in the report, for nearly three decades, China has targeted the maritime, logistics, and shipbuilding sectors for dominance and has employed increasingly aggressive and specific targets in pursuing dominance. China has largely achieved its dominance goals, severely disadvantaging U.S. companies, workers, and the U.S. economy generally through lessened competition and commercial opportunities and through the creation of economic security risks from dependencies and vulnerabilities. Top-down industrial planning and targeting is a critical feature of China’s state-led, nonmarket economic system. China organizes the development of its economy at a high level through broad national-level five-year economic and social development plans. It then employs industry-specific plans that typically align chronologically with the national five-year plans. These plans often contain detailed quantitative and qualitative targets, including for production, domestic content, and domestic and international market shares, and outline the non-market policies and practices China should use to achieve these targets. Market share targets necessitate substitution by Chinese companies at the expense of foreign competitors – for Chinese companies to gain market share, they must displace foreign companies in existing markets and take new markets as they develop in the future. China’s industrial targets have become more aggressive and sophisticated over the years. China’s plans reveal its targeting of the maritime, logistics, and shipbuilding sectors for dominance.

China’s targeting of these sectors for dominance has undercut competition and taken market share with dramatic effect: raising China’s shipbuilding market share from less than 5 percent of global tonnage in 1999, to over 50 percent in 2023; increasing China’s ownership of the commercial world fleet to over 19 percent as of January 2024; and controlling production of 95 percent of shipping containers and 86 percent of the world’s supply of intermodal chassis, among other components and products.

Based on the information obtained during the investigation and taking into account public comments, as well as the advice of the interagency Section 301 Committee and advisory committees, the U.S. Trade Representative determined that China’s targeting of the maritime, logistics, and shipbuilding sectors for dominance is actionable under Sections 301(b) and 304(a) of the Trade Act (19 U.S.C. §§ 2411(b) and 2414(a)).

Specifically, USTR found China’s targeting for dominance unreasonable because it displaces foreign firms, deprives market-oriented businesses and their workers of commercial opportunities, and lessens competition and creates dependencies on China, increasing risk and reducing supply chain resilience. China’s targeting for dominance is also unreasonable because of Beijing’s extraordinary control over its economic actors and these sectors.

USTR found that China’s targeting for dominance burdens or restricts U.S. commerce by undercutting business opportunities for and investments in the U.S. maritime, logistics, and shipbuilding sectors; restricting competition and choice; creating economic security risks from dependence and vulnerabilities in sectors critical to the functioning of the U.S. economy; and undermining supply chain resilience.

On February 21, 2025, USTR proposed Section 301 actions aimed to obtain the elimination of China’s acts, policies, and practices targeting the maritime, logistics, and shipbuilding sectors for dominance and will consider public comments before taking final action.

## **4. China's Acts, Policies, and Practices Related to Technology Transfer, Intellectual Property, and Innovation**

Pursuant to the President's direction, in August 2017, the U.S. Trade Representative initiated an investigation under Section 302(b) of the Trade Act (19 U.S.C. § 2412(b)) to determine whether acts, policies, and practices of the Government of the People's Republic of China related to technology transfer, intellectual property, and innovation are unreasonable or discriminatory and burden or restrict U.S. commerce (82 FR 39007). The findings of the investigation, along with advice from the Section 301 Committee, Trade Policy Staff Committee, and advisory committees, supported a determination that China's acts, policies, and practices are actionable under Section 301(b) of the Trade Act (19 U.S.C. § 2411(b)). USTR published an extensive 200-page report with the findings of the investigation on March 22, 2018.

Based on this report, the U.S. Trade Representative in April 2018 published a notice of a determination that the following acts, policies, and practices of China are unreasonable or discriminatory and burden or restrict U.S. commerce, and are thus actionable under Section 301(b) of the Trade Act:

- China uses foreign ownership restrictions, such as joint venture requirements and foreign equity limitations, and various administrative review and licensing processes, to require or pressure technology transfer from U.S. companies.
- China's regime of technology regulations forces U.S. companies seeking to license technologies to Chinese entities to do so on non-market-based terms that favor Chinese recipients.
- China directs and unfairly facilitates the systematic investment in, and acquisition of, U.S. companies and assets by Chinese companies to obtain cutting-edge technologies and intellectual property and generate the transfer of technology to Chinese companies.
- China conducts and supports unauthorized intrusions into, and theft from, the computer networks of U.S. companies to access their sensitive commercial information and trade secrets (83 FR 14906).

With respect to the second category of acts, policies, and practices (involving technology licensing regulations), the U.S. Trade Representative decided that relevant U.S. concerns could be appropriately addressed through recourse to WTO dispute settlement. Accordingly, on March 23, 2018, USTR initiated a WTO dispute by requesting consultations with the Government of China regarding certain specific aspects of China's technology regulations (*China—Certain Measures Concerning the Protection of Intellectual Property Rights (DS542)*). (For further information, see Chapter II.D WTO and FTA Enforcement.)

To obtain the elimination of the acts, policies, and practices in the three other categories listed above, the U.S. Trade Representative, at the direction of the President, determined to impose additional duties on certain products of China. The additional duties were imposed in four tranches, referred to as List 1 through List 4. For each list, USTR invited public comment and held public hearings.

### **Lists 1 and 2**

Duties were imposed under Section 301 on products in the first two tranches during the one-year initial period of investigation. In July 2018, an additional 25 percent duty was imposed on products in the first tranche, known as List 1, which covered 818 tariff subheadings with an approximate annual trade value of \$34 billion (83 FR 28710). Subsequently in August 2018, an additional 25 percent duty was imposed on

products in the second tranche, known as List 2, which covered 279 tariff subheadings with an approximate annual trade value of \$16 billion (83 FR 40823).

### **List 3**

In September 2018, the U.S. Trade Representative, at the direction of the President, determined to modify the prior actions in the investigation by imposing additional duties on products of China classified under 5,733 tariff subheadings with an approximate annual trade value of \$200 billion (83 FR 47974; 83 FR 49153). The rate of the additional duty on these List 3 products was initially 10 percent *ad valorem* and was later increased to 25 percent *ad valorem* in May 2019 (84 FR 20459).

### **List 4**

In August 2019, the U.S. Trade Representative, at the direction of the President, determined to modify the prior actions in the investigation by imposing additional 10 percent *ad valorem* duties on products of China classified under approximately 3,805 tariff subheadings with an approximate annual trade value of \$300 billion (84 FR 43304). The tariff subheadings subject to the 10 percent additional duties were separated into two lists with different effective dates: September 1, 2019 for the list in Annex A, known as List 4A, and December 15, 2019 for the list in Annex C, known as List 4B. Subsequently, at the direction of the President, the U.S. Trade Representative determined to increase the rate of the additional duties from 10 percent to 15 percent (84 FR 45821).

#### **i. Four-Year Review**

In May 2022, the U.S. Trade Representative commenced the statutory four-year review process by notifying representatives of domestic industries that benefit from the tariff actions of the possible termination of those actions and of the opportunity for the representatives to request continuation. In September 2022, USTR announced that because requests for continuation were received, the tariff actions had not terminated and USTR would conduct a review of the tariff actions. USTR opened a docket on November 15, 2022, for interested persons to submit comments with respect to a number of considerations concerning the review. USTR received nearly 1,500 comments.

As part of the statutory review process, throughout 2023 and early 2024, USTR and the Section 301 Committee, a subordinate, staff-level body of the USTR-chaired, interagency Trade Policy Staff Committee (TPSC), held numerous meetings with agency experts concerning the review and the comments received.

On May 14, 2024, USTR issued a report on the findings of the four-year review. Specifically, the report concludes:

- The Section 301 actions have reduced some of the exposure of U.S. persons and businesses to these technology transfer-related acts, policies, and practices.
- China has not eliminated many of its technology transfer-related acts, policies, and practices, which continue to impose a burden or restriction on U.S. commerce. Instead of pursuing fundamental reform, China has persisted, and in some cases become more aggressive, including through cyber intrusions and cybertheft, in its attempts to acquire and absorb foreign technology, which further burden or restrict U.S. commerce.
- Economic analyses generally find that tariffs have had small negative effects on U.S. aggregate economic welfare, positive impacts on U.S. production in the 10 sectors most directly affected by the tariffs, and minimal impacts on economy-wide prices and employment.

- Negative effects on the United States are particularly associated with retaliatory tariffs that China has applied to U.S. exports.
- Critically, these analyses examine the tariff actions as isolated policy measures without reference to the policy landscape that may be reinforcing or undermining the effects of the tariffs.
- Economic analyses, including the principal U.S. Government analysis published by the U.S. International Trade Commission, generally find that the Section 301 tariffs have contributed to reducing U.S. imports of goods from China and increasing imports from alternate sources, including U.S. allies and partners, thereby potentially supporting U.S. supply chain diversification and resilience.

In connection with the review, and in accordance with the specific direction of the President, the U.S. Trade Representative determined to modify the actions being taken in the investigation by imposing additional Section 301 duties or increasing the rate of existing Section 301 duties, on certain products of China in strategic sectors; propose increasing tariff rates for certain tungsten products, wafers, and polysilicon, with a public comment process; establish a temporary exclusion process for certain machinery used in domestic manufacturing; and modify the actions to temporarily exclude from Section 301 duties certain solar manufacturing equipment (89 FR 76581). On October 15, 2024, the U.S. Trade Representative established a process by which stakeholders could request temporary exclusion of machinery classified within 317 HTSUS subheadings under chapters 84 and 85 (84 FR 29576).

## **ii. United States–China Economic and Trade Agreement**

The cumulative effect of the tariffs imposed on the products in the four tranches succeeded in encouraging China to agree to take steps to address U.S. concerns. On December 13, 2019, the United States and China announced that they would be entering into an agreement. On January 15, 2020, they signed the Economic and Trade Agreement Between the Government of the United States of America and the Government of the People’s Republic of China. In this Agreement, China’s commitments include taking steps to address some—though not all—of the issues covered in the Section 301 investigation.

On December 18, 2019, at the direction of the President, the U.S. Trade Representative suspended the additional 15 percent duties on the products covered by List 4B (84 FR 69447). On January 22, 2020, the U.S. Trade Representative announced that, at the direction of the President, the duties on List 4A would be reduced to 7.5 percent effective February 14, 2020, the scheduled date for entry into force of the Economic and Trade Agreement (85 FR 3741).

On February 14, 2020, the Economic and Trade Agreement entered into force. The United States continued to work to ensure that the Agreement is fully implemented, which involved constant monitoring and, when appropriate, raising compliance issues with the Government of China.

*For a discussion on agriculture-related activities, see Chapter III.B.3 Agriculture and Trade, Monitoring and Enforcement Activities of Existing Agreements.*

## **iii. Product Exclusions**

The U.S. Trade Representative established processes by which stakeholders may request that particular products classified within a covered tariff subheading be excluded from the additional duties (83 FR 32181; 83 FR 47236). USTR received and reviewed approximately 11,000 and 2,900 exclusion requests pertaining to Lists 1 and 2, respectively, approving approximately 3,700 and 1,100 of them. USTR subsequently

established an exclusion process for products of China covered under List 3 (84 FR 29576). USTR received approximately 30,300 exclusion requests under List 3. USTR approved approximately 1,500 requests. USTR also established an exclusion process for products of China covered under List 4A (84 FR 57144). USTR received approximately 8,800 requests and approved 575 of them.

### **Extension of Exclusions and Response to the COVID-19 Pandemic**

The first tranche of approved exclusions expired in December 2019 and the final tranche of approved exclusions expired in October 2020. Starting in November 2019, USTR established processes for submitting public comments on whether to extend particular exclusions (See, e.g., 85 FR 6687; 85 FR 38482). Pursuant to these processes, USTR determined to extend 137 exclusions covered under List 1, 59 exclusions on List 2, 266 exclusions on List 3, and 87 exclusions on List 4, for a total of 549 exclusions. Most of the extended exclusions expired in December 2020.

On March 25, 2020, USTR sought public comment on additional modifications to the tariff actions in order to address the COVID-19 pandemic. On December 22, 2020, USTR announced its determination to further extend certain product exclusions on medical-care products and to make further modifications to remove Section 301 duties from additional medical-care products to address the COVID-19 pandemic (85 FR 85831). An additional extension was announced on March 10, 2021 (86 FR 13785). On August 27, 2021, USTR sought public comment on whether to further extend the 99 product exclusions for medical-care products (86 FR 48280). On November 16, 2021, USTR determined to further extend 81 of the product exclusions for medical-care products for an additional six months (86 FR 63438). On June 3, 2022, USTR announced a subsequent extension for an additional six months (until November 30, 2022) (87 FR 33871). On November 29, 2022, the U.S. Trade Representative further extended the same exclusions for an additional three months (until February 28, 2023). On February 7, 2023, USTR published a notice requesting public comments on whether to further extend any of the COVID-related exclusions. On May 17, 2023, the U.S. Trade Representative determined to extend 77 of the COVID-related exclusions through September 30, 2023. On September 11, 2023, the U.S. Trade Representative further extended the same COVID-related exclusions through December 31, 2023. On December 29, 2023, the U.S. Trade Representative further extended the same exclusions for five months, through May 31, 2024.

On October 8, 2021, USTR opened a docket seeking public comment on the possible reinstatement of the 549 previously extended exclusions (86 FR 56345). On March 28, 2022, the U.S. Trade Representative determined to further modify the action by reinstating 352 of the 549 expired exclusions. The reinstated exclusions applied as of October 12, 2021, and were effective through December 31, 2022 (87 FR 17380). On December 16, 2022, USTR announced that the U.S. Trade Representative had decided to extend the reinstated exclusions through September 30, 2023 (87 FR 78187). On September 11, 2023, the U.S. Trade Representative further extended these exclusions through December 31, 2023. On December 29, 2023, the U.S. Trade Representative further extended the same exclusions for five months, through May 31, 2024.

On December 29, 2023, USTR announced the opening of a docket for public comments on whether to further extend any of the current 429 exclusions (352 previously reinstated exclusions and 77 COVID-related exclusions) beyond May 31, 2024. On May 30, 2024, USTR announced that the U.S. Trade Representative had decided to extend all current exclusions through June 14, 2024, to provide a transition period, and to further extend certain exclusions through May 31, 2025.

## **5. Acts, Policies, Practices Related to Digital Services Taxes**

### **Austria**

In October 2019, Austria adopted a digital services tax (DST) that applies a five percent tax to revenues from online advertising services. The law went into force on January 1, 2020. The tax applies only to companies with at least €750 million (approximately \$833 million) in annual global revenues for all services and €25 million (approximately \$28 million) in in-country revenues for covered digital services.

On June 2, 2020, the U.S. Trade Representative initiated a Section 301 investigation of Austria's DST. On the same day, the U.S. Trade Representative requested consultations with the Government of Austria (85 FR 34709).

Based on information obtained during the investigation, USTR prepared a comprehensive report on Austria's DST. Based on the information obtained during the investigation and the advice of the Section 301 Committee, the U.S. Trade Representative determined that Austria's DST is unreasonable or discriminatory and burdens or restricts U.S. commerce, and therefore is actionable under sections 301(b) and 304(a) of the Trade Act (86 FR 6406).

On June 2, 2021, the U.S. Trade Representative determined to take action in the form of additional duties on certain products of Austria and to immediately suspend those additional duties for up to 180 days (86 FR 30361).

On October 8, 2021, Austria joined the United States and 134 other jurisdictions participating in the OECD/G20 Inclusive Framework on Base Erosion and Profit Shifting in reaching a political agreement on a two-pillar solution to address tax challenges arising from the digitalization of the world economy. As part of Pillar 1, all parties would remove existing DSTs and other relevant similar measures, and would coordinate the withdrawal of these taxes.

On October 21, 2021, the United States, under the prior Administration, issued a joint statement with Austria and four other countries on a transitional approach to those countries' DSTs during the transitional period prior to implementation of Pillar 1. According to the statement, DST liability that accrued to Austria during a transitional period would be creditable in defined circumstances against future corporate income tax liability due under Pillar 1. In return, the Section 301 trade action initiated with respect to goods of Austria was not continued. The arrangement set out in the October 21, 2021, joint statement was extended to June 30, 2024.

On January 20, 2025, the United States issued a White House Memorandum titled, "The Organization for Economic Co-Operation and Development (OECD) Global Tax Deal (Global Tax Deal)." The memorandum stated:

The Secretary of the Treasury and the Permanent Representative of the United States to the OECD shall notify the OECD that any commitments made by the prior Administration on behalf of the United States with respect to the Global Tax Deal have no force or effect within the United States absent an act by the Congress adopting the relevant provisions of the Global Tax Deal.

On January 22, 2025, appropriate representatives of the U.S. Department of Treasury provided notice to the Director of the Centre of Tax Policy and Administration at the OECD. On January 24, 2025, the U.S.

Permanent Delegation to the OECD provided similar notice to the Secretary General of the OECD. In coordination with the U.S. Department of Treasury, USTR has continued monitoring the relevant measures.

## **France**

On March 6, 2019, the Government of France released a proposal for a three percent levy on revenues that certain companies generate from providing certain digital services to, or aimed at, persons in France. The President of France signed the bill into law on July 24, 2019.

On July 10, 2019, the U.S. Trade Representative initiated an investigation of the proposed French digital services tax (DST) pursuant to Section 302(b)(1)(A) of the Trade Act (84 FR 34042). Based on information obtained during the investigation, USTR, with the advice of the Section 301 Committee, prepared a report setting out findings of the investigation.

On December 6, 2019, the U.S. Trade Representative determined under Sections 301(b) and 304(a) of the Trade Act (19 U.S.C. § 2411(b) and 2414(a)) that the act, policy, or practice covered in the investigation, namely the French DST, is unreasonable or discriminatory and burdens or restricts U.S. commerce, and is thus actionable under Section 301(b) of the Trade Act (84 FR 66956).

On July 10, 2020, the U.S. Trade Representative determined that action was appropriate in this investigation and to take action in the form of additional duties on certain products of France (85 FR 43292). To allow additional time for bilateral and multilateral discussions, and in recognition of France's agreement to suspend collection of its DST during 2020, the U.S. Trade Representative determined to suspend the additional duties for up to 180 days, pursuant to Section 305(a) of the Trade Act (19 U.S.C. § 2415(a)) (85 FR 43292). Subsequently, the U.S. Trade Representative determined to further suspend the action in this investigation as of January 6, 2021, to allow USTR to coordinate actions in all DST investigations (86 FR 2479).

On October 8, 2021, France joined the United States and 134 other jurisdictions participating in the Organization for Economic Cooperation and Development (OECD)/Group of 20 (G20) Inclusive Framework on Base Erosion and Profit Shifting in reaching a political agreement on a two-pillar solution to address tax challenges arising from the digitalization of the world economy. As part of Pillar 1, all parties would remove existing DSTs and other relevant similar measures, and would coordinate the withdrawal of these taxes.

On October 21, 2021, the United States, under the prior Administration, issued a joint statement with France and four other countries on a transitional approach to those countries' DSTs during the transitional period prior to implementation of Pillar 1. According to the statement, DST liability that accrued to France during the transitional period would be creditable in defined circumstances against future corporate income tax liability due under Pillar 1. In return, the Section 301 trade action initiated with respect to goods of France was not continued. The arrangement set out in the October 21, 2021, joint statement was extended to June 30, 2024.

On January 20, 2025, the United States issued a White House Memorandum titled, "The Organization for Economic Co-Operation and Development (OECD) Global Tax Deal (Global Tax Deal)." The memorandum stated:

The Secretary of the Treasury and the Permanent Representative of the United States to the OECD shall notify the OECD that any commitments made by the prior Administration on behalf of the United States with respect to the Global Tax Deal have no force or effect

within the United States absent an act by the Congress adopting the relevant provisions of the Global Tax Deal.

On January 22, 2025, appropriate representatives of the U.S. Department of Treasury provided notice to the Director of the Centre of Tax Policy and Administration at the OECD. On January 24, 2025, the U.S. Permanent Delegation to the OECD provided similar notice to the Secretary General of the OECD. In coordination with the U.S. Department of Treasury, USTR has continued monitoring relevant measures. In coordination with the U.S. Department of Treasury, USTR has continued monitoring the relevant measures.

As of December 31, 2024, the French National Assembly was considering a proposal to increase its DST from three to five percent (or possibly even six percent). Such a rate hike would seem to exacerbate the discriminatory effect of the tax.

## **India**

In March 2020, India adopted a two percent DST. The tax only applies to non-resident companies, and covers online sales of goods and services to, or aimed at, persons in India. The tax applies to companies with annual revenues in excess of approximately Rs. 20 million (approximately \$239,000). The tax went into effect on April 1, 2020 (85 FR 34709).

On June 2, 2020, the U.S. Trade Representative initiated a Section 301 investigation of India's DST. On the same day, the USTR requested consultations with the Government of India (85 FR 34709).

Based on information obtained during the investigation, USTR prepared a comprehensive report on India's DST. Based on the information obtained during the investigation and the advice of the Section 301 Committee, the U.S. Trade Representative determined that India's DST is unreasonable or discriminatory and burdens or restricts U.S. commerce, and therefore is actionable under sections 301(b) and 304(a) of the Trade Act (86 FR 2478).

On June 2, 2021, the U.S. Trade Representative determined to take action in the form of additional duties on certain products of India and to immediately suspend those additional duties for up to 180 days (86 FR 30356).

On October 8, 2021, India joined the United States and 134 other jurisdictions participating in the OECD/G20 Inclusive Framework on Base Erosion and Profit Shifting in reaching a political agreement on a two-pillar solution to address tax challenges arising from the digitalization of the world economy. As part of Pillar 1, all parties would remove existing DSTs and other relevant similar measures, and would coordinate the withdrawal of these taxes.

On November 24, 2021, India and the United States, under the prior Administration, issued a joint statement on a transitional approach to India's DST during the transitional period prior to implementation of Pillar 1. According to the statement, DST liability that accrued to India during the transitional period would be creditable in defined circumstances against future corporate income tax liability due under Pillar 1. In return, the Section 301 trade action initiated with respect to goods of India was not continued. The arrangement set out in the joint statement was extended to June 30, 2024.

On January 20, 2025, the United States issued a White House Memorandum titled, "The Organization for Economic Co-Operation and Development (OECD) Global Tax Deal (Global Tax Deal)." The memorandum stated:

The Secretary of the Treasury and the Permanent Representative of the United States to the OECD shall notify the OECD that any commitments made by the prior Administration on behalf of the United States with respect to the Global Tax Deal have no force or effect within the United States absent an act by the Congress adopting the relevant provisions of the Global Tax Deal.

On January 22, 2025, appropriate representatives of the U.S. Department of Treasury provided notice to the Director of the Centre of Tax Policy and Administration at the OECD. On January 24, 2025, the U.S. Permanent Delegation to the OECD provided similar notice to the Secretary General of the OECD. In coordination with the U.S. Department of Treasury, USTR has continued to monitor the relevant measures.

In The Finance (No. 2) Bill of 2024, India removed the two percent DST as of August 1, 2024.

### **Italy**

Italy adopted a DST, effective on January 1, 2020. Italy's DST applies to companies that generate €750 million (approximately \$833 million) or more in worldwide revenues and €5.5 million (approximately \$6.1 million) or more in revenues deriving from the provision of digital services in Italy. Italy's DST applies a three percent rate on the total amount of taxable revenues generated during the calendar year (86 FR 2477).

On June 2, 2020, the U.S. Trade Representative initiated a Section 301 investigation of Italy's DST. On the same day, the U.S. Trade Representative requested consultations with the Government of Italy (85 FR 34709). Based on the information obtained during the investigation and the advice of the Section 301 Committee, the U.S. Trade Representative determined that Italy's DST is unreasonable or discriminatory and burdens or restricts U.S. commerce, and therefore is actionable under sections 301(b) and 304(a) of the Trade Act (86 FR 2477). On June 2, 2021, the U.S. Trade Representative determined to take action in the form of additional duties on certain products of Italy and to immediately suspend those additional duties for up to 180 days (86 FR 30350).

On October 8, 2021, Italy joined the United States and 134 other jurisdictions participating in the OECD/G20 Inclusive Framework on Base Erosion and Profit Shifting in reaching a political agreement on a two-pillar solution to address tax challenges arising from the digitalization of the world economy. As part of Pillar 1, all parties would remove existing DSTs and other relevant similar measures, and would coordinate the withdrawal of these taxes.

On October 21, 2021, the United States, under the prior Administration, issued a joint statement with Italy and four other countries on a transitional approach to those countries' DSTs during the transitional period prior to implementation of Pillar 1. According to the statement, DST liability that accrued to Italy during the transitional period would be creditable in defined circumstances against future corporate income tax liability due under Pillar 1. In return, the Section 301 trade action initiated with respect to goods of Italy was not continued. The arrangement set out in the joint statement was extended to June 30, 2024.

On January 20, 2025, the United States issued a White House Memorandum titled, "The Organization for Economic Co-Operation and Development (OECD) Global Tax Deal (Global Tax Deal)." The memorandum stated:

The Secretary of the Treasury and the Permanent Representative of the United States to the OECD shall notify the OECD that any commitments made by the prior Administration on behalf of the United States with respect to the Global Tax Deal have no force or effect within the United States absent an act by the Congress adopting the relevant provisions of the Global Tax Deal.

On January 22, 2025, appropriate representatives of the U.S. Department of Treasury provided notice to the Director of the Centre of Tax Policy and Administration at the OECD. On January 24, 2025, the U.S. Permanent Delegation to the OECD provided similar notice to the Secretary General of the OECD. In coordination with the U.S. Department of Treasury, USTR had continued to monitor the relevant measures.

## **Spain**

Spain adopted a DST on October 7, 2020. Spain's DST applies a three percent tax to revenues from certain digital advertising, digital intermediation services, and data transmission services. The DST applies to companies generating at least €750 million (approximately \$833 million) in global revenues and €3 million (approximately \$3.33 million) in revenues attributable to Spain (86 FR 6407).

On June 2, 2020, the U.S. Trade Representative initiated a Section 301 investigation of Spain's DST. On the same day, the U.S. Trade Representative requested consultations with the Government of Spain (85 FR 34709).

On October 8, 2021, Spain joined the United States and 134 other jurisdictions participating in the OECD/G20 Inclusive Framework on Base Erosion and Profit Shifting in reaching a political agreement on a two-pillar solution to address tax challenges arising from the digitalization of the world economy. As part of Pillar 1, all parties would remove existing DSTs and other relevant similar measures, and would coordinate the withdrawal of these taxes.

On October 21, 2021, the United States, under the prior Administration, issued a joint statement with Spain and four other countries on a transitional approach to those countries' DSTs during the transitional period prior to implementation of Pillar 1. According to the statement, DST liability that accrued to Spain during the transitional period would be creditable in defined circumstances against future corporate income tax liability due under Pillar I. In return, the Section 301 trade action initiated with respect to the goods of Spain was not continued. The arrangement set out in the joint statement was extended to June 30, 2024.

On January 20, 2025, the United States issued a White House Memorandum titled, "The Organization for Economic Co-Operation and Development (OECD) Global Tax Deal (Global Tax Deal)." The memorandum stated:

The Secretary of the Treasury and the Permanent Representative of the United States to the OECD shall notify the OECD that any commitments made by the prior Administration on behalf of the United States with respect to the Global Tax Deal have no force or effect within the United States absent an act by the Congress adopting the relevant provisions of the Global Tax Deal.

On January 22, 2025, appropriate representatives of the U.S. Department of Treasury provided notice to the Director of the Centre of Tax Policy and Administration at the OECD. On January 24, 2025, the U.S. Permanent Delegation to the OECD provided similar notice to the Secretary General of the OECD. In coordination with the U.S. Department of Treasury, USTR continued to monitor implementation of the removal of political agreement and the transitional approach as provided in the joint statement.

## **Türkiye**

Türkiye adopted a DST on December 7, 2019, and the DST entered into force as of March 1, 2020. The DST applies to companies that, during the previous calendar year, generated €750 million (approximately

\$833 million) or more in worldwide revenues and TRY 20 million (approximately \$608,000) or more in revenues deriving from the provision of digital services in Türkiye (86 FR 2480).

On June 2, 2020, the U.S. Trade Representative initiated a Section 301 investigation of Türkiye's DST. On the same day, the U.S. Trade Representative requested consultations with the Government of Türkiye (85 FR 34709). Based on the information obtained during the investigation and the advice of the Section 301 Committee, the U.S. Trade Representative determined that Türkiye's DST is unreasonable or discriminatory and burdens or restricts U.S. commerce, and therefore is actionable under sections 301(b) and 304(a) of the Trade Act (86 FR 2480). On June 2, 2021, the U.S. Trade Representative determined to take action in the form of additional duties on certain products of Türkiye and to immediately suspend those additional duties for up to 180 days (86 FR 30353).

On October 8, 2021, Türkiye joined the United States and 134 other jurisdictions participating in the OECD/G20 Inclusive Framework on Base Erosion and Profit Shifting in reaching a political agreement on a two-pillar solution to address tax challenges arising from the digitalization of the world economy. As part of Pillar 1, all parties would remove existing digital services taxes and other relevant similar measures, and would coordinate the withdrawal of these taxes.

On November 22, 2021, the United States, under the prior Administration, issued a joint statement with Türkiye on a transitional approach to Türkiye's ST during the transitional period prior to implementation of Pillar 1. According to the statement, DST liability that accrued to Türkiye during the transitional period would be creditable in defined circumstances against future corporate income tax liability due under Pillar 1. In return, the Section 301 trade action initiated with respect to goods of Türkiye was not continued. The arrangement set out in the joint statement was extended to June 30, 2024.

On January 20, 2025, the United States issued a White House Memorandum titled, “The Organization for Economic Co-Operation and Development (OECD) Global Tax Deal (Global Tax Deal).” The memorandum stated:

The Secretary of the Treasury and the Permanent Representative of the United States to the OECD shall notify the OECD that any commitments made by the prior Administration on behalf of the United States with respect to the Global Tax Deal have no force or effect within the United States absent an act by the Congress adopting the relevant provisions of the Global Tax Deal.

On January 22, 2025, appropriate representatives of the U.S. Department of Treasury provided notice to the Director of the Centre of Tax Policy and Administration at the OECD. On January 24, 2025, the U.S. Permanent Delegation to the OECD provided similar notice to the Secretary General of the OECD. In coordination with the U.S. Department of Treasury, USTR has continued to monitor the relevant measures.

### **The United Kingdom**

The United Kingdom (UK) adopted a DST on July 22, 2020. The UK DST applies a two percent tax on the revenues of certain search engines, social medial platforms and online marketplaces. The UK DST applies only to companies with global digital services revenues exceeding £500 million (approximately \$625 million) and UK digital services revenues exceeding £25 million (approximately \$31.3 million). Companies became liable for this DST on April 1, 2020 (86 FR 6406).

On June 2, 2020, the U.S. Trade Representative initiated a Section 301 investigation of the UK's proposed DST, which was subsequently adopted. On the same day, the U.S. Trade Representative requested consultations with the Government of the United Kingdom (85 FR 34709).

On October 8, 2021, the UK joined the United States and 134 other jurisdictions participating in the OECD/G20 Inclusive Framework on Base Erosion and Profit Shifting in reaching a political agreement on a two-pillar solution to address tax challenges arising from the digitalization of the world economy. As part of Pillar 1, all parties would remove existing DSTs and other relevant similar measures, and would coordinate the withdrawal of these taxes.

On October 21, 2021, the United States, under the prior Administration, issued a joint statement with the UK and four other countries on a transitional approach to those countries' DSTs during the transitional period prior to implementation of Pillar 1. According to the statement, DST liability that accrued to the United Kingdom during the transitional period would be creditable in defined circumstances against future corporate income tax liability due under Pillar 1. In return, the Section 301 trade action initiated in respect of goods of the UK was not continued. The arrangement set out in the joint statement was extended to June 30, 2024.

On January 20, 2025, the United States issued a White House Memorandum titled, “The Organization for Economic Co-Operation and Development (OECD) Global Tax Deal (Global Tax Deal).” The memorandum stated:

The Secretary of the Treasury and the Permanent Representative of the United States to the OECD shall notify the OECD that any commitments made by the prior Administration on behalf of the United States with respect to the Global Tax Deal have no force or effect within the United States absent an act by the Congress adopting the relevant provisions of the Global Tax Deal.

On January 22, 2025, appropriate representatives of the U.S. Department of Treasury provided notice to the Director of the Centre of Tax Policy and Administration at the OECD. On January 24, 2025, the U.S. Permanent Delegation to the OECD provided similar notice to the Secretary General of the OECD. In coordination with the U.S. Department of Treasury, USTR has continued to monitor the relevant measures.

## **6. Enforcement of U.S. WTO Rights in European Union Large Civil Aircraft Dispute**

On October 6, 2004, the United States requested WTO dispute settlement consultations with the EC (now the EU), France, Germany, Spain, and the United Kingdom (certain Member States) concerning certain subsidies granted by the EU and certain Member states to the EU large civil aircraft (LCA) domestic industry, on the basis that these subsidies appeared to be inconsistent with their obligations under the GATT 1994 and the WTO Agreement on Subsidies and Countervailing Measures (SCM Agreement).

In May 2011, a WTO panel report, as amended by an Appellate Body report, confirmed that EU and certain Member state subsidies on the manufacture of LCA breached the EU's obligations under the SCM Agreement. The DSB adopted the reports on June 1, 2011, and recommended that the EU and certain Member states bring the WTO-inconsistent measures into compliance with WTO rules. The EU and certain Member states had until December 1, 2011, to bring the measures into compliance. On December 1, 2011, the EU asserted that it had implemented the DSB recommendations. The United States did not agree, and requested authorization from the DSB to impose countermeasures commensurate with the adverse effects of the WTO-inconsistent measures. The EU objected to the request, referring the matter to arbitration to assess the proper level of any countermeasures.

In early 2012, the United States and the EU entered into a procedural agreement pursuant to which the arbitration would be suspended until after WTO compliance panel and any appellate proceedings determined whether the EU had implemented the DSB recommendations. On May 28, 2018, the DSB adopted compliance panel and Appellate Body reports confirming that launch aid to the Airbus A380 and A350 XWB aircraft continued to cause WTO-inconsistent adverse effects to U.S. interests.

At the request of the United States, and in accordance with the procedural agreement, on July 13, 2018, the WTO Arbitrator resumed its work in determining the level of countermeasures to be authorized as a result of the WTO inconsistencies.

On April 12 2019, USTR announced the initiation of a Section 301 investigation to enforce U.S. rights in the dispute. The notice of initiation solicited written comments on several aspects of the investigation, as well as comments on a list of products with a value of \$21 billion being considered for additional duties of up to 100 percent. Public hearings were held on May 15 to May 16, 2019.

USTR issued a second notice on July 5, 2019, that requested public comments on a supplementary list of products with a value of \$4 billion for which additional duties of up to 100 percent were also being considered. A second hearing was held on August 5, 2019.

On October 2, 2019, the WTO Arbitrator issued a report that concluded that the appropriate level of countermeasures in response to the WTO-inconsistent launch aid provided by the EU or certain Member states to their LCA domestic industry was approximately \$7.5 billion annually.

On October 9, 2019, the U.S. Trade Representative announced in the *Federal Register* (84 FR 54245) a determination that, based on the original panel and appellate reports, the compliance panel and appellate reports, the report of the WTO Arbitrator, and information obtained during the investigation, including public comments, the advice of the advisory committees, the Section 301 Committee, and the Trade Policy Staff Committee, U.S. rights under the GATT 1994 and Articles 5 and 6.3 of the SCM Agreement were being denied, that the subsidies provided by the EU and certain Member states were inconsistent with these agreements, and that the EU and certain Member states had not satisfactorily implemented the recommendation of the WTO DSB. The October 9 notice also announced a list of the products with an annual trade value of approximately \$7.5 billion that would be subject to additional duties of 10 percent or 25 percent, effective October 18, 2019.

On December 12, 2019, USTR published a notice in the *Federal Register* (84 FR 67992) seeking comments on a review of the October 18 action. Pursuant to the Section 301 statute, the notice sought comments on whether products subject to additional duties should be removed or remain on the final list, whether the rate of additional duty on specific products should be increased up to a level of 100 percent, and whether additional duties should be imposed on products which had been subject to public comment but were not subject to the October 18 action and the rate of additional duty to be applied to such products. A periodic revision of the action was announced on February 14, 2020, and a notice published in the *Federal Register* on February 21, 2020 (85 FR 10204). The February notice also included a determination that the United States may take appropriate action upon any EU imposition of additional duties on U.S. products in connection with the EU LCA dispute or the U.S. LCA dispute brought by the EU.

The next review was announced June 26, 2020, and included a notice which sought comment on an additional list of products with a value of approximately \$3.1 billion being considered for additional duties (85 FR 38488, as amended by 85 FR 39661 on July 1, 2020). The revised action was announced August 12, 2020, and included the determination that the action may be revised upon any EU imposition of additional duties on U.S. products in connection with the EU LCA dispute or the U.S. LCA dispute brought by the EU (85 FR 50866).

On November 9, 2020, following a decision by the WTO arbitrator in the U.S. LCA dispute that Washington State tax rate reductions in a 2012 reference period caused \$4 billion per year in adverse effects, the EU announced that it would impose additional duties of 15 percent and 25 percent on goods of the United States, effective November 10, 2020. The Washington State measure was withdrawn in April 2020, and the EU had no legal basis to retaliate. Furthermore, in exercising its \$4 billion authorization, the EU relied on a benchmark reference period affected by the economic downturn caused by the COVID-19 pandemic, which enabled the EU to cover a greater volume of imports than if, like the United States, it had used data from a period when trade was not affected by the pandemic.

On December 31, 2020, in response to the EU's action, the United States announced certain revisions to the August 2020 action, including an adjustment to mirror the benchmark period used by the EU in exercising its authorization (86 FR 674 of January 6, 2021). Using the new benchmark period, coupled with appropriate adjustments, the December 31, 2020, revision remained consistent with the WTO arbitrator's award to the United States.

In February 2021, the U.S. Trade Representative together with the affected United States industry agreed that it was unnecessary at that time to revise the action in the Section 301 investigation. (See 86 FR 9420.)

In March 2021, the United States and the United Kingdom, and the United States and the EU, issued joint statements promoting a resolution of the disputes and announcing that each party would suspend their imposition of additional duties on products of the other for four months. In accord with the joint statements, the United States announced modification of the action to suspend additional duties on products of the United Kingdom and of EU Member states, effective March 4, 2021 and March 11, 2021, respectively. (See 86 FR 13961 and 86 FR 14513.)

On June 15 and June 17, 2021, the United States reached understandings on cooperative frameworks with the UK and the EU regarding the dispute. In accordance with the understandings, the U.S. Trade Representative determined to suspend the action being taken in the Section 301 investigation for five years, beginning July 4, 2021, with respect to tariffs on goods of the UK, and beginning July 11, 2021, with respect to tariffs on goods of EU Member states (86 FR 36313). USTR continued to monitor implementation by the EU and UK of the framework understandings and their respective measures related to the matters covered in the LCA dispute, including whether the EU or UK provides financing to an LCA producer for the production or development of LCA that is not on market terms. If USTR considers that the implementation of the framework understandings or measures related to the WTO dispute are not satisfactory, USTR will take any and all appropriate and feasible action under Section 301 to enforce U.S. WTO rights.

## **7. European Union – Measures Concerning Meat and Meat Products (Hormones)**

The European Union (EU) prohibits imports into the EU of animals and meat from animals to which certain hormones have been administered (the “hormone ban”). In 1996, the United States initiated a WTO dispute with respect to the hormone ban. WTO panel and Appellate Body reports found that the measure was inconsistent with WTO obligation because the ban was not based on scientific evidence, a risk assessment, or relevant international standards. Under WTO procedures, the European Communities (EC), the predecessor to the EU, was to come into compliance with its obligations by May 13, 1999, but it failed to do so. Accordingly, in May 1999, the United States requested authorization from the Dispute Settlement Body (DSB) to suspend the application to the EC, and Member States thereof, of tariff concessions and related obligations under the General Agreement on Tariffs and Trade (GATT) 1994. The EC did not

contest that it had failed to comply with its WTO obligations, but it objected to the level of suspension proposed by the United States.

On July 12, 1999, a WTO arbitrator determined that the level of nullification or impairment suffered by the United States as a result of the WTO inconsistent hormone ban was \$116.8 million per year. Accordingly, on July 26, 1999, the DSB authorized the United States to suspend the application to the EC and its Member States of tariff concessions and related obligations under the GATT 1994, covering trade up to \$116.8 million per year. In a notice published in July 1999, USTR announced that the United States was acting pursuant to this authorization by initiating proceedings under Section 301 to impose 100 percent *ad valorem* duties on certain products of certain EC Member States.

In February 2005, a WTO panel was established to consider the EU's claims that it had brought its hormone ban into compliance with its WTO obligations and that the increased duties imposed by the United States were no longer authorized by the DSB. In 2008, the DSB adopted panel and Appellate Body reports that confirmed that the July 1999 DSB authorization remained in effect.

In January 2009, the U.S. Trade Representative: (1) removed certain products from the 1999 list of products subject to 100 percent *ad valorem* duties; (2) imposed 100 percent *ad valorem* duties on some new products from certain EU Member States; (3) modified the coverage with respect to particular EU Member States; and (4) raised the level of duties on one product. The trade value of the products subject to the modified list did not exceed the \$116.8 million per year authorized by the WTO.

In March 2009, the U.S. Trade Representative delayed the effective date of the additional duties (items two through four above) imposed under the January 2009 modifications in order to allow additional time for reaching an agreement with the EU. The effective date of the removal of duties under the January modifications remained March 23, 2009. Accordingly, subsequent to March 23, 2009, the additional duties put in place in July 1999 remained applicable to a reduced list of products.

In May 2009, the United States and the EU concluded a memorandum of understanding (MOU) which, under the first phase of the MOU scheduled to conclude in August 2012, obligated the EU to open a new duty-free tariff-rate quota (TRQ) for beef not produced with certain growth-promoting hormones. The United States in turn agreed not to impose duties above those in effect as of March 23, 2009.

On August 3, 2012, the United States and the EU, by mutual agreement, entered into a second phase of the MOU, to expire in one year. Under phase two, the U.S. Trade Representative terminated the remaining additional duties, and the EU expanded the TRQ from 20,000 to 45,000 metric tons. In August 2013, the United States and the EU extended phase two for an additional two years, until August 2015.

On December 9, 2016, representatives of the U.S. beef industry requested that the U.S. Trade Representative reinstate trade action against the EU because the TRQ was not providing benefits sufficient to compensate for the harm caused by the EU's hormone ban. On December 28, 2016, USTR published a *Federal Register* notice seeking public comments on specific EU products in order to consider possible reinstatement of duties. USTR held a public hearing on February 15, 2017.

In 2019, the United States and the European Union concluded successful negotiations to resolve concerns with the operation of the TRQ established by the MOU. On August 2, 2019, the EU and United States signed the Agreement on the Allocation to the United States of a Share in the Tariff Rate Quota for High Quality Beef Referred to in the Revised MOU Regarding the Importation of Beef from Animals Not Treated with Certain Growth-promoting Hormones and Increased Duties Applied by the United States to Certain Products of the European Union. The Agreement establishes a duty-free TRQ exclusively for the United States. Under the Agreement, American ranchers will have an initial TRQ of 18,500 metric tons annually,

valued at approximately \$220 million. Over seven years, the TRQ will grow to 35,000 metric tons annually, valued at approximately \$420 million. On December 13, 2019, USTR published in the *Federal Register* notice of its determination not to reinstate action under Section 306(c) in connection with the EU's measures. Pursuant to the notice, the Section 306(c) proceeding was terminated effective January 1, 2020, the date the EU applied the U.S.-specific TRQ allocation.

During 2024, USTR continued to monitor the operation of the TRQ.

## **8. Vietnam’s Acts, Policies, and Practices Related to the Import and Use of Illegal Timber**

On October 2, 2020, the U.S. Trade Representative initiated an investigation regarding whether Vietnam’s acts, policies, and practices related to Vietnam’s import and use of illegally harvested or traded timber (“illegal timber”) are unreasonable or discriminatory and burden or restrict United States commerce. On the same day, the United States requested consultations with Vietnam. The notice of initiation (85 FR 63639) explained that Vietnam relies on imports of timber harvested in other countries to supply the timber inputs needed for its wood products manufacturing sector, and evidence suggests that a significant portion of that imported timber was illegally harvested or traded. Through the notice of initiation, USTR solicited written comments. USTR received 71 submissions in response.

USTR and the Section 301 Committee convened a virtual public hearing on December 28, 2020, during which 19 witnesses provided testimony and responded to questions. On January 8, 2021, the United States held consultations with the Government of Vietnam.

On October 1, 2021, the United States and Vietnam signed an agreement that addresses U.S. concerns in the timber investigation. (See 86 FR 55681.) The agreement secures commitments that will help keep illegally harvested or traded timber out of the supply chain and protect the environment and natural resources. In April 2022, the United States and Vietnam convened the first meeting of the Timber Working Group, which was established to facilitate coordination and oversee implementation of the agreement. The Timber Working Group has held three more meetings subsequently, including a meeting on May 21 through May 22, 2024, in Hanoi, Vietnam.

In September 2024, with a view to implementing several core commitments in the agreement, Vietnam issued a regulation – *Amending and supplementing Decree No. 102/2020/NĐ by the Government of Viet Nam on Timber Legality Assurance System*. Those commitments include (1) broadening the scope of Vietnam’s Timber Legality Assurance System (e.g., to include Vietnamese importers); (2) amending how Vietnam evaluates timber imports into Vietnam to take into account the risk of illegal logging, illegal timber trade, and fraudulent documentation; and (3) verifying domestically harvested timber exported to the United States or other destinations. USTR continued to monitor Vietnam’s implementation of the agreement, including Vietnam’s amending other timber legality legislation pursuant to the agreement.

*For further discussion on this investigation, see Chapter III.C.2 Trade and the Environment, Monitoring and Enforcement Activities of Existing Agreements.*

## **9. Vietnam’s Acts, Policies, and Practices Related to Currency Valuation**

On October 2, 2020, the U.S. Trade Representative initiated an investigation regarding whether Vietnam’s acts, policies, and practices related to the valuation of its currency are unreasonable or discriminatory and burden or restrict United States commerce. On the same day, the United States requested consultations with Vietnam. The notice of initiation (85 FR 63637) explained that the State Bank of Vietnam’s

management of its currency is closely tied to the U.S. dollar, and that available analysis indicated that Vietnam’s currency had been undervalued for the past three years. The notice further explained that available evidence indicated that the Government of Vietnam, through the State Bank of Vietnam, actively intervened in the foreign exchange market which contributed to the dong’s undervaluation in 2019. Through the notice of initiation, USTR solicited public comments. USTR received 66 submissions in response.

On December 23, 2020, the United States held consultations with the Government of Vietnam. On December 29, 2020, USTR and the Section 301 Committee held a virtual public hearing on the investigation. During the hearing, 21 witnesses testified and responded to questions.

On January 15, 2021, in consultation with the U.S. Department of Treasury, based on the information obtained in the investigation, and taking account of public comments and advice of the Section 301 Committee and Advisory Committees, the U.S. Trade Representative determined that Vietnam’s acts, policies, and practices related to currency valuation, including excessive foreign exchange market interventions and other related actions, taken in their totality, are unreasonable and burden or restrict U.S. commerce, and thus actionable under Section 301 (86 FR 6732).

On July 23, 2021, based on an agreement reached between the U.S. Department of Treasury and the State Bank of Vietnam regarding Vietnam’s currency practices, the U.S. Trade Representative determined that no action under Section 301 in the currency investigation was warranted at that time because Vietnam’s agreement with the U.S. Department of Treasury provided a satisfactory resolution of the matter subject to the investigation (86 FR 40675). In coordination with the U.S. Department of Treasury, during 2024 USTR continued to monitor Vietnam’s implementation of its commitments under the agreement and associated measures.

## C. SECTION 201

Section 201 of the Trade Act of 1974 provides a procedure whereby the President may grant temporary import relief to a domestic industry if increased imports are a substantial cause of serious injury or the threat of serious injury. Relief may be granted for an initial period of up to four years, with the possibility of extending the relief to a maximum of eight years. Import relief is designed to redress the injury and to facilitate positive adjustment by the domestic industry; it may consist of increased tariffs, quantitative restrictions, or other forms of relief. Section 201 also authorizes the President to grant provisional relief in cases involving “critical circumstances” or certain perishable agricultural products.

For an industry to obtain relief under Section 201, the U.S. International Trade Commission (USITC) must first determine that a product is being imported into the United States in such increased quantities as to be a substantial cause (a cause which is important and not less than any other cause) of serious injury, or the threat thereof, to the U.S. industry producing a like or directly competitive product. If the USITC makes an affirmative injury determination and recommends a remedy to the President, the President may provide relief either in the form recommended by the USITC or in such other form as the President finds appropriate. The criteria for import relief in Section 201 are based on Article XIX of the General Agreement on Tariffs and Trade 1994, commonly referred to as the “escape clause,” and the World Trade Organization (WTO) Agreement on Safeguards.

Section 204(a)(1) of the Trade Act of 1974 also requires the USITC to monitor developments with respect to the domestic industry following the President’s determination to impose a safeguard measure. Pursuant to Section 204(a)(2) of the Trade Act of 1974, when the duration of a safeguard measure is longer than

three years, the USITC must submit a report to the President and Congress on the results of its monitoring no later than the midterm of the measure.

Safeguard measures are limited to an initial period of no more than four years. However, pursuant to Section 204 of the Trade Act of 1974, the relevant domestic industry may file a petition to extend a safeguard measure, or the President may request an extension investigation. If such a petition or request is received, the USITC must investigate and determine, pursuant to Section 204, whether (1) the action continues to be necessary to prevent or remedy serious injury and (2) there is evidence that the industry is making a positive adjustment to import competition. If the USITC reaches an affirmative determination on these two questions, then Section 203 of the Trade Act of 1974 authorizes the President to extend the safeguard measure. The effective period of any safeguard action, including any extensions of a safeguard action, may not, in the aggregate, exceed eight years.

## **1. Safeguard Measure on Certain Crystalline Silicon Photovoltaic Cells, Whether or Not Partially or Fully Assembled into Other Products**

Effective February 7, 2018, the President imposed a safeguard measure for a period of four years on imports of certain crystalline silicon photovoltaic cells (CSPV), whether or not partially or fully assembled into other products (CSPV products). Following receipt of a petition by the domestic industry requesting an extension of the safeguard measure and the subsequent USITC investigation under Section 204 of the Trade Act of 1974, on February 4, 2022, the President issued a proclamation extending the safeguard measure to: (1) continue the tariff-rate quota (TRQ) on imports of solar cells for an additional four years, with an increase in the aggregate in-quota annual quantity (to 5 GW); (2) continue the imposition of duties on imports of modules for an additional four years, with annual reductions in the applicable duty rate; and (3) exclude bifacial panels from the extension.

On June 8, 2023, pursuant to Section 204(a)(2) of the Trade Act of 1974, the USITC instituted a mid-term review, for the purpose of preparing a report to the President and the Congress, on its monitoring of developments in the domestic industry following the President's decision to extend the safeguard measure. On February 6, 2024, the USITC transmitted its mid-term report to the President.

On February 23, 2024, a majority of the representatives of the domestic industry submitted a petition under Section 204(b)(1)(B) of the Trade Act of 1974 requesting that the President modify the safeguard measure to revoke the exclusion of bifacial panels from the measure. After taking into account the information from the USITC's midterm report and the petition, on June 21, 2024, the President issued a proclamation revoking the exclusion on bifacial panels.

In addition, on September 19, 2023, a majority of the representatives of the domestic industry submitted a petition under Section 204(b)(1)(B) of the Trade Act of 1974 requesting that the President modify the safeguard measure to either eliminate or expand the TRQ on imports of solar cells, so that more cells may enter free of safeguard duties. After taking into account the information from the USITC's midterm report and the petition, on August 12, 2024, the President issued a proclamation expanding the existing TRQ within-quota quantity from 5.0 GW to 12.5 GW.

## **2. Safeguard Investigation on Fine Denier Polyester Staple Fiber**

On February 28, 2024, pursuant to Section 202 of the Trade Act of 1974, the USITC instituted an investigation to determine whether fine denier polyester staple fiber is being imported into the United States in such increased quantities as to be a substantial cause of serious injury, or threat thereof, to the domestic industry producing an article like or directly competitive with the imported article.

On July 9, 2024, the USITC made an affirmative determination as to serious injury. On August 26, 2024, the USITC transmitted a report to the President containing its serious injury determination, which included remedy recommendations to the President from the USITC’s Commissioners.

In response to the USITC’s report, and pursuant to Section 203(a)(1)(C) of the Trade Act of 1974, the Trade Policy Staff Committee solicited public comments and conducted a public hearing regarding the appropriate remedy for the President to impose under Section 201, if any. On November 8, 2024, pursuant to Sections 201 and 203(a) of the Trade Act of 1974, the President proclaimed a safeguard action on fine denier polyester staple fiber for a duration of four years. The action comprises a quantitative restriction on imports of this product that are entered under temporary importation under bond.

## D. WTO AND FTA ENFORCEMENT

This section includes a discussion of current U.S. involvement in World Trade Organization (WTO) and free trade agreement (FTA) dispute settlement processes. USTR continued to prioritize enforcement efforts with respect to key U.S. values, such as promoting fair, competitive, and market-oriented trade, labor rights, environmental protection, and the interests of U.S. farmers, as well as strategic priorities of the United States.

The United States–Mexico–Canada Agreement (USMCA) includes an innovative labor-related Rapid Response Labor Mechanism (RRM) in the dispute settlement chapter to address protection of association and collective bargaining rights at the facility level.

*For further discussion of enforcement actions related to the Rapid Response Labor Mechanism, see Chapter I.B.9 Mexico and Canada.*

### **Key Developments in 2024**

In 2024, the United States requested consultations with Canada under USMCA Chapter 31 concerning the Digital Service Tax (DST) that Canada enacted on June 28, 2024. Canada’s DST applies a three percent tax on the sum of revenues deemed connected to Canada from online marketplaces, online targeted advertising, social media platforms, and user data. The tax applies to companies or groups with annual global revenues of €750 million (approximately \$833 million) or more and Canadian digital services revenue of more than CAD20 million (approximately \$14.3 million).

In 2024, the United States prevailed in its USMCA challenge to measures set out in Mexico’s February 13, 2023 decree, specifically the ban on use of biotechnology corn in tortillas or dough, and the instruction to Mexican Government agencies to gradually substitute—*i.e.*, ban—the use of biotechnology corn in all products for human consumption and for animal feed. The panel’s ruling ensures that U.S. producers and exporters will continue to have full and fair access to the Mexican market.

Ongoing WTO dispute settlement actions in 2024 include a panel proceeding brought by Argentina challenging U.S. antidumping measures pertaining to oil country tubular goods from Argentina and Section 771(7)(G) of the Tariff Act of 1930.

The cases described below provide further detail about current U.S. involvement in WTO and FTA dispute settlement processes. Further information on WTO disputes to which the United States is a party, and a list of U.S. submissions, are available on the [Office of the United States Trade Representative \(USTR\) website](#).

## **Free Trade Agreement Disputes Brought by the United States**

### **USMCA: Canada – Dairy TRQ Allocation Measures (CDA-USA-2021-31-01)**

On December 9, 2020, the United States requested USMCA Chapter 31 consultations with Canada regarding Canada's administration of its dairy tariff-rate quotas (TRQs). These consultations concerned the 14 TRQs on dairy products that Canada has the right to maintain under the USMCA on milk, cream, skim milk powder, butter and cream powder, industrial cheeses, cheeses of all types, milk powders, concentrated or condensed milk, yogurt and buttermilk, powdered buttermilk, whey powder, products consisting of natural milk constituents, ice cream and ice cream mixes, and other dairy.

In notices to importers that Canada published in June and October 2020 and May 2021 for dairy TRQs, Canada set aside and limited access to a percentage of the quota for processors and for so-called “further processors.” By setting aside and limiting access to a percentage of each dairy TRQ exclusively for processors, the United States alleged that Canada undermined the ability of American dairy farmers, processors, and exporters to benefit from the agreed-upon TRQs and sell a wide range of dairy products to Canadian consumers. The United States challenged Canada's measures as inconsistent with Articles 3.A.2.4(b), 3.A.2.6(a), 3.A.2.11(b), 3.A.2.11(c), and 3.A.2.11(e) of the USMCA.

On December 21, 2020, Canada and the United States held consultations via videoconference, but the Parties failed to resolve the matter. On May 25, 2021, the United States requested and established a dispute settlement panel under the USMCA to review Canada's dairy TRQ allocation measures. The Panel was composed on July 5, 2021. The Parties composed the Panel as follows: Mr. Elbio Rosselli, Chair; and Ms. Julie Bédard and Mr. Mark C. Hansen, Members. On October 25 and October 26, 2021, a panel hearing was held in Ottawa, Canada.

The final panel report was released to the Parties on December 20, 2021, and to the public on January 4, 2022. The Panel agreed with the United States that Canada's allocation of dairy TRQs, specifically the set-aside of a percentage of each dairy TRQ exclusively for Canadian processors, is inconsistent with Canada's commitment in Article 3.A.2.11(b) of the USMCA not to “limit access to an allocation to processors.”

On May 16, 2022, Canada published policy changes to implement the panel's finding. The United States does not consider the changes to bring Canada into compliance with its USMCA obligations.

### **USMCA: Canada – Dairy Tariff-Rate Quota Allocation Measures 2 (CDA-USA-2023-31-01)**

On May 25, 2022, the United States requested consultations under Chapter 31 of the USMCA for the second time regarding Canada's dairy TRQ allocation measures, specifically relating to the ineligibility of certain types of importers to apply for USMCA dairy TRQ allocations, the imposition of a 12-month activity requirement for TRQ allocation applicants and recipients, and the partial allocation of the calendar year 2022 dairy TRQs. Consultations were held on June 9, 2022, but the Parties failed to resolve the matter.

After initiating consultations with Canada in May 2022, the United States identified additional aspects of Canada's measures that appear to be inconsistent with Canada's obligations under the USMCA, and on December 20, 2022, the United States requested a new round of consultations with Canada. With the new request, the United States expanded its challenge of Canada's dairy TRQ allocation measures to include Canada's use of a market-share approach for determining TRQ allocations. The United States expressed concern that Canada applies different criteria for calculating the market share of different segments of applicants, and that Canada is failing to allow importers the opportunity to fully utilize TRQ quantities. The United States also continued to challenge Canada's dairy TRQ allocation measures that impose new conditions on the allocation and use of the TRQs, and that prohibit eligible applicants, including retailers,

food service operators, and other types of importers, from accessing TRQ allocations. The United States considered that, through these measures, Canada undermines the market access that it agreed to provide in the USMCA.

On January 31, 2023, the United States requested and established a dispute settlement panel under the USMCA to review Canada's revised dairy TRQ allocation measures. The Panel was composed on February 24, 2023. The Parties composed the Panel as follows: Mr. Mateo Diego-Fernández, Chair; and Ms. Kathleen Claussen and Mr. Serge Fréchette, Members. On July 19 and July 20, 2023, a panel hearing was held in Ottawa, Canada.

The final panel report was released to the Parties on November 10, 2023, and to the public on November 24, 2023. Two of the three panelists found that Canada's measures do not breach of any of the USMCA commitments that the United States cited. One panelist, however, agreed with a principal U.S. claim challenging Canada's narrow definition of eligible applicants, which excludes a substantial number of importers that would be eager to bring higher-value, retail-ready U.S. dairy products to Canadian consumers.

The United States is disappointed by the panel's findings. Throughout 2024, USTR continued to work closely with U.S. industry to consider all options to ensure that the U.S. dairy sector receives the full benefit of market access under the USMCA.

### **USMCA: Mexico – Measures Related to Energy**

On July 20, 2022, the United States requested consultations with Mexico under the USMCA. The consultations relate to certain measures by Mexico that undermine American companies and U.S.-produced energy in favor of Mexico's state-owned electrical utility, the Comisión Federal de Electricidad (CFE), and state-owned oil and gas company, Petróleos Mexicanos (PEMEX). Specifically, the United States is challenging a 2021 amendment to Mexico's Electric Power Industry Law that prioritizes CFE-produced electricity over electricity generated by all private competitors; Mexico's inaction, delays, denials, and revocations of private companies' abilities to operate in Mexico's energy sector; a December 2019 regulation granting only PEMEX an extension to comply with the maximum sulfur content requirements under Mexico's applicable automotive diesel fuel standard; and a June 2022 action that advantages PEMEX, CFE, and their products in the use of Mexico's natural gas transportation network. These measures appear to be inconsistent with several of Mexico's USMCA obligations, including under the Market Access, Investment, and State-Owned Enterprises chapters. As of December 31, 2024, the Parties continued to consult on this matter.

### **USMCA: Mexico – Measures Concerning Genetically Engineered Corn (MEX-USA-2023-31-01)**

On August 17, 2023, the United States established a dispute settlement panel under the USMCA, challenging two sets of measures reflected in Mexico's February 13, 2023 presidential decree: (1) the ban on use of GE corn in tortillas or dough; and (2) the instruction to Mexican Government agencies to gradually substitute—*i.e.*, ban—the use of genetically engineered (GE) corn in all products for human consumption and for animal feed. The United States considers that Mexico's measures are inconsistent with several of Mexico's USMCA commitments under the Sanitary and Phytosanitary Measures and Market Access Chapters. On June 26, 2024, the United States participated in a hearing before a dispute settlement panel composed of the following panelists: Mr. Christian Häberli, Chair; and Mr. Hugo Perezcano Díaz and Ms. Jean Kalicki, Members.

The final panel report was released to the Parties on December 20, 2024. The panel agreed with the United States on all seven legal claims, finding that Mexico's measures were not based on science and undermined

the market access that Mexico agreed to provide in the USMCA. The U.S. Trade Representative noted that the panel's findings reaffirmed the long-standing concerns of the United States concerning Mexico's biotechnology policies and the detrimental impact of those policies on U.S. agricultural exports. The panel's findings further underscored the importance of science-based trade policies that allow American farmers and agricultural producers to compete fairly and leverage their innovation to address climate change and enhance productivity.

### **USMCA: Canada – Digital Services Tax (DST)**

On August 30, 2024, the United States requested consultations with Canada under Chapter 31 of the USMCA concerning Canada's DST. Canada's DST applies a three percent tax on the sum of revenues deemed connected to Canada from online marketplaces, online targeted advertising, social media platforms, and user data. The tax applies to companies or groups with annual global revenues of €750 million (approximately \$833 million) or more and Canadian digital services revenue of more than CAD20 million (approximately \$14.3 million). As stated in the request for consultations, the DST appears to be targeted at U.S. companies providing Canadian digital services and to be discriminating against U.S. companies and in favor of Canadian companies. It thus appears to be inconsistent with Canada's national treatment obligations under the Investment and Cross-Border Trade in Services Chapters of the USMCA.

### **Free Trade Agreement Disputes Brought Against the United States**

#### **USMCA: United States – Automotive Rules of Origin (USA-MEX-2022-31-01)**

On August 20, 2021, Mexico requested consultations with the United States regarding the interpretation and application of certain rules of origin provisions for automobiles under the USMCA. On August 26, 2021, Canada notified its intent to join the consultations. The United States held consultations with Mexico on September 24, 2021. Mexico requested and established a dispute settlement panel on January 6, 2022, and Canada joined the dispute as a co-complainant on January 13, 2022. The Parties composed the Panel on March 22, 2022, as follows: Mr. Elbio Rosselli, Chair; and Ms. Kathleen Claussen, Ms. Ann Ryan Robertson, Mr. Jorge Miranda, and Mr. Donald McRae, Members.

A final panel report finding in favor of Canada and Mexico was released to the Parties on December 14, 2022, and to the public on January 11, 2023. Following that ruling, as required under the USMCA, the Parties have engaged in discussions regarding a resolution to the dispute.

### **World Trade Organization Disputes Brought by the United States**

In 2024, the United States continued to be one of the most active participants in the WTO dispute settlement process. This section includes brief summaries of dispute settlement activity in 2024 where the United States was a complainant (listed alphabetically by responding party, and then chronologically).

#### **China – Measures Affecting Trading Rights and Distribution Services for Certain Publications and Audiovisual Entertainment Products (DS363)**

On April 10, 2007, the United States requested consultations with China regarding certain measures related to the import and/or distribution of imported films for theatrical release, audiovisual home entertainment products (*e.g.*, video cassettes and DVDs), sound recordings, and publications (*e.g.*, books, magazines, newspapers, and electronic publications). On July 10, 2007, the United States requested supplemental consultations with China regarding certain measures pertaining to the distribution of imported films for theatrical release and sound recordings.

Specifically, the United States was concerned that certain Chinese measures: (1) restricted trading rights (such as the right to import goods into China) with respect to imported films for theatrical release, audiovisual home entertainment products, sound recordings, and publications; and (2) restricted market access for, or discriminated against, imported films for theatrical release and sound recordings in physical form, and foreign service providers seeking to engage in the distribution of certain publications, audiovisual home entertainment products, and sound recordings. The Chinese measures at issue appeared to be inconsistent with several WTO provisions, including provisions in the General Agreement on Tariffs and Trade 1994 (GATT 1994) and General Agreement on Trade in Services (GATS), as well as specific commitments made by China in its WTO accession agreement.

The United States and China held consultations in June and July 2007. At the request of the United States, the WTO established a panel on November 27, 2007, to examine the U.S. complaint. On March 27, 2008, the Director-General composed the Panel as follows: Mr. Florentino P. Feliciano, Chair; and Mr. Juan Antonio Dorantes and Mr. Christian Häberli, Members.

The report of the Panel was circulated to WTO Members and made public on August 12, 2009. In the final report, the Panel made three critical sets of findings. First, the Panel found that China's restrictions on foreign invested enterprises (and in some cases foreign individuals) from importing films for theatrical release, audiovisual home entertainment products, sound recordings, and publications are inconsistent with China's trading rights commitments as set forth in China's protocol of accession to the WTO. The Panel also found that China's restrictions on the right to import these products are not justified by Article XX(a) of the GATT 1994. Second, the Panel found that China's prohibitions and discriminatory restrictions on foreign owned or controlled enterprises seeking to distribute publications and audiovisual home entertainment products and sound recordings over the Internet are inconsistent with China's obligations under the GATS. Third, the Panel also found that China's treatment of imported publications is inconsistent with the national treatment obligation in Article III:4 of the GATT 1994.

In September 2009, China filed a notice of appeal to the WTO Appellate Body, appealing certain of the Panel's findings, and the United States filed an appeal on one aspect of the Panel's analysis of China's defense under GATT 1994 Article XX(a). On December 21, 2009, the Appellate Body issued its report. The Appellate Body rejected each of China's claims on appeal. The Appellate Body also found that the Panel had erred in the aspect of the analysis that the United States had appealed. The Dispute Settlement Body (DSB) adopted the Appellate Body and panel reports on January 19, 2010. On July 12, 2010, the United States and China notified the DSB that they had agreed on a 14-month period of time for implementation, to end on March 19, 2011.

China subsequently issued several revised measures, and repealed other measures, relating to the market access restrictions on books, newspapers, journals, DVDs, and music. As China acknowledged, however, it did not issue any measures addressing theatrical films. Instead, China proposed bilateral discussions with the United States in order to seek an alternative solution. The United States and China reached agreement in February 2012 on an MOU providing for substantial increases in the number of foreign films imported and distributed in China each year and substantial additional revenue for foreign film producers. The MOU calls for China and the United States to engage in consultations in calendar year 2017 and, through this consultation process, to provide for further meaningful compensation to the United States. China and the United States initiated consultations in 2017; however, to date, China has not agreed to provide further meaningful compensation, as it committed to do under the MOU.

### **China – Measures Relating to the Exportation of Various Raw Materials (DS394)**

On June 23, 2009, the United States requested consultations with China regarding China's export restraints on a number of important raw materials. The materials at issue are: bauxite, coke, fluorspar, magnesium,

manganese, silicon metal, silicon carbide, yellow phosphorus, and zinc. These materials are inputs for numerous downstream products in the steel, aluminum, and chemical sectors.

The United States challenged China's export restraints on these raw materials as inconsistent with several WTO provisions, including provisions in the GATT 1994, as well as specific commitments made by China in its WTO accession agreement. Specifically, the United States challenged certain Chinese measures that impose: (1) quantitative restrictions in the form of quotas on exports of bauxite, coke, fluorspar, silicon carbide, and zinc ores and concentrates, as well as certain intermediate products incorporating some of these inputs; and (2) export duties on several raw materials. The United States also challenged other related export restraints, including export licensing restrictions, minimum export price requirements, and requirements to pay certain charges before certain products can be exported, as well as China's failure to publish relevant measures.

The United States and China held consultations in July and September 2009, but did not resolve the dispute. The EU and Mexico also requested and held consultations with China on these measures. On November 19, 2009, the EU and Mexico joined the United States in requesting the establishment of a panel, and on December 21, 2009, the WTO established a single panel to examine all three complaints. On March 29, 2010, the Director-General composed the Panel as follows: Mr. Elbio Rosselli, Chair; and Ms. Dell Higbie and Mr. Nugroho Wisnumurti, Members.

The Panel's final report was circulated to Members on July 5, 2011. The Panel found that the export duties and export quotas imposed by China on various forms of bauxite, coke, fluorspar, magnesium, manganese, silicon carbide, silicon metal, and zinc constitute a breach of WTO rules and that China failed to justify those measures as legitimate conservation measures, environmental protection measures, or short supply measures. The Panel also found China's imposition of minimum export price, export licensing, and export quota administration requirements on these materials, as well as China's failure to publish certain measures related to these requirements inconsistent with WTO rules.

On January 30, 2012, the Appellate Body issued a report affirming the Panel's findings on all significant claims, including that the Panel correctly made recommendations for China to bring its measures into conformity with its WTO commitments.

The DSB adopted the Panel and Appellate Body reports on February 22, 2012. The United States, the EU, Mexico, and China agreed that China would have until December 31, 2012, to implement the WTO's recommendations.

At the conclusion of the reasonable period of time (RPT) for China to comply, it appeared that China had eliminated the export duties and export quotas on the products at issue in this dispute, as of January 1, 2013. However, China maintains export licensing requirements for a number of the products. The United States continues to monitor actions by China that might operate to restrict exports of raw materials at issue in this dispute.

### **China – Certain Measures Affecting Electronic Payment Services (DS413)**

On September 15, 2010, the United States requested consultations with China concerning issues relating to certain restrictions and requirements maintained by China pertaining to electronic payment services (EPS) for payment card transactions and the suppliers of those services. EPS enable transactions involving credit card, debit card, charge card, check card, automated teller machine (ATM) card, prepaid card, or other similar card or money transmission product, and manage and facilitate the transfers of funds between institutions participating in such card-based electronic payment transactions.

EPS provide the essential architecture for card-based electronic payment transactions, and EPS are supplied through complex electronic networks that streamline and process transactions and offer an efficient and reliable means to facilitate the movement of funds from the cardholders purchasing goods or services to the individuals or businesses that supply them. EPS consist of a network, rules and procedures, and an operating system that allow cardholders' banks to pay merchants' banks the amounts they are owed. EPS suppliers receive, check and transmit the information that processors need to conduct the transactions. The rules and procedures established by the EPS supplier give the payment system stability and integrity, and enable net payment flows among the institutions involved in card-based electronic transactions. The best-known EPS suppliers are credit and debit card companies based in the United States.

China instituted and maintains measures that operate to block foreign EPS suppliers, including U.S. suppliers, from supplying these services, and that discriminate against foreign suppliers at every stage of a card-based electronic payment transaction. The United States challenged China's measures affecting EPS suppliers as inconsistent with China's national treatment and market access commitments under the GATS.

The United States and China held consultations on October 27 and October 28, 2010, but these consultations did not resolve the dispute. At the request of the United States, on March 25, 2011, the WTO established a panel to examine the U.S. complaint. On July 4, 2011, the Director-General composed the Panel as follows: Mr. Virachai Plasai, Chair; and Ms. Elaine Feldman and Mr. Martín Redrado, Members.

The Panel circulated its report on July 16, 2012. China did not appeal the Panel's findings, and the Panel Report was adopted by the DSB on August 31, 2012.

The United States prevailed on significant threshold issues, including:

- EPS is a single service (or EPS are integrated services) and each element of EPS is necessary for a payment card transaction to occur.
- EPS is properly classified under the same subsector, item (viii) of the GATS Annex on Financial Services, which appears as subsector (d) of China's Schedule (All payment and money transmission services, including credit, charge, and debit cards) as the United States argued, and no element of EPS is classified as falling in item (xiv) of the GATS Annex on Financial Services (settlement and clearing of financial assets, including securities, derivative products, and other negotiable instruments), as China argued and for which China has no WTO commitments.
- In addition to the "four-party" model of EPS (*e.g.*, Visa® and MasterCard®), the "three-party" model (*e.g.*, American Express®) and other variations, third-party issuer processor and merchant processors also are covered by subsector (d) of China's Schedule.

With respect to the U.S. GATS national treatment claims, the Panel found the following breaches:

- China imposes requirements on issuers of payment cards that payment cards issued in China bear the "Yin Lian/UnionPay logo," and therefore China requires issuers to become members of the China Union Pay (CUP) network; that the cards they issue in China meet certain uniform business specifications and technical standards; and that these requirements fail to accord to services and service suppliers of any other Member treatment no less favorable than China accords to its own like services and service suppliers.
- China imposes requirements that all terminals (ATMs, merchant processing devices, and point of sale (POS) terminals) in China that are part of the national card inter-bank processing network be

capable of accepting all payment cards bearing the Yin Lian/UnionPay logo, and that these requirements fail to accord to services and service suppliers of any other Member treatment no less favorable than China accords to its own like services and service suppliers.

- China imposes requirements on acquirers (those institutions that acquire payment card transactions and that maintain relationships with merchants) to post the Yin Lian/UnionPay logo, and, furthermore, China imposes requirements that acquirers join the CUP network and comply with uniform business standards and technical specifications of inter-bank interoperability, and that terminal equipment operated or provided by acquirers be capable of accepting bank cards bearing the Yin Lian/UnionPay logo, and that these requirements fail to accord to services and service suppliers of any other Member treatment no less favorable than China accords to its own like services and service suppliers.

With respect to the U.S. GATS market access claims, the Panel found that China's requirements related to certain Hong Kong and Macau transactions are inconsistent with Article XVI: 2(a) of the GATS because, contrary to China's Sector 7B (d) mode 3 market access commitments, China maintains a limitation on the number of service suppliers in the form of a monopoly.

The United States and China agreed that a RPT for China to implement the DSB recommendations and rulings would be 11 months from the date of adoption of the recommendations and rulings, that is, until July 31, 2013.

In April 2015, the State Council of China issued a formal decision announcing that China's market would be open to foreign suppliers that seek to provide EPS for domestic currency payment card transactions. The People's Bank of China followed this in July 2015 by publishing a draft licensing regulation for public comment. This draft licensing regulation was finalized in June 2016. In June 2020, four months after the entry into force of the China Economic and Trade Agreement, American Express became the first foreign supplier of electronic payment services to secure a network clearing license to operate in China's market. Likewise, in November 2023, the People's Bank of China granted a payment clearing license to Mastercard's local joint venture. The United States continues to urge China to ensure that approvals for foreign EPS suppliers to operate in China occur without delay, in accordance with China's WTO obligations, and continues to monitor the situation closely.

### **China – Measures Related to the Exportation of Rare Earths, Tungsten and Molybdenum (DS431)**

On March 13, 2012, the United States requested consultations with China regarding China's export restraints on rare earths, tungsten, and molybdenum. These materials are vital inputs in the manufacture of electronics, automobiles, steel, petroleum products, and a variety of chemicals that are used to produce both everyday items and highly sophisticated, technologically advanced products, such as hybrid vehicle batteries, wind turbines, and energy efficient lighting.

The United States challenged China's export restraints on these materials as inconsistent with several WTO provisions, including provisions in the GATT 1994, as well as specific commitments made by China in its WTO accession agreement. Specifically, the United States challenged: (1) China's quantitative restrictions in the form of quotas on exports of rare earth, tungsten, and molybdenum ores and concentrates, as well as certain intermediate products incorporating some of these inputs; (2) China's export duties on rare earths, tungsten, and molybdenum; and (3) China's other export restraints on these materials, including prior export performance and minimum capital requirements.

The United States, together with the EU and Japan, held consultations with China on April 25 and 26, 2012, but the consultations did not resolve the dispute.

On June 29, 2012, the EU and Japan joined the United States in requesting the establishment of a panel, and on July 23, 2012, the WTO DSB established a single panel to examine all three complaints. On September 24, 2012, the Director-General composed the Panel as follows: Mr. Nacer Benjelloun-Touimi, Chair; and Mr. Hugo Cayrús and Mr. Darlington Mwape, Members. The Panel held its meetings with the Parties from February 26 to February 28, 2013, and on June 18 and June 19, 2013.

On March 26, 2014, the Panel circulated its report. The Panel found that the export quotas and export duties imposed by China on various forms of rare earths, tungsten, and molybdenum constitute a breach of WTO rules and that China failed to justify those measures as legitimate conservation measures or environmental protection measures, respectively. The Panel also found China's imposition of prior export performance and minimum capital requirements inconsistent with WTO rules.

On August 7, 2014, the Appellate Body issued a report affirming the Panel's findings on all significant claims. On August 29, 2014, the DSB adopted the Panel and Appellate Body reports. In September 2014, China announced its intention to implement the DSB recommendations and rulings in the dispute, and stated that it would need a RPT in which to do so. The United States, the EU, Japan, and China agreed that China would have until May 2, 2015, to comply with the recommendations and rulings.

China announced that it had eliminated its export quotas on the products at issue in this dispute as of January 1, 2015, and its export duties as of May 1, 2015. The United States continues to monitor actions by China, such as export licensing requirements, that might operate to restrict exports of the materials at issue in this dispute.

### **China – Measures Related to Demonstration Bases and Common Service Platform Programs (DS489)**

On February 11, 2015, the United States requested consultations regarding China's "Demonstration Bases-Common Service Platform" export subsidy program. Under this program, China appears to provide prohibited export subsidies through "Common Service Platforms" to manufacturers and producers across seven economic sectors and dozens of sub-sectors located in more than 150 industrial clusters, known as "Demonstration Bases."

Pursuant to this Demonstration Bases-Common Service Platform program, China provides free and discounted services as well as cash grants and other incentives to enterprises that meet export performance criteria and are located in 179 Demonstration Bases throughout China. Each of these Demonstration Bases is comprised of enterprises from one of seven sectors: (1) textiles, apparel, and footwear; (2) advanced materials and metals (including specialty steel, titanium, and aluminum products); (3) light industry; (4) specialty chemicals; (5) medical products; (6) hardware and building materials; and (7) agriculture. China maintains and operates this extensive program through over 150 central government and sub-central government measures throughout China.

The United States held consultations with China on March 13, April 1, and April 2, 2015. At the request of the United States, on April 22, 2015, the WTO established a panel to examine the U.S. complaint. The United States and China held additional consultations following the establishment of the Panel and reached agreement in April 2016 on an MOU. Pursuant to the MOU, China agreed to terminate the export subsidies it had provided through the Demonstration Bases-Common Service Platform program. The United States continues to monitor China's actions with respect to its compliance with the terms of the MOU.

## **China – Export Duties on Certain Raw Materials (DS508)**

On July 13 and July 19, 2016, the United States requested consultations with China regarding China's restraints on the exportation of antimony, chromium, cobalt, copper, graphite, indium, lead, magnesia, talc, tantalum, and tin. These materials are critical to the production of downstream products made in the United States in industries including aerospace, automotive, construction, electronics, and steel.

The United States challenged China's export restraints on these materials as inconsistent with several WTO provisions, including provisions in the GATT 1994, as well as specific commitments made by China in its WTO accession agreement. The export restraints include export quotas, export duties, and additional requirements that impose restrictions on the trading rights of enterprises seeking to export various forms of the materials, such as prior export performance requirements.

The United States, together with the EU, held consultations with China on September 8 and September 9, 2016. Consultations did not resolve the dispute. At the request of the United States, the WTO established a panel on November 8, 2016. In light of Chinese actions to cease to apply the export duties and quotas in 2017, the United States is continuing to monitor China's actions.

## **China – Domestic Support for Agricultural Producers (DS511)**

On September 13, 2016, the United States requested consultations with China concerning China's provision of domestic support in favor of agricultural producers, in particular, to those producing wheat, Indica rice, Japonica rice, and corn. It appears that China's level of domestic support is in excess of its commitment level of *nil* specified in Section I of Part IV of China's Schedule CLII because, for example, China provides domestic support in excess of its product-specific *de minimis* level of 8.5 percent for each of wheat, Indica rice, Japonica rice, and corn.

China's level of domestic support appears to be inconsistent with Articles 3.2, 6.3, and 7.2(b) of the Agriculture Agreement. The parties consulted on this matter on October 20, 2016, but the consultations did not resolve the dispute.

At the request of the United States, the WTO established a panel on January 25, 2017, to examine the U.S. complaint. Australia, Brazil, Canada, Colombia, Ecuador, Egypt, El Salvador, the EU, Guatemala, India, Indonesia, Israel, Japan, Kazakhstan, Korea, Norway, Pakistan, Paraguay, Philippines, Russia, Saudi Arabia, Singapore, Chinese Taipei, Thailand, Türkiye, Ukraine, and Vietnam reserved their rights to participate in panel proceedings as third parties. On June 24, 2017, the parties agreed to compose the Panel as follows: Mr. Gudmundur Helgason, Chair; and Mr. Juan Antonio Dorantes Sánchez and Ms. Elaine Feldman, Members.

On February 28, 2019, the Panel circulated its report. The Panel found that China had breached Articles 3.2 and 6.3 of the Agriculture Agreement by exceeding, in each year from 2012 to 2015, its *de minimis* level of support for wheat, Indica rice, and Japonica rice. The DSB adopted the Panel report on April 26, 2019. The United States and China agreed that the RPT for China to come into compliance with WTO rules would end March 31, 2020.

On July 16, 2020, the United States requested authorization to suspend the application to China of tariff concessions and other obligations at an estimated level of \$1.3 billion for 2020 pursuant to Article 22.2 of the Dispute Settlement Understanding (DSU). On July 27, 2020, China objected to the U.S. request, automatically referring the matter to arbitration. On August 5, 2020, China requested the establishment of a compliance panel pursuant to Article 21.5 of the DSU, and at its meeting on September 28, 2020, the DSB established a compliance panel.

## **China – Administration of Tariff-Rate Quotas for Certain Agricultural Products (DS517)**

On December 15, 2016, the United States requested consultations with China regarding the administration of TRQs for certain agricultural products, namely, wheat, corn, and rice.

The measures identified in the request establish a system by which the National Development and Reform Commission (NDRC) annually allocates quota to eligible enterprises, and reallocates quota returned unused, based on eligibility requirements and allocation principles that are not clearly specified. The TRQs for these commodities have under filled, even in years where market conditions would suggest demand for imports. China's administration of these TRQs inhibits the filling of the TRQs, restricting opportunities for U.S. and other trading partners to export wheat, corn, and rice to China.

On February 9, 2017, the United States and China held consultations in Geneva. The EU, Canada, Australia, and Thailand requested to join the consultations, but China denied the third parties' requests.

The consultations failed to resolve the U.S. concerns, and at the request of the United States, the WTO established a panel on September 22, 2017. Australia, Brazil, Canada, Ecuador, the EU, Guatemala, India, Indonesia, Japan, Kazakhstan, Korea, Norway, Russia, Singapore, Chinese Taipei, Ukraine and Vietnam reserved third party rights. The Panel was composed on February 22, 2018, as follows: Mr. Mateo Diego-Fernandez, Chair; and Mr. Stefan H. Johannesson and Mr. Esteban B. Conejos, Jr., Members.

The Panel circulated its report on April 18, 2019. The Panel found that with respect to the United States' claims under Paragraph 116 of China's Working Party Report:

- The basic eligibility criteria used in China's administration of its TRQs for wheat, rice, and corn are inconsistent with the obligations to administer TRQs on a transparent, predictable, and fair basis, and to administer TRQs using clearly specified requirements.
- The allocation principles used in China's administration of its wheat, rice, and corn TRQs are inconsistent with the obligations to administer TRQs on a transparent, predictable, and fair basis, and to administer TRQs using clearly specified administrative procedures.
- The reallocation procedures used in China's administration of its wheat, rice, and corn TRQs are inconsistent with the obligation to administer TRQs using clearly specified administrative procedures.
- The public comment process used in China's administration of its wheat, rice, and corn TRQs is inconsistent with the obligations to administer TRQs on a transparent, predictable, and fair basis, and to administer TRQs using clearly specified administrative procedures.
- The administration of STE and non-STE portions of China's wheat, rice, and corn TRQs is inconsistent with the obligations to administer TRQs on a transparent, predictable, and fair basis, to administer TRQs using clearly specified administrative procedures, and to administer TRQs in a manner that would not inhibit the filling of each TRQ.
- The usage requirements for imported wheat and corn used in China's administration of its TRQ for wheat and corn are inconsistent with the obligations to administer TRQs on a predictable basis, to administer TRQs using clearly specified administrative procedures, and to administer TRQs in a manner that would not inhibit the filling of each TRQ.

The Panel also found that China's administration of its wheat, rice, and corn TRQs is, as a whole, inconsistent with the obligations to administer TRQs on a transparent, predictable, and fair basis, to administer TRQs using clearly specified requirements and administrative procedures, and to administer TRQs in a manner that would not inhibit the filling of each TRQ.

The DSB adopted the Panel report on May 28, 2019. The United States and China agreed that the reasonable period of time for China to come into compliance with WTO rules would end on June 29, 2021.

On July 15, 2021, the United States requested authorization to suspend the application to China of tariff concessions and other obligations pursuant to Article 22.2 of the DSU. China objected to the U.S. request, automatically referring the matter to arbitration. On July 15, 2021, China requested the establishment of a compliance panel pursuant to Article 21.5 of the DSU, and at its meeting on August 30, 2021, the DSB established a compliance panel.

### **China – Additional Duties on Certain Products from the United States (DS558)**

On July 16, 2018, the United States requested consultations with China with respect to its imposition of additional duties on certain products originating in the United States. China imposed the additional duties in retaliation for the action the President took under Section 232 of the Trade Expansion Act of 1962, as amended, on imports of steel and aluminum products that threaten to impair U.S. national security. The U.S. consultations request alleges that the additional duties contravene China's obligations under the WTO Agreement because they: (1) fail to extend to U.S. products an advantage, favor, privilege or immunity granted by China to products originating in the territory of other WTO Members; (2) accord less favorable treatment to products originating in the United States; and (3) impose duties in excess of those set forth in China's schedule.

The United States held consultations with China on August 29, 2018, but these consultations did not resolve the dispute. At the request of the United States, the WTO established a panel on November 21, 2018, to examine the U.S. complaint. On January 25, 2019, the Director-General composed the Panel as follows: Mr. William Ehlers, Chair; and Mr. Cristian Espinosa Cañizares and Ms. Mónica Rolong, Members. In August 2023, the Panel circulated its final report agreeing with the United States that China's retaliatory tariffs breached WTO rules and that the U.S. Section 232 measures were taken pursuant to the essential security exception under the GATT 1994. On September 18, 2023, China notified the DSB of an appeal of the panel report. As of December 31, 2024, no division of the Appellate Body could be established to hear the appeal.

### **European Union – Measures concerning meat and meat products (hormones) (DS26, 48)**

The United States and Canada challenged the EU ban on imports of meat from animals to which any of six hormones for growth promotional purposes had been administered. The Panel found that the EU ban is inconsistent with the EU's obligations under the Agreement on the Application of Sanitary and Phytosanitary Measures (SPS Agreement), and that the ban is not based on science, a risk assessment, or relevant international standards.

Upon appeal, the Appellate Body affirmed the Panel's findings that the EU ban fails to satisfy the requirements of the SPS Agreement. The Appellate Body also found that, while a country has broad discretion in electing what level of protection it wishes to implement, in doing so it must fulfill the requirements of the SPS Agreement. The Appellate Body concluded that in this case, the ban imposed is not rationally related to the conclusions of the risk assessments the EU had performed.

Because the EU did not comply with the recommendations and rulings of the DSB by May 13, 1999, the final date of its compliance period as set by arbitration, the United States sought WTO authorization to suspend concessions with respect to certain products of the EU in an amount equal to the value of the estimated annual harm to U.S. exports resulting from the EU’s failure to lift its ban on imports of U.S. meat. The EU exercised its right to request arbitration concerning the amount of the suspension. On July 12, 1999, the arbitrators determined the level of suspension to be \$116.8 million. On July 26, 1999, the DSB authorized the United States to suspend such concessions and the United States proceeded to impose 100 percent *ad valorem* duties on a list of EU products with an annual trade value of \$116.8 million.

On November 3, 2003, the EU notified the WTO that it had amended its hormones ban. On November 8, 2004, the EU requested consultations with respect to “the United States continued suspension of concessions and other obligations under the covered agreements” in the EU-Hormones dispute. The Appellate Body issued its report in the *U.S. – Continued Suspension* (WT/DS320) dispute on October 16, 2008.

On October 31, 2008, USTR announced that it was considering changes to the list of EU products on which 100 percent *ad valorem* duties had been imposed in 1999. A modified list of EU products was announced by USTR on January 15, 2009.

On December 22, 2008, the EU requested consultations with the United States and Canada pursuant to Articles 4 and 21.5 of the DSU, regarding the EU’s implementation of the DSB’s recommendations and rulings in this matter. In its consultations request, the EU stated that it considered that it has brought into compliance the measures found inconsistent in this matter by, among other things, adopting its revised ban in 2003. Consultations took place in February 2009. Pursuant to an MOU between the United States and the EU, further litigation in the compliance proceeding has been suspended.

In 2016, industry representatives requested that the United States reinstate suspension of concessions, as authorized by the DSB. USTR accordingly initiated proceedings under Section 306 of the Trade Act. In 2019, the United States and the EU concluded successful negotiations to resolve concerns with the operation of the TRQ established by the MOU. On August 2, 2019 the United States and the EU signed the Agreement on the Allocation to the United States of a Share in the Tariff Rate Quota for High Quality Beef Referred to in the Revised MOU Regarding the Importation of Beef from Animals Not Treated with Certain Growth-promoting Hormones and Increased Duties Applied by the United States to Certain Products of the European Union. On December 13, 2019, USTR published notice of its determination not to reinstate action in connection with the EU’s measures concerning meat and meat products in the Federal Register.

*For further discussion of the U.S. suspension of concessions and the MOU, see Chapter II.B Section 301.*

#### **European Union – Measures affecting the approval and marketing of biotechnology products (DS291)**

Since the late 1990s, the EU has pursued policies that undermine the commercialization and trade of agricultural biotechnology products. After approving a number of agricultural biotechnology products through October 1998, the EU adopted an across-the-board moratorium under which no further biotechnology applications were allowed to reach final approval. In addition, six Member States (Austria, France, Germany, Greece, Italy, and Luxemburg) adopted unjustified bans on certain biotechnology crops that had been approved by the EU prior to the adoption of the moratorium. These measures have caused a growing portion of U.S. agricultural exports to be excluded from EU markets and unfairly cast concerns about biotechnology products around the world, particularly in developing countries.

On May 13, 2003, the United States filed a consultation request with respect to: (1) the EU’s moratorium on all new biotechnology approvals; (2) delays in the processing of specific biotechnology product applications; and (3) the product-specific bans adopted by six EU Member States (Austria, France, Germany, Greece, Italy, and Luxembourg). The United States requested the establishment of a panel on August 7, 2003. Argentina and Canada submitted similar consultation and panel requests. On August 29, 2003, the DSB established a panel to consider the claims of the United States, Argentina, and Canada. On March 4, 2003, the Director-General composed the Panel as follows: Mr. Christian Häberli, Chair; and Mr. Mohan Kumar and Mr. Akio Shimizu, Members.

The Panel issued its report on September 29, 2006. The Panel agreed with the United States, Argentina, and Canada that the disputed measures of the EU, Austria, France, Germany, Greece, Italy, and Luxembourg are inconsistent with the obligations set out in the SPS Agreement. In particular:

- The Panel found that the EU adopted a *de facto*, across-the-board moratorium on the final approval of biotechnological products, starting in 1999 up through the time the Panel was established in August 2003.
- The Panel found that the EU had presented no scientific or regulatory justification for the moratorium, and thus that the moratorium resulted in “undue delays” in violation of the EU’s obligations under the SPS Agreement.
- The Panel identified specific, WTO inconsistent “undue delays” with regard to 24 of the 27 pending product applications that were listed in the U.S. panel request.
- The Panel upheld the United States’ claims that, in light of positive safety assessments issued by the EU’s own scientists, the bans adopted by six EU Member States on products approved in the EU prior to the moratorium were not supported by scientific evidence, and were thus inconsistent with WTO rules.

The DSB adopted the Panel report on November 21, 2006. At the meeting of the DSB held on December 19, 2006, the EU notified the DSB that the EU intended to implement the recommendations and rulings of the DSB in these disputes, and stated that it would need a RPT for implementation. On June 21, 2006, the United States, Argentina, and Canada notified the DSB that they had agreed with the EU on a one-year period of time for implementation, to end on November 21, 2007. On November 21, 2007, the United States, Argentina, and Canada notified the DSB that they had agreed with the EU to extend the implementation period to January 11, 2008.

On January 17, 2008, the United States submitted a request for authorization to suspend concessions and other obligations with respect to the EU under the covered agreements at an annual level equivalent to the annual level of nullification or impairment of benefits accruing to the United States resulting from the EU’s failure to bring measures concerning the approval and marketing of biotechnology products into compliance with the recommendations and rulings of the DSB. On February 6, 2008, the EU objected under Article 22.6 of the DSU, claiming that the level of suspension proposed by the United States was not equivalent to the level of nullification or impairment, referring the matter to arbitration. The United States and the EU mutually agreed to suspend the Article 22.6 arbitration proceedings on February 18, 2008.

Subsequent to the suspension of the Article 22.6 proceeding, the United States continues monitoring EU developments and has been engaging with the EU in discussions with the goal of normalizing trade in biotechnology products.

## **European Communities and certain Member States – Measures affecting trade in large civil aircraft (DS316)**

On October 6, 2004, the United States requested consultations with the EU, as well as with Germany, France, the UK, and Spain, with respect to subsidies provided to Airbus, a manufacturer of large civil aircraft. The United States alleged that such subsidies violated various provisions of the Agreement on Subsidies and Countervailing Measures (SCM Agreement), as well as Article XVI:1 of the GATT 1994. Consultations were held on November 4, 2004. On January 11, 2005, the United States and the EU agreed to a framework for the negotiation of a new agreement to end subsidies for large civil aircraft. The parties set a three-month time frame for the negotiations and agreed that, during negotiations, they would not request panel proceedings.

The United States and the EU were unable to reach an agreement within the 90-day time frame. Therefore, the United States filed a request for a panel on May 31, 2005. The Panel was established on July 20, 2005. The U.S. request challenged several types of EU subsidies that appear to be prohibited, actionable, or both.

On October 17, 2005, the Deputy Director-General composed the Panel as follows: Mr. Carlos Pérez del Castillo, Chair; and Mr. John Adank and Mr. Thinus Jacobsz, Members.

The Panel issued its report on June 30, 2010. It agreed with the United States that the disputed measures of the EU, France, Germany, Spain, and the UK were inconsistent with the SCM Agreement. In particular:

- Every instance of “launch aid” provided to Airbus was a subsidy because in each case, the terms charged for this unique low interest, success-dependent financing were more favorable than were available in the market.
- Some of the launch aid provided for the A380, Airbus’s newest and largest aircraft, was contingent on exports and, therefore, a prohibited subsidy.
- Several instances in which German and French government entities created infrastructure for Airbus were subsidies because the infrastructure was not general, and the price charged to Airbus for use resulted in less than adequate remuneration to the government.
- Several government equity infusions into the Airbus companies were subsidies because they were on more favorable terms than available in the market.
- Several EU and Member State research programs provided grants to Airbus to develop technologies used in its aircraft.
- These subsidies caused adverse effects to the interests of the United States in the form of lost sales, displacement of U.S. imports into the EU market, and displacement of U.S. exports into the markets of Australia, Brazil, China, Korea, Mexico, Singapore, and Chinese Taipei.

The EU filed a notice of appeal on July 21, 2010. The Appellate Body held two hearings on the issues raised in the EU’s appeal of the Panel’s findings of WTO inconsistent subsidization of Airbus. The first hearing, held November 11 to November 17, 2010, addressed issues associated with the main subsidy to Airbus, launch aid, and the other subsidies challenged by the United States. The second hearing held December 9 to December 14, 2010, focused on the Panel’s findings that the European subsidies caused serious prejudice to the interests of the United States in the form of lost sales and declining market share in the EU and other third-country markets. On May 18, 2011, the Appellate Body issued its report. The

Appellate Body affirmed the Panel's central findings that European government launch aid had been used to support the creation of every model of large civil aircraft produced by Airbus. The Appellate Body also confirmed that launch aid and other challenged subsidies to Airbus have directly resulted in Boeing losing sales involving purchases of Airbus aircraft by EasyJet, Air Berlin, Czech Airlines, Air Asia, Iberia, South African Airways, Thai Airways International, Singapore Airlines, Emirates Airlines, and Qantas, as well as lost market share, with Airbus gaining market share in the EU and in third-country markets, including China and Korea, at the expense of Boeing. The Appellate Body also found that the Panel applied the wrong standard for evaluating whether subsidies are export subsidies, and that the Panel record did not have enough information to allow application of the correct standard.

On December 1, 2011, the EU provided a notification in which it claimed to have complied with the DSB recommendations and rulings. On December 9, 2011, the United States requested consultations regarding the notification and also requested authorization from the DSB to impose countermeasures. The United States and the EU held consultations on January 13, 2012. On December 22, 2011, the EU objected to the level of suspension of concessions requested by the United States, and the matter was referred to arbitration pursuant to Article 22.6 of the DSU. On January 19, 2012, the United States and the EU requested that the arbitration be suspended pending the conclusion of the compliance proceeding.

On March 30, 2012, in light of the Parties' disagreement over whether the EU had complied with the DSB's recommendations and rulings, the United States requested that the DSB refer the matter to the original Panel pursuant to Article 21.5 of the DSU. The DSB did so at a meeting held on April 13, 2012. On April 25, 2012, the compliance Panel was composed with the members of the original Panel: Mr. Carlos Pérez del Castillo, Chair; and Mr. John Adank and Mr. Thinus Jacobsz, Members.

On September 22, 2016, the report of the Article 21.5 Panel was circulated to the Members. The Panel found that the EU breached Articles 5(c) and 6.3(a), (b), and (c) of the SCM Agreement, and that the EU and certain Member States failed to comply with the DSB recommendations under Article 7.8 of the SCM Agreement to "take appropriate steps to remove the adverse effects or ... withdraw the subsidy."

Significant findings by the compliance Panel against the EU include:

- 34 out of 36 alleged compliance "steps" notified by the EU did not amount to "actions" with respect to the subsidies provided to the Airbus or the adverse effects that those subsidies were to have caused in the original proceeding.
- As a result, the EU failed to withdraw the subsidies, as recommended by the DSB.
- Those subsidies were a genuine and substantial cause of lost sales to U.S. aircraft, and displacement and impedance of exports of U.S. aircraft to Australia, China, India, Korea, Singapore, and the United Arab Emirates.

On October 13, 2016, the EU notified the DSB of its decision to appeal certain issues of law and legal interpretations developed by the compliance panel. The Division hearing the appeal was composed of Ricardo Ramirez-Hernandez as Presiding Member, and Peter van den Bossche and Ujal Singh Bhatia.

On May 15, 2018, the Appellate Body issued its report. The Appellate Body confirmed that the EU and certain Member States failed to comply with the earlier WTO determination finding launch aid inconsistent with their WTO obligations. The Appellate Body further confirmed that almost \$5 billion in new launch aid for the A350 XWB was WTO-inconsistent. The Appellate Body found that the WTO-inconsistent subsidies continue to cause significant lost sales of Boeing aircraft in the twin-aisle and very large aircraft markets, and that these subsidies impede exports of Boeing 747 aircraft to numerous geographic markets.

The Appellate Body also found that, due to the passage of time, the EU no longer needed to take action regarding some of the earlier (*i.e.*, pre-A380) launch aid subsidies previously found to be WTO-inconsistent.

On July 13, 2018, at the request of the United States, the arbitration regarding the level of countermeasures (suspended in January 2012) was resumed. On October 2, 2019, the Arbitrator issued its decision that the level of countermeasures commensurate with the degree and nature of the adverse effects determined to exist is up to \$7.50 billion annually. On October 14, 2019, the WTO accordingly authorized the United States to take countermeasures consistent with the award of the Arbitrator. The United States imposed tariffs on certain imports from the involved EU member states pursuant to Section 301 of the Trade Act.

On May 17, 2018, the EU represented to the DSB that it had taken new steps to achieve compliance with its WTO obligations. However, following consultations, the United States did not agree that the EU had achieved compliance. At the request of the EU, the WTO established a second compliance panel on August 27, 2018.

On December 2, 2019, the second compliance Panel issued its report. The Panel found that the EU continued to be in breach of Articles 5(c) and 6.3(a), (b), and (c) of the SCM Agreement, and that the EU and certain Member States had accordingly failed to comply with the DSB recommendations under Article 7.8 of the SCM Agreement to “take appropriate steps to remove the adverse effects or ... withdraw the subsidy.” The Panel agreed with the United States that none of the measures taken by the four EU Member States amounted to a withdrawal of the launch aid for the A350XWB and A380. The Panel also found that that launch aid for the A380 and A350XWB continued to be a genuine and substantial cause of lost sales to U.S. aircraft, and impedance of exports of U.S. aircraft to China, India, Korea, Singapore, and the United Arab Emirates.

On December 6, 2019, the EU notified the DSB of its decision to appeal certain findings of the compliance Panel.

On June 15 and June 17, 2021, the United States reached understandings on cooperative frameworks with the EU and the UK, respectively, on the parallel aircraft disputes (DS316 and DS353). In accordance with the understandings, each side intends not to impose any WTO-authorized countermeasures for a period of five years starting from July 4, 2021. Each side also intends to provide any financing to its large civil aircraft producer (LCA producer) for the production or development of large civil aircraft on market terms. Additionally, each side intends to provide any funding for research and development (R&D) for large civil aircraft to its LCA producer through an open and transparent process while making the results of fully government funded R&D widely available. A working group is also established under each framework to analyze and overcome any disagreements in the sector, including on any existing support measures. The working group will also collaborate on jointly analyzing and addressing non-market practices of third parties that may harm their respective large civil aircraft industries.

*For further discussion of the U.S. countermeasures, see Chapter II.B Section 301.*

#### **European Union – Additional Duties on Certain Products from the United States (DS559)**

On July 16, 2018, the United States requested consultations with the EU with respect to its imposition of additional duties on certain products originating in the United States. The EU imposed the additional duties in retaliation for the action the President took under Section 232 of the Trade Expansion Act of 1962, as amended, on imports of steel and aluminum products that threaten to impair U.S. national security. The U.S. consultations request alleges that the additional duties contravene the EU’s obligations under the WTO Agreement because they: (1) fail to extend to U.S. products an advantage, favor, privilege or immunity

granted by the EU to products originating in the territory of other WTO Members; (2) accord less favorable treatment to products originating in the United States; and (3) impose duties in excess of those set forth in the EU's schedule.

The United States held consultations with the EU on August 28, 2018, but these consultations did not resolve the dispute. At the request of the United States, the WTO established a panel on November 21, 2018, to examine the U.S. complaint. On January 25, 2019, the Director-General composed the Panel as follows: Mr. William Ehlers, Chair; and Ms. Olga Lucía Lozano Ferro and Mr. Anwar Zaheer Jamali, Members.

In November 2021, the United States and EU announced arrangements on steel and aluminum cooperation, and the EU announced that it would suspend its additional duties. The United States requested that the Panel suspend its work. The EU informed the Panel that it did not object to that request, and the Panel granted it. Pursuant to that agreement, the United States and the EU mutually agreed to resort to arbitration regarding the matter pending before the Panel in this dispute. Upon composition of the Arbitrator, the arbitration was immediately and indefinitely suspended and the dispute before this Panel was terminated. On January 17, 2022, the United States and the European Union notified the DSB that they were terminating this dispute before the panel in light of the agreed procedures for arbitration under Article 25 of the DSU. On January 20, 2022, the Chair of the panel informed the DSB that it had ceased all work in these proceedings.

On January 17, 2022, the United States and the European Union notified the DSB that they had agreed, pursuant to Article 25.2 of the DSU, to resort to arbitration on the matter pending before the panel in this dispute. The arbitrator was composed on January 20, 2022 with the same persons who served as members of the Panel. As provided in the Parties' communication of January 17, 2022, the arbitration was suspended.

### **India – Measures Concerning the Importation of Certain Agricultural Products from the United States (DS430)**

On March 6, 2012, the United States requested consultations with India regarding its import prohibitions on various agricultural products from the United States. India asserts these import prohibitions are necessary to prevent the entry of avian influenza into India. However, the United States has not had an outbreak of highly pathogenic avian influenza since 2004. With respect to low pathogenic avian influenza, the only kind of avian influenza found in the United States since 2004, international standards do not support the imposition of import prohibitions, including the type maintained by India. The United States considers that India's restrictions are inconsistent with numerous provisions of the SPS Agreement, including Articles 2.2, 2.3, 3.1, 5.1, 5.2, 5.5, 5.6, 5.7, 6.1, 6.2, 7, Annex B, and Articles I and XI of GATT 1994.

The United States and India held consultations on April 16 and 17, 2012, but were unable to resolve the dispute. At the request of the United States, the WTO established a panel to examine the U.S. complaint on June 25, 2012. On February 18, 2014, the Director-General composed the Panel as follows: Mr. Stuart Harbinson, Chair; and Ms. Delilah Cabb and Mr. Didrik Tønseth, Members.

The Panel issued its report on October 14, 2014. In its report, the Panel found in favor of the United States. Specifically, the Panel found that India's restrictions breach its WTO obligations because they: (1) are not based on international standards or a risk assessment that takes into account available scientific evidence; (2) arbitrarily discriminate against U.S. products because India blocks imports while not similarly blocking domestic products; (3) constitute a disguised restriction on international trade; (4) are more trade restrictive than necessary since India could reasonably adopt international standards for the control of avian influenza instead of imposing an import ban; (5) fail to recognize the concept of disease free areas and are not adapted to the characteristics of the areas from which products originate and to which they are destined; and (6)

were not properly notified in a manner that would allow the United States and other WTO Members to comment on India's restrictions before they went into effect. India filed its notice of appeal on January 26, 2015.

On June 4, 2015, the Appellate Body issued its report in this dispute, upholding the Panel's findings that India's restrictions: (1) are not based on international standards or a risk assessment that takes into account available scientific evidence; (2) arbitrarily discriminate against U.S. products because India blocks imports while not similarly blocking domestic products; (3) are more trade restrictive than necessary since India could reasonably adopt international standards for the control of avian influenza instead of imposing an import ban; and (4) fail to recognize the concept of disease-free areas and are not adapted to the characteristics of the areas from which products originate and to which they are destined.

On July 13, 2015, India informed the DSB that it intended to implement the DSB's recommendations and rulings and would need a RPT to do so. On December 8, 2015, the United States and India agreed that the RPT would be 12 months, ending on June 19, 2016.

On July 7, 2016, the United States requested the authorization of the DSB to suspend concessions or other obligations pursuant to Article 22.2 of the DSU. India objected to the request, referring the matter to arbitration. The arbitrator was composed with the members of the original Panel.

On April 6, 2017, India requested the establishment of a compliance panel. India asserted that it had enacted a revised avian influenza measure that complied with India's WTO obligations. The compliance Panel was composed by the original panelists.

From 2018 through 2022, the United States and India on several occasions postponed both the release of the Arbitrator's decision on the level of suspension of concessions and the remaining steps in the compliance panel proceeding while the two sides discuss potential resolution of the dispute. In March 2018, the United States and India agreed to veterinary export certificates for the shipment to India of U.S. poultry and poultry products.

On September 8, 2023, after agreeing to terminate six other WTO disputes, the United States and India announced an agreement to resolve this dispute. On March 15, 2024, the United States and India notified the DSB that they had reached a mutually agreed solution.

### **Indonesia – Import Restrictions on Horticultural Products, Animals, and Animal Products (DS455, DS465 and DS478)**

On May 8, 2014, the United States, joined by New Zealand, requested consultations with Indonesia concerning certain measures affecting the importation of horticultural products, animals, and animal products into Indonesia. The measures on which consultations were requested include Indonesia's import licensing regimes for horticultural products and for animals and animal products, as well as certain prohibitions and restrictions that Indonesia imposes through these regimes.

The United States had previously requested consultations on prior versions of Indonesia's import licensing regimes governing the importation of horticultural products and animals and animal products, including the regime established in 2012. The United States was concerned about these regimes and certain measures imposed through them and, on January 10, 2013, requested consultations with Indonesia. Indonesia subsequently amended or replaced its import licensing regulations changing their structure and requirements. The United States requested consultations again, this time joined by New Zealand, on August 30, 2013. Indonesia again amended its import licensing regimes shortly thereafter, and the consultation request in the current dispute (DS478) followed.

The United States was concerned that Indonesia, through its import licensing regimes, imposes numerous prohibitions and restrictions on the importation of covered products, including: (1) prohibiting the importation of certain products altogether; (2) imposing strict application windows and validity periods for import permits; (3) restricting the type, quantity, and country of origin of products that may be imported; (4) requiring that importers actually import a certain percentage of the volume of products allowed under their permits; (5) restricting the uses for which products may be imported; (6) imposing local content requirements; (7) restricting imports on a seasonal basis; and (8) setting a “reference price” below which products may not be imported. The Indonesian measures at issue appeared to be inconsistent with several WTO provisions, including Article XI:1 of the GATT 1994 and Article 4.2 of the Agriculture Agreement.

The United States and New Zealand held consultations with Indonesia on June 19, 2014, but these consultations failed to resolve the dispute. On March 18, 2015, the United States, together with New Zealand, requested the WTO to establish a dispute settlement panel to examine Indonesia’s import restrictions. A panel was established on May 20, 2015. The Director-General Composed the Panel as follows: Mr. Christian Espinoza Cañizares, Chair; and Mr. Gudmundur Helgason and Ms. Angela Maria Orozco Gómez, Members. The Panel held meetings with the Parties on February 1 and February 2, 2016, and on April 13 and April 14, 2016.

The Panel circulated its report on December 22, 2016. The Panel found that all of Indonesia’s import restricting measures for horticultural products and animal products are inconsistent with Article XI:1 of the GATT 1994. The Panel also found that Indonesia has failed to demonstrate that the challenged measures are justified under any general exception available under the GATT 1994. Indonesia appealed the Panel’s report on February 17, 2017. An appellate report was issued on November 9, 2017, affirming the finding of the Panel that all of Indonesia’s measures are inconsistent with Article XI:1 of the GATT 1994 and that Indonesia had not established an affirmative defense with respect to any measure.

The WTO adopted the appellate report and the Panel report on November 22, 2017. A WTO arbitrator set the reasonable period of time for Indonesia to bring its measures into compliance with WTO rules to expire on July 22, 2018. On August 2, 2018, the United States requested WTO authorization to suspend concessions of other obligations pursuant to Article 22.2 of the DSU. On August 14, 2018, Indonesia objected to the United States’ proposed level of suspension of concessions pursuant to Article 22.6 of the DSU, referring the matter to arbitration. The United States paused the arbitration on August 20, 2018, to provide more time for the parties to discuss a resolution to the dispute. Indonesia notified the DSB on December 18, 2020, that a new law that aims to address one of the inconsistent measures had entered into force on November 2, 2020. With respect to the other inconsistent measures, Indonesia notified the DSB that it made “significant adjustments” to its relevant regulations that include the removal of some of the measures. As of December 31, 2024, Indonesia continued to assert to the DSB that it removed or adjusted the measures to comply with the DSB rulings and recommendations. The United States continues to monitor the situation closely.

### **Russia – Additional Duties on Certain Products from the United States (DS566)**

On July 16, 2018, the United States requested consultations with Russia with respect to its imposition of additional duties on certain products originating in the United States. Russia imposed the additional duties in retaliation for the action the President took under Section 232 of the Trade Expansion Act of 1962, as amended, on imports of steel and aluminum products that threaten to impair U.S. national security. The U.S. consultations request alleged that the additional duties contravene Russia’s obligations under the WTO Agreement because they: (1) fail to extend to U.S. products an advantage, favor, privilege or immunity granted by Russia to products originating in the territory of other WTO Members; (2) accord less favorable

treatment to products originating in the United States; and (3) impose duties in excess of those set forth in Russia's schedule.

The United States held consultations with Russia on August 28, 2018, but these consultations did not resolve the dispute. At the request of the United States, the WTO established a panel on December 18, 2018 to examine the U.S. complaint. On January 25, 2019, the Director-General composed the Panel as follows: Mr. William Ehlers, Chair; and Ms. Petina Gappah and Mr. Syed Tauquir Hussain Shah, Members. As of December 31, 2024, the panel proceeding was ongoing.

### **Türkiye – Additional Duties on Certain Products from the United States (DS561)**

On July 16, 2018, the United States requested consultations with Türkiye with respect to its imposition of additional duties on certain products originating in the United States. Türkiye imposed the additional duties in retaliation for the action the President took under Section 232 of the Trade Expansion Act of 1962, as amended, on imports of steel and aluminum products that threaten to impair U.S. national security. The U.S. consultations request alleges that the additional duties contravene Türkiye's obligations under the WTO Agreement because they: (1) fail to extend to U.S. products an advantage, favor, privilege or immunity granted by Türkiye to products originating in the territory of other WTO Members; (2) accord less favorable treatment to products originating in the United States; and (3) impose duties in excess of those set forth in Türkiye's schedule.

The United States held consultations with Türkiye on August 29, 2018, as well as supplemental consultations on November 14, 2018, regarding an amendment to Türkiye's measure imposing the additional duties. These consultations, however, did not resolve the dispute. At the request of the United States, on January 28, 2019 the WTO established a panel to examine the matter. On February 29, 2019, the Director-General composed the Panel as follows: Mr. William Ehlers, Chair; and Mr. Johannes Bernabe and Mr. Homero Larrea, Members. On December 19, 2023, the Panel circulated its final report agreeing with the United States that Türkiye's retaliatory tariffs breached WTO rules and that the U.S. Section 232 measures were taken pursuant to the essential security exception under the GATT 1994. On January 26, 2024, Türkiye notified the DSB of an appeal of the panel report. As of December 31, 2024, no division of the Appellate Body could be established to hear the appeal.

### **Disputes Brought Against the United States**

This section includes summaries of dispute settlement activity for disputes in which the United States was a responding party (listed by DS number).

### **United States – Section 110(5) of the Copyright Act (DS160)**

As amended in 1998 by the Fairness in Music Licensing Act, section 110(5) of the U.S. Copyright Act exempts certain retail and restaurant establishments that play radio or television music from paying royalties to songwriters and music publishers. The EU claimed that, as a result of this exception, the United States was in violation of its TRIPS obligations. Consultations with the EU took place on March 2, 1999. A panel on this matter was established on May 26, 1999. On August 6, 1999, the Director-General composed the Panel as follows: Ms. Carmen Luz Guarda, Chair; and Mr. Arumugamangalam V. Ganeshan and Mr. Ian F. Sheppard, Members. The Panel issued its final report on June 15, 2000, and found that one of the two exemptions provided by section 110(5) is inconsistent with the U.S. WTO obligations. The Panel report was adopted by the DSB on July 27, 2000, and the United States has informed the DSB of its intention to respect its WTO obligations. On October 23, 2000, the EU requested arbitration to determine the period of time to be given to the United States to implement the Panel's recommendation. By mutual agreement of the parties, Mr. J. Lacarte-Muró was appointed to serve as arbitrator. He determined that the deadline for

implementation should be July 27, 2001. On July 24, 2001, the DSB approved a U.S. proposal to extend the deadline until the earlier of the end of the then current session of the U.S. Congress or December 31, 2001.

On July 23, 2001, the United States and the EU requested arbitration to determine the level of nullification or impairment of benefits to the EU as a result of section 110(5)(B). In a decision circulated to WTO Members on November 9, 2001, the arbitrators determined that the value of the benefits lost to the EU in this case was \$1.1 million per year. On January 7, 2002, the EU sought authorization from the DSB to suspend its obligations vis-à-vis the United States. The United States objected to the details of the EU request, thereby causing the matter to be referred to arbitration.

However, because the United States and the EU had been engaged in discussions to find a mutually acceptable resolution of the dispute, the arbitrators suspended the proceeding pursuant to a joint request by the parties filed on February 26, 2002.

On June 23, 2003, the United States and the EU notified the WTO of a mutually satisfactory temporary arrangement regarding the dispute. Pursuant to this arrangement, the United States made a lump sum payment of \$3.3 million to the EU, to a fund established to finance activities of general interest to music copyright holders, in particular, awareness raising campaigns at the national and international level and activities to combat piracy in the digital network. The arrangement covered a three-year period, which ended on December 21, 2004.

#### **United States – Section 211 Omnibus Appropriations Act (DS176)**

Section 211 addresses the ability to register or enforce, without the consent of previous owners, trademarks or trade names associated with businesses confiscated without compensation by the Cuban government. The EU questioned the consistency of Section 211 with the TRIPS Agreement and requested consultations on July 7, 1999. Consultations were held September 13 and December 13, 1999. On June 30, 2000, the EU requested a panel. A panel was established on September 26, 2000, and at the request of the EU, the Director-General composed the Panel on October 26, 2000. The Director-General composed the Panel as follows: Mr. Wade Armstrong, Chair; and Mr. François Dessemontet and Mr. Armand de Mestral, Members. The Panel report was circulated on August 6, 2001, rejecting 13 of the EU's 14 claims and finding that, in most respects, section 211 is not inconsistent with the obligations of the United States under the TRIPS Agreement. The EU appealed the decision on October 4, 2001. The Appellate Body issued its report on January 2, 2002.

The Appellate Body reversed the Panel's one finding against the United States and upheld the Panel's favorable findings that WTO Members are entitled to determine trademark and trade name ownership criteria. The Appellate Body found certain instances, however, in which section 211 might breach the national treatment and most favored nation obligations of the TRIPS Agreement. The Panel and Appellate Body reports were adopted on February 1, 2002, and the United States informed the DSB of its intention to implement the recommendations and rulings. The RPT for implementation ended on June 30, 2005. On June 30, 2005, the United States and the EU agreed that the EU would not request authorization to suspend concessions at that time and that the United States would not object to a future request on grounds of lack of timeliness.

In January 2016, the United States notified the EU of positive developments that resolved a long-standing issue of concern to the EU and others, which helped move this dispute into a more cooperative phase.

### **United States – Antidumping measures on certain hot-rolled steel products from Japan (DS184)**

Japan alleged that the U.S. Department of Commerce (Commerce) and the U.S. International Trade Commission’s preliminary and final determinations in their antidumping investigations of certain hot-rolled steel products from Japan issued on November 25 and November 30, 1998, February 12, 1999, April 28, 1999, and June 23, 1999, were erroneous and based on deficient procedures under the U.S. Tariff Act of 1930 and related regulations. Japan claimed that these procedures and regulations violate the GATT 1994, as well as the Agreement on Implementation of Article VI of the GATT 1994 (Antidumping Agreement) and the Agreement Establishing the WTO. Consultations were held on January 13, 2000, and a panel was established on March 20, 2000. In May 2000, the Director-General composed the Panel as follows: Mr. Harsha V. Singh, Chair; and Mr. Yanyong Phuangrach and Ms. Lidia di Vico, Members. On February 28, 2001, the Panel circulated its report, in which it rejected most of Japan’s claims, but found that, *inter alia*, particular aspects of the antidumping duty calculation, as well as one aspect of the U.S. antidumping duty law, were inconsistent with the Antidumping Agreement. On April 25, 2001, the United States filed a notice of appeal on certain issues in the Panel report.

The Appellate Body report was issued on July 24, 2001, reversing in part and affirming in part. The reports were adopted on August 23, 2001. Pursuant to a February 19, 2002 arbitral award, the United States was given 15 months, or until November 23, 2002, to implement the DSB’s recommendations and rulings. On November 22, 2002, Commerce issued a new final determination in the hot-rolled steel antidumping duty investigation, which implemented the recommendations and rulings of the DSB with respect to the calculation of antidumping margins in that investigation. The RPT ended on July 31, 2005. With respect to the outstanding implementation issue, on July 7, 2005, the United States and Japan agreed that Japan would not request authorization to suspend concessions at that time and that the United States would not object to a future request on grounds of lack of timeliness.

### **United States – Continued Dumping and Subsidy Offset Act of 2000 (CDSOA) (DS217/234)**

On December 21, 2000, Australia, Brazil, Chile, the EU, India, Indonesia, Japan, South Korea, and Thailand requested consultations with the United States regarding the Continued Dumping and Subsidy Offset Act of 2000 (19 U.S.C. § 754) (CDSOA), which amended Title VII of the Tariff Act of 1930 to transfer import duties collected under U.S. antidumping and countervailing duty orders from the U.S. Treasury to the companies that filed the antidumping and countervailing duty petitions. Consultations were held on February 6, 2001. On May 21, 2001, Canada and Mexico also requested consultations on the same matter, which were held on June 29, 2001. On July 12, 2001, the original nine complaining parties requested the establishment of a panel, which was established on August 23, 2001. On September 10, 2001, a panel was established at the request of Canada and Mexico, and all complaints were consolidated into one panel. The Panel was composed of: Mr. Luzius Wasescha, Chair; and Mr. Maamoun Abdel-Fattah and Mr. William Falconer, Members.

The Panel issued its report on September 2, 2002, finding against the United States on three of the five principal claims brought by the complaining parties. Specifically, the Panel found that the CDSOA constitutes a specific action against dumping and subsidies and, therefore, is inconsistent with the Antidumping and SCM Agreements as well as Article VI of the GATT 1994. The Panel also found that the CDSOA distorts the standing determination conducted by Commerce and, therefore, is inconsistent with the standing provisions in the Antidumping and SCM Agreements. The United States prevailed against the complainants’ claims under the Antidumping and SCM Agreements that the CDSOA distorts Commerce’s consideration of price undertakings (agreements to settle antidumping and countervailing duty investigations). The Panel also rejected Mexico’s actionable subsidy claim brought under the SCM Agreement. Finally, the Panel rejected the complainants’ claims under Article X:3 of the GATT 1994,

Article 15 of the Antidumping Agreement, and Articles 4.10 and 7.9 of the SCM Agreement. The United States appealed the Panel's adverse findings on October 1, 2002.

The Appellate Body issued its report on January 16, 2003, upholding the Panel's finding that the CDSOA is an impermissible action against dumping and subsidies, but reversing the Panel's finding on standing. The DSB adopted the Panel and Appellate Body reports on January 27, 2003. At the meeting, the United States stated its intention to implement the DSB recommendations and rulings. On June 13, 2003, the Arbitrator determined that this period would end on December 27, 2003. On June 19, 2003, legislation to bring the Continued Dumping and Subsidy Offset Act into conformity with U.S. obligations under the Antidumping Agreement, the SCM Agreement, and the GATT of 1994 was introduced in the U.S. Senate (S. 1299).

On January 15, 2004, eight complaining parties (Brazil, Canada, Chile, the EU, India, Japan, South Korea, and Mexico) requested WTO authorization to retaliate. The remaining three complaining parties (Australia, Indonesia, and Thailand) agreed to extend to December 27, 2004, the period of time in which the United States had to comply with the WTO rulings and recommendations in this dispute. On January 23, 2004, the United States objected to the requests from the eight complaining parties to retaliate, thereby referring the matter to arbitration. On August 31, 2004, the Arbitrators issued their awards in each of the eight arbitrations. They determined that each complaining party could retaliate, on a yearly basis, covering the total value of trade not exceeding, in U.S. dollars, the amount resulting from the following equation: amount of disbursements under CDSOA for the most recent year for which data are available relating to antidumping or countervailing duties paid on imports from each party at that time, as published by the U.S. authorities, multiplied by 0.72.

Based on requests from Brazil, the EU, India, Japan, South Korea, Canada, and Mexico, on November 26, 2004, the DSB granted these Members authorization to suspend concessions or other obligations, as provided in DSU Article 22.7 and in the Decisions of the Arbitrators. The DSB granted Chile authorization to suspend concessions or other obligations on December 17, 2004. On December 23, 2004, and January 7 and January 11, 2005, the United States reached agreements with Australia, Thailand, and Indonesia that these three complaining parties would not request authorization to suspend concessions at that time, and that the United States would not object to a future request on grounds of lack of timeliness.

On February 8, 2006, the U.S. President signed the Deficit Reduction Act into law. That Act included a provision repealing the CDSOA.

The United States has informed WTO Members that it has withdrawn the challenged measure and come into compliance in this dispute.

### **United States – Measures Affecting the Cross-Border Supply of Gambling and Betting Services (DS285)**

On March 13, 2003, Antigua and Barbuda (Antigua) requested consultations regarding its claim that U.S. Federal, State, and territorial laws on gambling violate U.S. specific commitments under the GATS, as well as Articles VI, XI, XVI, and XVII of the GATS, to the extent that such laws prevent or can prevent operators from Antigua from lawfully offering gambling and betting services in the United States. Consultations were held on April 30, 2003.

Antigua requested the establishment of a panel on June 12, 2003. The DSB established a panel on July 21, 2003. At the request of Antigua, on August 21, 2003, the Director-General composed the Panel as follows: Mr. B.K. Zutshi, Chair; and Mr. Virachai Plasai and Mr. Richard Plender, Members. The Panel's final report, circulated on November 10, 2004, found that the United States breached Article XVI (Market

Access) of the GATS by maintaining three U.S. Federal laws (18 U.S.C. §§ 1084, 1952, and 1955) and certain statutes of Louisiana, Massachusetts, South Dakota, and Utah. It also found that these measures were not justified under exceptions in Article XIV of the GATS.

The United States filed a notice of appeal on January 7, 2005. The Appellate Body issued its report on April 7, 2005, in which it reversed and/or modified several Panel findings. The Appellate Body overturned the Panel's findings regarding the state statutes, and found that the three U.S. Federal gambling laws at issue "fall within the scope of 'public morals' and/or 'public order'" under Article XIV. To meet the requirements of the Article XIV chapeau, the Appellate Body found that the United States needed to clarify an issue concerning Internet gambling on horse racing.

The DSB adopted the Panel and Appellate Body reports on April 20, 2005. On May 19, 2005, the United States stated its intention to implement the DSB recommendations and rulings. On August 19, 2005, an Article 21.3(c) arbitrator determined that the RPT for implementation would expire on April 3, 2006.

At the DSB meeting of April 21, 2006, the United States informed the DSB that the United States was in compliance with the recommendations and rulings of the DSB in the dispute. On June 8, 2006, Antigua requested consultations with the United States regarding U.S. compliance with the DSB recommendations and rulings. The parties held consultations on June 26, 2006. On July 5, 2006, Antigua requested the DSB to establish a panel pursuant to Article 21.5 of the DSU, and a panel was established on July 19, 2006. The chair of the original panel and one of the panelists were unavailable to serve. The Parties agreed on their replacements, and the Panel was composed as follows: Mr. Lars Anell, Chair; and Mr. Mathias Francke and Mr. Virachai Plasai, Members. The report of the Article 21.5 Panel, which was circulated on March 30, 2007, found that the United States had not complied with the recommendations and rulings of the DSB in this dispute.

On May 4, 2007, the United States initiated the procedure provided for under Article XXI of the GATS to modify the schedule of U.S. commitments so as to reflect the original U.S. intent of excluding gambling and betting services.

The DSB adopted the report of the Article 21.5 panel on May 22, 2007. On June 21, 2007, Antigua submitted a request, pursuant to Article 22.2 of the DSU, for authorization from the DSB to suspend the application to the United States of concessions and related obligations of Antigua under the GATS and the TRIPS Agreement. On July 23, 2007, the United States referred this matter to arbitration under Article 22.6 of the DSU. The arbitration was carried out by the three panelists who served on the Article 21.5 Panel.

On December 21, 2007, the Article 22.6 arbitration award was circulated. The Arbitrator concluded that Antigua's annual level of nullification or impairment of benefits is \$21 million, and that Antigua may request authorization from the DSB to suspend its obligations under the TRIPS Agreement in this amount. On December 6, 2012, Antigua submitted a request under Article 22.7 of the DSU for authorization to suspend concessions or other obligations under the TRIPS Agreement consistent with the award of the Arbitrator. At the DSB meeting of January 28, 2013, the DSB authorized Antigua to suspend concessions or other obligations under the TRIPS Agreement consistent with the award of the Arbitrator.

During 2007 and early 2008, the United States reached agreement with every WTO Member, aside from Antigua, that had pursued a claim of interest in the GATS Article XXI process of modifying the U.S. schedule of GATS commitments so as to exclude gambling and betting services. Antigua and the United States have engaged in efforts to achieve a mutually agreeable resolution to this matter.

## **United States – Subsidies on large civil aircraft (DS317)**

On October 6, 2004, the EU requested consultations with respect to “prohibited and actionable subsidies provided to U.S. producers of large civil aircraft.” The EU alleged that such subsidies violated several provisions of the SCM Agreement, as well as Article III:4 of the GATT. Consultations were held on November 5, 2004. On January 11, 2005, the United States and the EU agreed to a framework for the negotiation of a new agreement to end subsidies for large civil aircraft. The parties set a three-month timeframe for the negotiations and agreed that, during negotiations, they would not request panel proceedings. These discussions did not produce an agreement. On May 31, 2005, the EU requested the establishment of a panel to consider its claims. The EU filed a second request for consultations regarding large civil aircraft subsidies on June 27, 2005. This request covered many of the measures covered in the initial consultations, as well as many additional measures that were not covered.

A panel was established with regard to the October claims on July 20, 2005. On October 17, 2005, the Deputy Director-General established the Panel as follows: Ms. Marta Lucía Ramírez de Rincón, Chair; and Ms. Gloria Peña and Mr. David Unterhalter, Members. Since that time, Ms. Ramírez and Mr. Unterhalter have resigned from the Panel. They have not been replaced.

The EU requested establishment of a panel with regard to its second panel request on January 20, 2006. That Panel was established on February 17, 2006. On December 8, 2006, the WTO issued notices changing the designation of this Panel to DS353. The summary below of *United States – Subsidies on large civil aircraft (Second Complaint) (DS353)* discusses developments with regard to this Panel.

## **United States – Measures Affecting Trade in Large Civil Aircraft (Second Complaint) (DS353)**

On June 27, 2005, the EU filed a second request for consultations regarding large civil aircraft subsidies allegedly applied by the United States. The section above on United States – Subsidies on large civil aircraft (DS317) discusses developments with regard to the dispute arising from the initial request for consultations. The June 2005 request covered many of the measures in the initial consultations, as well as many additional measures that were not covered. The EU requested establishment of a panel with regard to its second panel request on January 20, 2006. A panel was established on February 17, 2006. On November 22, 2006, the Deputy Director-General composed the Panel as follows: Mr. Crawford Falconer, Chair; and Mr. Francisco Orrego Vicuña and Mr. Virachai Plasai, Members.

On March 31, 2011, the Panel circulated its report with the following findings:

### ***Findings against the EU***

- Most of the National Aeronautics and Space Administration (NASA) research spending challenged by the EU did not go to Boeing.
- Most of the U.S. Department of Defense (DoD) research payments to Boeing were not subsidies or did not cause adverse effects to Airbus.
- Treatment of patent rights under U.S. Government contracts is not a subsidy specific to the aircraft industry.
- Treatment of certain overhead expenses in U.S. Government contracts is not a subsidy.

- Washington State infrastructure and plant location incentives were not a subsidy or did not cause adverse effects.
- Commerce research programs were not a subsidy specific to the aircraft industry.
- The U.S. Department of Labor payments to Edmonds Community College in Snohomish County, Washington, were not specific subsidies.
- Kansas and Illinois tax programs were not subsidies or did not cause adverse effects.
- The Foreign Sales Corporation/Extraterritorial Income tax measures were a WTO inconsistent subsidy, but as the United States removed the subsidy in 2006, there was no need for any further recommendation.

#### ***Findings against the United States***

- NASA research programs conferred a subsidy to Boeing of \$2.6 billion that caused adverse effects to Airbus.
- Tax programs and other incentives offered by the State of Washington and some of its municipalities conferred a subsidy of \$16 million that caused adverse effects to Airbus.
- Certain types of research projects funded under the U.S. Department of Defense's Manufacturing Technology and Dual Use Science and Technology programs were a subsidy to Boeing of approximately \$112 million that caused adverse effects to Airbus.

On April 1, 2011, the EU filed a notice of appeal on certain findings, and on April 28, 2011, the United States filed a notice of other appeal. On March 12, 2012, the Appellate Body circulated its report with the following findings:

- The Panel erred in its analysis of whether NASA and DoD research funding was a subsidy. However, the Appellate Body affirmed the Panel's subsidy finding with regard to NASA research funding and DoD research funding through assistance instruments on other grounds. The Appellate Body declared the Panel's findings with regard to DoD procurement contracts moot, but made no further findings.
- The Panel correctly found that NASA and DoD rules regarding the allocation of patent rights were not, on their face, specific subsidies. The Appellate Body found that the Panel should have addressed the EU allegations of de facto specificity, but was unable to complete the Panel's analysis of this issue.
- The Panel correctly found that Washington State tax measures and industrial revenue bonds issued by the City of Wichita were subsidies.
- The Panel erred in concluding that the WTO DSB was not obligated to initiate information-gathering procedures requested by the EU, but this error did not require any modification in the panel's ultimate findings.
- The Panel correctly concluded that NASA research funding and DoD funding of research through assistance instruments caused adverse effects to Airbus.

- The Panel erred in analyzing the effects of the Wichita industrial revenue bonds separately from other tax measures. The Appellate Body grouped the Wichita measure with the other tax benefits.
- The Panel erred in concluding that Washington State tax benefits, in tandem with Foreign Sales Corporation/ Extraterritorial Income (FSC/ETI) tax benefits program, caused lost sales, lost market share, and price depression of the Airbus A320 and A340 product lines. The Appellate Body found that the evidence before it justified a finding of lost sales only in two instances, involving 50 A320 airplanes.

On March 23, 2012, the DSB adopted its recommendations and rulings in this dispute. At the following DSB meeting, on April 13, 2012, the United States informed the DSB of its intention to implement the recommendations and rulings of the DSB in connection with this matter. On September 23, 2012, the United States notified the DSB that it had brought the challenged measures into compliance with the recommendations and rulings of the DSB.

On September 25, 2012, the EU requested consultations regarding the U.S. notification. On October 11, 2012, the EU requested that the DSB refer the matter to the original Panel pursuant to Article 21.5 of the DSU. The DSB did so at a meeting held on October 23, 2012. On October 30, 2012, the compliance Panel was composed with the members of the original Panel: Mr. Crawford Falconer, Chair; and Mr. Francisco Orrego Vicuña and Mr. Virachai Plasai, Members.

The compliance Panel circulated its report on June 9, 2017, with the following findings:

#### ***Findings against the EU***

- The EU alleged that DoD provided Boeing with funding and other resources worth \$2.9 billion to conduct research that assisted Boeing's development of large civil aircraft. The Panel rejected most of the EU claims for procedural reasons. It found that the remaining claims were worth only \$41 million, that most of those programs were not subsidies. The Panel subsequently found that the DoD funding found to constitute subsidies did not cause adverse effects to Airbus.
- The Panel found that NASA R&D programs were subsidies, but only conferred benefits of approximately \$158 million. It found that these subsidies did not cause adverse effects to Airbus.
- The EU alleged that the Federal Aviation Administration (FAA) provided funding and resources worth \$28 million to Boeing. The Panel found that the FAA program in question was a subsidy, and agreed that it was worth \$28 million. However, it found that these subsidies did not cause adverse effects to Airbus.
- The EU alleged that Boeing received \$51 million in tax benefits from 2007 through 2014 under the FSC/ETI program that Congress discontinued in 2006. The Panel found that there was no evidence that Boeing benefitted from this program in the 2007 to 2014 period.
- The EU asserted that the City of Wichita issued "industrial revenue bonds" in a way that gave Boeing tax subsidies. The Panel found that this program was a subsidy, but that it did not constitute a WTO breach because it was not "specific," *i.e.*, targeted toward particular entities or industries.
- The EU brought claims with respect to a number of Washington State programs. The Panel rejected one of the EU claims for procedural reasons. The Panel found that all of the remaining programs

were subsidies. However, with one exception, the Panel found that these programs did not cause any adverse effects to Airbus.

- The EU alleged that several South Carolina programs worth a total of \$1.7 billion caused adverse effects to Airbus. The Panel found that all but three of these programs either were not subsidies or were not “specific,” *i.e.*, did not involve the type of targeting needed to establish a WTO breach. Although it found that three South Carolina programs, worth a total of \$78 million, were subsidies, the Panel concluded that they did not cause adverse effects to Airbus.

### ***Findings against the United States***

- The EU argued that Washington State’s adjustment to its Business and Occupation (“B&O”) tax applicable to aerospace manufacturing foregoes revenue that could otherwise be collected from Boeing, making it a subsidy for WTO purposes. The Panel found that this program confers a subsidy on Boeing, worth an average value of \$100-\$110 million per year during the period of review. The Panel further found that these subsidies cause adverse effects, but only with respect to certain sales of the Airbus A320 aircraft.

On June 29, 2017, the EU filed a notice of appeal on certain findings, and the United States filed a notice of other appeal on August 10, 2017. The Division assigned to hear the appeal consisted of Mr. Peter Van den Bossche, Mr. Thomas R. Graham, and Mr. Shree B.C. Servansing. On March 28, 2019, the Division circulated its report with the following relevant findings:

- The Panel did not err in including DoD procurement contracts within its terms of reference, but the panel did not sufficiently engage with evidence and arguments regarding whether the funding conferred a benefit. However, there were insufficient factual findings by the panel or undisputed facts on the record for the Appellate Body to complete the analysis in this respect.
- The Panel erred when considering whether revenue was “foregone” with respect to the FSC/ETI tax concessions by focusing on the conduct of eligible taxpayers rather than the government. The Appellate Body completed the legal analysis and found that the measure was inconsistent with the SCM Agreement to the extent that Boeing remains entitled to FSC/ETI tax concessions.
- The Panel did not err in using the period following the end of the implementation period to assess whether Wichita industrial revenue bonds were specific because of the granting of disproportionately large amounts of subsidies to certain enterprises, but the Panel erred in finding that no disparity existed between the expected and actual distribution of the subsidies. However, there were insufficient factual findings by the Panel or undisputed facts on the record for the Appellate Body to complete its legal analysis in this respect.
- The Panel did not err in its interpretation of the term “limited number” of certain enterprises with respect to the specificity of the South Carolina economic development bonds, but the panel erred by excluding evidence as to the percentage of bonds by value used by certain enterprises from its evaluation of whether the subsidy was specific by reason of predominant use by certain enterprises. However, there were insufficient factual findings by the Panel or undisputed facts on the record for the Appellate Body to complete its legal analysis in this respect.
- The Panel erred in the application of the term “designated geographical region” in assessing the specificity of the South Carolina multi-county industrial park job tax credits. The Appellate Body completed the legal analysis with respect to this and found that the subsidy was specific.

- The Panel correctly found that the EU had failed to establish that there was a continuation of the original adverse effects of the pre-2007 aeronautics R&D subsidies into the post-implementation period in the form of present serious prejudice in relation to the A330 and A350XWB.
- The Panel erred in its analysis of whether the technology effects of the pre-2007 aeronautics R&D subsidies in relation to certain U.S. aircraft continued into the post-implementation period, and therefore, the panel's finding that the EU failed to establish that the pre-2007 R&D subsidies were a genuine and substantial cause of adverse effects to the A350XWB and A320neo in the post-implementation period was reversed. However, there were insufficient factual findings by the panel or undisputed facts on the record for the Appellate Body to complete its legal analysis in this respect, and there was no basis to conclude that the original adverse effects, in the form of technology effects, continued into the post-implementation period.
- The Panel correctly found that the EU failed to establish that the tied tax subsidies caused adverse effects in the twin-aisle LCA market in the post-implementation period, but that there were adverse effects in the post-implementation period in the form of significant lost sales in the single-aisle LCA and in the form of threat of impedance of imports of Airbus single-aisle LCA in the U.S. and United Arab Emirates markets.

On September 27, 2012, the EU requested authorization from the DSB to impose countermeasures. On October 22, 2012, the United States objected to the level of suspension of concessions requested by the EU, referring the matter to arbitration pursuant to Article 22.6 of the DSU. On November 27, 2012, the United States and the EU each requested that the arbitration be suspended pending the conclusion of the compliance proceeding. On June 5, 2019, at the request of the EU, the arbitration regarding the level of countermeasures was resumed. On October 13, 2020, the Arbitrator issued its decision with respect to the adverse effects caused by the Washington State tax rate reduction during an historical 2012 reference period. The Arbitrator determined the level of countermeasures commensurate with the degree and nature of the adverse effects determined to exist is approximately \$3.99 billion annually. On October 26, 2020, the WTO granted the EU authorization to take countermeasures consistent with the Arbitrator's decision. Because the Washington State tax rate reduction was repealed effective April 1, 2020, the EU has no legal basis to maintain countermeasures on U.S. goods.

On June 15 and June 17, 2021, the United States reached understandings on cooperative frameworks with the EU and the UK, respectively, on the parallel aircraft disputes (DS316 and DS353). In accordance with the understandings, each side intends not to impose any WTO-authorized countermeasures for a period of five years starting from July 4, 2021. Each side also intends to provide any financing to its large civil aircraft producer (LCA producer) for the production or development of large civil aircraft on market terms. Additionally, each side intends to provide any funding for research and development (R&D) for large civil aircraft to its LCA producer through an open and transparent process while making the results of fully government funded R&D widely available. A working group was also established under each framework to analyze and overcome any disagreements in the sector, including on any existing support measures. The working group will collaborate on jointly analyzing and addressing non-market practices of third parties that may harm their respective large civil aircraft industries.

#### **United States – Countervailing Duty Measures on Certain Products from China (DS437)**

On May 25, 2012, China requested consultations regarding numerous U.S. countervailing duty determinations in which Commerce had determined that various Chinese state-owned enterprises were “public bodies” under Article 1.1(a)(1) of the SCM Agreement, with a view towards extending the Appellate Body’s analysis in DS379 to those determinations. China challenged various other aspects of

these investigations as well, including but not limited to Commerce’s calculation of benchmarks, initiation standard, determination of specificity of the subsidies, use of facts available, and finding that export restraints were a countervailable subsidy.

Consultations were held in July 2012, and a panel was established in September 2012. The Panel was composed by the Director-General on November 26, 2012, as follows: Mr. Mario Matus, Chair; and Mr. Scott Gallacher and Mr. Hugo Perezcano Díaz, Members. The Panel circulated its report on July 14, 2014. The Panel found that Commerce’s determinations in 12 investigations that certain state-owned enterprises were “public bodies” were inconsistent with Article 1.1(a)(1) of the SCM Agreement, based on the Appellate Body’s analysis in DS379. However, the Panel found in favor of the United States with respect to China’s claims regarding Commerce’s calculation of benchmarks, initiation of investigations, and use of facts available. The Panel also upheld most of Commerce’s specificity determinations. The Panel also found that China established that Commerce acted inconsistently with Article 11.3 of the SCM Agreement by initiating countervailing duty investigations of export restraints.

On August 22, 2014, China appealed the Panel’s findings regarding Commerce’s calculation of benchmarks, specificity determinations, and use of facts available. On August 27, 2014, the United States appealed the Panel’s finding that a section of China’s panel request setting forth claims related to Commerce’s use of facts available was within the panel’s terms of reference. The Appellate Body held a hearing in Geneva on October 16 and October 17, 2014, with Peter Van den Bossche as Chair; and Ujal Singh Battia and Seung Wha Chang as Members.

On December 18, 2014, the Appellate Body circulated its report. On benchmarks, the Appellate Body reversed the Panel and found that Commerce’s determination to use out-of-country benchmarks in four countervailing duty investigations was inconsistent with Articles 1.1(b) and 14(d) of the SCM Agreement. On specificity, the Appellate Body rejected one of China’s claims with respect to the order of analysis in de facto specificity determinations. However, the Appellate Body reversed the Panel’s findings that Commerce did not act inconsistently with Article 2.1 when it failed to identify the “jurisdiction of the granting authority” and “subsidy programme” before finding the subsidy specific. On facts available, the Appellate Body accepted China’s claim that the Panel’s findings regarding facts available were inconsistent with Article 11 of the DSU, and reversed the Panel’s finding that Commerce’s application of facts available was not inconsistent with Article 12.7 of the SCM Agreement. Lastly, the Appellate Body rejected the U.S. appeal of the Panel’s finding that China’s panel request failed to meet the requirement of Article 6.2 of the DSU to present an adequate summary of the legal basis of its claim sufficient to present the problem clearly.

The DSB adopted the Appellate Body report and the Panel report, as modified by the Appellate Body report, on January 16, 2015. In a letter dated February 13, 2015, the United States notified the DSB of its intention to comply with its WTO obligations and indicated it would need a RPT to do so.

On June 26, 2015, China requested that the RPT be determined through arbitration pursuant to Article 21.3(c) of the DSU. On July 17, 2015, the Director-General appointed Mr. Georges M. Abi-Saab as the arbitrator. On October 9, 2015, the Arbitrator issued his award, deciding that the RPT would be 14 months and 16 days, ending on April 1, 2016.

Commerce subsequently issued redeterminations in 15 separate countervailing duty investigations and with respect to one “as such” finding of the DSB. Commerce implemented these determinations on April 1, 2016, and May 26, 2016. On June 22, 2016, the United States notified the DSB that it had brought the challenged measures into compliance with the recommendations and rulings of the DSB.

On May 13, 2016, China requested consultations regarding the U.S. implementation. The United States and China held consultations on May 27, 2016. On July 8, 2016, China requested that the DSB refer the

matter to the original Panel pursuant to Article 21.5 of the DSU. The DSB did so at a meeting held on July 21, 2016. On October 5, 2016, the compliance Panel was composed with one member of the original Panel: Mr. Hugo Perezcano Diaz, Chair; and two additional panelists Mr. Luis Catibayan and Mr. Thinus Jacobsz, Members, who were selected to replace unavailable members of the original panel. The compliance Panel circulated its report on March 21, 2018. The compliance Panel found that Commerce's redeterminations that certain state-owned enterprises were "public bodies" were not inconsistent with Article 1.1(a)(1) of the SCM Agreement, and Commerce's Public Bodies Memorandum is not inconsistent with the SCM Agreement, "as such." The compliance Panel also upheld Commerce's redetermination concerning regional specificity. However, the compliance Panel found in favor of China with respect to China's claims regarding Commerce's calculation of benchmarks and its input specificity analysis.

On April 27, 2018, the United States appealed certain findings of the compliance Panel regarding the Public Bodies Memorandum, Commerce's benchmarks and input specificity redeterminations, and whether certain Commerce determinations were within the compliance Panel's terms of reference. On May 2, 2018, China appealed certain findings of the compliance Panel regarding Commerce's redeterminations that certain state-owned enterprises were "public bodies," the Public Bodies Memorandum, and the legal interpretation of Articles 1.1(b) and 14(d) of the SCM Agreement. The three persons hearing the appeal were Thomas R. Graham as Presiding Member; and Ujal Singh Battia and Shree B.C. Servansing. An appellate report was circulated on July 16, 2019. The Appellate Majority upheld the findings of the compliance Panel. The appellate report includes a lengthy dissent that calls into question the reasoning and interpretative analysis of the appellate majority and prior Appellate Body reports.

The DSB considered the appellate report and the compliance Panel report, as modified by the appellate report, at its meeting on August 15, 2019. The United States noted in its DSB statement that, through the interpretations applied in this proceeding, based primarily on erroneous approaches by the Appellate Body in past reports, the WTO dispute settlement system is weakening the ability of WTO Members to use WTO tools to discipline injurious subsidies. The SCM Agreement is not meant to provide cover for, and render untouchable, one Member's policy of providing massive subsidies to its industries through a complex web of laws, regulations, policies, and industrial plans. Finding that the kinds of subsidies at issue in this dispute cannot be addressed using existing WTO remedies, such as countervailing duties, calls into question the usefulness of the WTO to help WTO Members address the most urgent economic problems in today's global economy. The United States noted specific aspects of the findings of the appellate report that are erroneous and undermine the interests of all WTO Members in a fair-trading system, including erroneous interpretations of "public body" and out-of-country benchmarks, diminishing U.S. rights and adding to U.S. obligations, engaging in fact-finding, and treating prior reports as "precedent."

On October 17, 2019, China requested authorization to suspend concessions and other obligations pursuant to Article 22.2 of the DSU. On October 25, 2019, the United States objected to China's request, referring the matter to arbitration pursuant to Article 22.6 of the DSU. On November 15, 2019, the WTO notified the parties that the arbitration would be carried out by the panelists who served during the compliance proceeding: Mr. Hugo Perezcano Diaz, Chair; and Mr. Luis Catibayan and Mr. Thinus Jacobsz, Members. The Arbitrator held a virtual hearing with the parties in November 2020. In January 2022, the Arbitrator decided that the level of suspension of concessions or other obligations should be no more than \$645.121 million annually.

### **United States – Certain Methodologies and their Application to Anti-Dumping Proceedings Involving China (DS471)**

On December 3, 2013, the United States received a request from China for consultations pertaining to antidumping measures imposed by the United States pursuant to final determinations issued by Commerce following antidumping investigations regarding a number of products from China, including certain coated

paper suitable for high-quality print graphics using sheet-fed presses; certain oil country tubular goods; high pressure steel cylinders, polyethylene terephthalate film, sheet, and strip; aluminum extrusions; certain frozen and canned warm water shrimp; certain new pneumatic off-the-road tires; crystalline silicon photovoltaic cells, whether or not assembled into modules; diamond sawblades and parts thereof; multilayered wood flooring; narrow woven ribbons with woven selvedge; polyethylene retail carrier bags; and wooden bedroom furniture. China claimed that Commerce’s determinations, as well as certain methodologies used by Commerce, are inconsistent with U.S. obligations under Articles 2.4.2, 6.1, 6.8, 6.10, 9.2, 9.3, 9.4, and Annex II of the Antidumping Agreement; and Article VI:2 of the GATT 1994. Specifically, China challenged Commerce’s application in certain investigations and administrative reviews of a “targeted dumping methodology,” “zeroing” in connection with such methodology, a “single rate presumption for non-market economies,” and an “NME-wide methodology” including certain “features.” China also challenged a “single rate presumption” and the use of “adverse facts available” “as such.”

The United States and China held consultations on January 23, 2014. On February 13, 2014, China requested that the DSB establish a panel, and a panel was established on March 26, 2014. On August 28, 2014, the Director-General composed the Panel as follows: Mr. José Pérez Gabilondo, Chair; and Ms. Beatriz Leycegui Gardoqui and Ms. Enie Neri de Ross, Members.

The Panel circulated its report on October 19, 2016. The Panel found that a number of aspects of the “targeted dumping methodology” applied by Commerce in three challenged investigations were not inconsistent with the requirements of the Antidumping Agreement, including certain quantitative aspects of Commerce’s methodology. However, the Panel found fault with other aspects of Commerce’s methodology and with Commerce’s explanation of why resort to the alternative methodology was necessary. The Panel also found that Commerce’s application of the alternative methodology to all sales, rather than only to so-called pattern sales, and Commerce’s use of “zeroing” in connection with the alternative methodology, were inconsistent with the second sentence of Article 2.4.2 of the Antidumping Agreement. The Panel found that Commerce’s use of a rebuttable presumption that all producers and exporters in China comprise a single entity under common government control – the China-government entity – to which a single antidumping margin is assigned, both as used in specific proceedings and generally, is inconsistent with certain obligations in the Antidumping Agreement concerning when exporters and producers are entitled to a unique antidumping margin or rate. Finally, the Panel agreed with the United States that China had not established that Commerce has a general norm whereby it uses adverse inferences to pick information that is adverse to the interests of the China-government entity in calculating its antidumping margin or rate. The Panel also decided to exercise judicial economy with respect to the information Commerce utilized in particular proceedings.

On November 18, 2016, China appealed certain of the Panel’s findings regarding Commerce’s “targeted dumping methodology,” use of “adverse facts available,” and the “single rate presumption.” The Appellate Body held a hearing in Geneva on February 27 and February 28, 2017, and issued a report on May 11, 2017. The Appellate Body rejected virtually all of China’s claims on appeal and did not make any additional findings of inconsistency against the United States.

On May 22, 2017, the DSB adopted the Panel and Appellate Body reports. On June 19, 2017, the United States stated that it intends to implement the recommendations of the DSB in this dispute in a manner that respects U.S. WTO obligations, and that it will need a reasonable period of time in which to do so. On October 17, 2017, China requested that an Article 21.3(c) arbitrator determine the RPT for implementation. The Arbitrator determined the reasonable period of time to be 15 months, expiring on August 22, 2018.

On September 9, 2018, China requested authorization to suspend concessions and other obligations pursuant to Article 22.2 of the DSU. On September 19, 2018, the United States objected to China’s request, referring the matter to arbitration. On October 5, 2018, the WTO notified the parties that the arbitration

would be carried out by the original panelists: Mr. José Pérez Gabilondo, Chair; and Ms. Beatriz Leycegui Gardoqui and Ms. Enie Neri de Ross, Members. The Arbitrator circulated its decision on November 1, 2019. The Arbitrator determined that the level of nullification or impairment to China from U.S. noncompliance with respect to determinations made by Commerce in a number of antidumping proceedings involving goods from China, as well as certain methodologies China claimed Commerce applies in antidumping proceedings, totaled no more than \$3.579 billion per year.

#### **United States – Anti-Dumping Measures on Oil Country Tubular Goods from Korea (DS488)**

On December 22, 2014, the United States received from Korea a request for consultations pertaining to antidumping duties imposed on oil country tubular goods from Korea. Korea claimed that the calculation by Commerce of the constructed value profit rate for Korean respondents was inconsistent with U.S. obligations under Articles 2.2, 2.2.2, 2.4, 6.2, 6.4, 6.9, and 12.2.2 of the Antidumping Agreement and Articles I and X:3 of the GATT 1994. Korea also claimed that Commerce’s decision regarding the affiliation of a certain Korean respondent to a supplier, and the effects of that decision, was inconsistent with Articles 2.2.1.1 and 2.3 of the Antidumping Agreement and that its selection of two mandatory respondents was inconsistent with Article 6.10, including Articles 6.10.1 and 6.10.2. Korea further claimed that Commerce’s methodology for disregarding a respondent’s exports to third-country markets was inconsistent “as such” and “as applied” in the investigation at issue with Article 2.2 of the Antidumping Agreement.

The United States and Korea held consultations on January 21, 2015. On February 23, 2015 Korea requested the establishment of a panel. The DSB established a panel on March 25, 2015, and the Parties agreed to the composition of the Panel on July 13, 2015 as follows: Mr. John Adank, Chair; and Mr. Abd El Rahman Ezz El Din Fawzy and Mr. Gustav Brink, Members. Subsequently, Mr. Adank withdrew as Chair prior to the second substantive meeting of the Panel, and the Parties agreed that Mr. Crawford Falconer would replace Mr. Adank as Chair. The Panel met with the parties on July 20 and July 21, 2016, and November 1 and November 2, 2016.

The Panel circulated its report on November 14, 2017. The Panel found that the United States had acted inconsistently with certain U.S. obligations under the Antidumping Agreement. On January 12, 2018, the DSB adopted the Panel report in this dispute. On July 5, 2019, Commerce published a final decision memorandum, addressed all comments submitted by interested parties, and implemented the recommendations and rulings of the DSB in a manner that respects U.S. WTO obligations. On July 11, 2019, the United States informed the DSB that these actions brought the United States into compliance with the panel findings in this dispute.

On July 29, 2019, Korea requested the authorization of the DSB to suspend concessions or other obligations pursuant to Article 22.2 of the DSU on the grounds that the United States had failed to comply with the DSB’s recommendations and rulings within the reasonable period of time. On August 8, 2019, the United States objected to Korea’s proposed level of suspension of concessions pursuant to Article 22.6 of the DSU, referring the matter to arbitration. On February 6, 2020, Korea and the United States reached an understanding regarding procedures under Articles 21 and 22 of the DSU, under which each party agreed it would accept a report by the compliance panel without appeal.

#### **United States – Countervailing Measures on Supercalendered Paper from Canada (DS505)**

On March 30, 2016, Canada requested consultations with the United States to consider claims related to U.S. countervailing duties on supercalendered paper from Canada (Investigation C-122-854). Consultations between the United States and Canada took place in Washington, D.C. on May 4, 2016.

On June 9, 2016, Canada requested the establishment of a panel, alleging that the U.S. measures at issue were inconsistent with obligations under Articles 1.1(a)(1), 1.1(b), 2, 10, 11.1, 11.2, 11.3, 11.6, 12.1, 12.2, 12.3, 12.7, 12.8, 14, 14(d), 19.1, 19.3, 19.4, 22.3, 22.5, and 32.1 of the SCM Agreement; and Article VI:3 of the GATT 1994.

A panel was established on July 21, 2016. On August 31, 2016, the Panel was composed by the Director-General to include: Mr. Paul O'Connor, Chair; and Mr. David Evans and Mr. Colin McCarthy, Members. The Panel met with the parties on March 21 and March 22, 2017, and on June 13 and June 14, 2017. The Panel report was circulated on July 5, 2018. The Panel report, among other things, upheld Canada's claims that there was "ongoing conduct" with respect to Commerce's treatment of subsidies that Canadian respondents refused to disclose in response to Commerce questionnaires, but which Commerce subsequently discovered during verification in the course of the countervailing duty investigation. The Panel report also found that such treatment was inconsistent with Article 12.7 of the SCM Agreement. Commerce terminated the countervailing duties on July 5, 2018.

On August 27, 2018, the United States notified the DSB of its decision to appeal certain of the Panel's findings. The persons hearing the appeal were Ujal Singh Battia as Presiding Member, and Thomas R. Graham and Hong Zhao. An Appellate Body report was issued on February 6, 2020. The document contains a majority view upholding the findings of the Panel and also a separate opinion that calls into question the reasoning and interpretative analysis of the appellate majority concerning "ongoing conduct."

The DSB considered the appellate document and panel report at its meeting on March 5, 2020. The United States noted in its DSB statement that there were serious procedural and substantive concerns with the appellate document, and objected to the adoption of the document as an Appellate Body Report. The United States explained that the document cannot be an Appellate Body report because the Chinese national who served on the appeal was not a valid member of the Appellate Body given that the individual is affiliated with the Government of China, in breach of Article 17.3 of the DSU. The concern related to the individual's service was further compounded because the appeal directly implicated the interests of the Government of China. The United States also reiterated its concerns of ex-Appellate Body members' continuation of service without authorization by the DSB, and the failure to adhere to the deadline in Article 17.5 of the DSU. Accordingly, the United States did not join in a consensus to adopt the document and report that were before the DSB. The United States explained that because there was no valid Appellate Body report in this dispute, the document and report could only be adopted by positive consensus. Because there was no consensus on adoption, the DSB did not validly adopt any document and report in this dispute, and therefore there was no valid recommendation of the DSB with which to bring a measure into conformity with a covered agreement.

On June 18, 2020, Canada requested authorization to suspend concessions and other obligations pursuant to Article 22.2 of the DSU. On June 26, 2020, the United States objected to Canada's request, referring the matter to arbitration pursuant to Article 22.6 of the DSU. The Arbitrator adopted the U.S. economic model as the basis for determining a future level of nullification or impairment, and rejected Canada's proposed formula as the basis of the Arbitrator's award. However, given that the challenged "ongoing conduct" measure had been removed with the revocation of the CVD order, following the issuance of the Arbitrator's decision, there was no monetary award for Canada to seek based on the CVD order on supercalendered paper.

### **United States – Measures Related to Price Comparison Methodologies (DS515)**

On December 12, 2016, China requested consultations with the United States regarding its use of a non-market economy (NME) methodology in the context of antidumping investigations involving Chinese producers. In its request, China asserts that WTO Members were required to terminate the use of an NME

methodology by December 11, 2016, and thereafter apply the provisions of the Antidumping Agreement and the GATT 1994 to determine normal value.

Specifically, China alleges that the following “measures” are inconsistent with Articles 2.1, 2.2, 9.2, 18.1, and 18.4 of the Antidumping Agreement and Articles I:1, VI:1, and VI:2 of GATT 1994:

- Sections 771(18) and 773 of the Tariff Act of 1930, as amended;
- Part 351.408 of Commerce’s regulations, 19 C.F.R. § 351.408;
- Commerce’s 2006 determination that China is a ‘non-market economy’ for purposes of the Tariff Act of 1930, as amended;
- The failure of the United States, by way of omission, to revoke the 2006 determination or otherwise modify its laws with respect to antidumping investigations and reviews of Chinese products initiated and/or resulting in preliminary or final determinations after December 11, 2016.

China also challenged Section 773(e) of the Tariff Act of 1930 – the constructed value provision that applies to market economies – to the extent that it permits the use of “surrogate values.” Consultations took place on February 7 and February 8, 2017, in Geneva.

China requested supplemental consultations on November 3, 2017, which took place on January 4, 2018, in Geneva. As part of its supplemental consultations request, China further alleged that certain of the following “measures” were also inconsistent with: Articles 2.1, 2.2, 5.2, 5.3, 7.1(ii), 9.2, 9.3, 11.1, 11.2, 11.3, 18.1, and 18.4 of the Antidumping Agreement; Articles I:1, VI:1, and VI:2 of GATT 1994; and Article XVI:4 of the Marrakesh Agreement Establishing the WTO:

- Commerce’s 2017 determination that China is a “non-market economy” for purposes of the Tariff Act of 1930, as amended;
- The policy or practice of using surrogate values to determine normal value in both original and administrative review determinations in antidumping proceedings involving Chinese products, whether that conduct is pursuant to Section 773(c) of the Tariff Act, Section 773(e), or any other provision of U.S. law;
- Certain named Commerce final determinations of normal value in antidumping investigations or administrative reviews of Chinese imports made subsequent to December 11, 2016, which were based on the use of “surrogate values”;
- Commerce’s preliminary affirmative determinations in Certain Hardwood Plywood Products From the People’s Republic of China (June 23, 2017), Certain Aluminum Foil From the People’s Republic of China (October 26, 2017), and Carton-Closing Staples from the People’s Republic of China (October 27, 2017);
- Certain named Commerce final determinations in sunset reviews in which Commerce relied on margins of dumping calculated on the basis of “surrogate values”;
- The policy or practice of making final determinations in sunset reviews of antidumping orders applicable to Chinese products relying on margins of dumping calculated on the basis of surrogate

values, whether pursuant to Section 773(c) of the Tariff Act of 1930, Section 773(e), or any other provision of U.S. law; and

- The failure of Commerce, by way of omission, to conduct “reviews based on changed circumstances” pursuant to Section 751(b) of the Tariff Act in the antidumping investigations of Chinese products, by virtue of the expiration of Section 15(a)(ii) of China’s Accession Protocol.

China further added that the measures at issue are “not justifiable” under the second Supplementary Provision of Article VI:1 of GATT 1994, as referenced in Article 2.7 of the Antidumping Agreement. The parties consulted in December 2016 and November 2017, but China has not moved forward with panel proceedings.

#### **United States – Countervailing Measures on Certain Pipe and Tube Products from Türkiye (DS523)**

On March 8, 2017, Türkiye requested consultations concerning CVD measures imposed by the United States pursuant to four final CVD determinations issued by Commerce pertaining to certain pipe and tube products. Türkiye alleges inconsistencies with Articles 1.1(a)(1), 1.1(b), 2.1(c), 2.4, 10, 12.7, 14(d), 15.3, 19.4, and 32.1 of the SCM Agreement, and Article VI:3 of the GATT 1994.

Türkiye challenges the application of measures in four final CVD determinations with respect to the provision of hot-rolled steel for less than adequate remuneration. Specifically, Türkiye challenges Commerce’s “public bodies” determination, use of facts available, and determination of specificity of the subsidy program. Türkiye also challenges Commerce’s calculation of benchmarks, both as applied and “as such.” With respect to injury, Türkiye challenges the USITC’s “practice” of cross-cumulating imports, as well as the application of that practice in the underlying determinations.

Consultations between the United States and Türkiye took place in Geneva on April 28, 2017. A panel was established on June 19, 2017, and on September 14, 2017, the Director-General composed the Panel as follows: Mr. Guillermo Valles, Chair; and Ms. Luz Elena Reyes de la Torre and Mr. Jose Antonio de la Puente Leon, Members.

The Panel circulated its report on December 18, 2018. With respect to public body, the Panel found that Commerce acted inconsistently with Article 1.1(a)(1) by failing to apply the standard set out previously by the Appellate Body, and failing to establish based on record evidence that the relevant entities were public bodies. With respect to benchmarks as such, the Panel rejected Türkiye’s claims that Commerce has a practice of rejecting in-country benchmarks solely based on majority or substantial government ownership or control of the market. For benchmarks as applied, the Panel declined to make a finding under Article 14(d) of the SCM Agreement because the relevant determination had ceased to have legal effect prior to the Panel’s establishment. With respect to specificity, the Panel found that Commerce acted inconsistently with Articles 2.1(c) and 2.4 of the SCM Agreement by failing to identify and clearly substantiate the existence of a subsidy program, and failing to take into account the extent of diversification of Türkiye’s economy and the length of time in which the program had been in place. With respect to facts available, the Panel found Commerce acted inconsistently with Article 12.7 of the SCM Agreement by failing to do a comparative process of reasoning and evaluation before selecting from the facts available in certain circumstances. With respect to injury, the Panel found that Article 15.3 of the SCM Agreement does not permit the USITC to assess cumulatively the effects of imports not subject to CVD investigations with the effects of imports subject to CVD investigations. The Panel thus found cross-cumulation by the USITC, both in the original investigations at issue and as a practice, to be inconsistent with Article 15.3. With respect to cross-cumulation in sunset reviews, the Panel found the USITC did not act inconsistently with Article 15.3 of the SCM Agreement, either “as such” or in connection with the sunset review at issue.

On January 25, 2019, the United States notified the DSB of its decision to appeal certain legal conclusions and interpretations of the Panel. On January 30, Türkiye also filed an appeal.

### **United States – Countervailing Measures on Softwood Lumber from Canada (DS533)**

On November 28, 2017, the United States received from Canada a request for consultations pertaining to the final determination issued by Commerce following a CVD investigation regarding softwood lumber from Canada. Canada claimed that Commerce’s determination is inconsistent with U.S. commitments and obligations under Articles 1.1(a), 1.1(b), 2.1(a), 2.1(b), 10, 11.2, 11.3, 14(d), 19.1, 19.3, 19.4, 21.1, 21.2, 32.1, and 32.5 of the SCM Agreement; and Article VI:3 of the GATT 1994. Specifically, Canada challenged Commerce’s determinations regarding benchmarks for stumpage, log export permitting processes, and non-stumpage programs.

The United States and Canada held consultations on January 17, 2018. At Canada’s request, the WTO established a panel on April 9, 2018. On July 6, 2018, the Director-General composed the panel as follows: Ms. Enie Neri de Ross, Chair; and Mr. Gustav Brink and Mr. Alberto Trejos, Members.

The Panel circulated its report on August 24, 2020. The Panel found that Commerce’s determinations regarding benchmarks for stumpage, log export permitting processes, and non-stumpage programs were inconsistent with the SCM Agreement. The Panel effectively applied the WTO Appellate Body’s flawed test for using out-of-country benchmarks in its analysis of benchmarks from within Canada that Commerce used to measure the benefit of subsidies. The Panel also applied a heightened level of scrutiny in its review of Commerce’s determination, in essence putting itself in the place of the investigating authority, contrary to the terms of the SCM Agreement.

On September 28, 2020, the United States notified the DSB of its decision to appeal certain issues of law covered in the panel report. As of December 31, 2024, no division of the Appellate Body could be established to hear the appeal.

### **United States – Anti-Dumping Measures Applying Differential Pricing Methodology to Softwood Lumber from Canada (DS534)**

On November 28, 2017, the United States received from Canada a request for consultations pertaining to the final determination issued by Commerce following an antidumping investigation regarding softwood lumber from Canada. Canada claimed that Commerce’s determination is inconsistent with U.S. commitments and obligations under Articles 1, 2.1, 2.4, and 2.4.2 of the Antidumping Agreement; and Articles VI:1 and VI:2 of the GATT 1994. Specifically, Canada challenged Commerce’s application of a differential pricing methodology, including the United States’ use of zeroing when applying the average-to-transaction comparison methodology.

The United States and Canada held consultations on January 17, 2018. At Canada’s request, the WTO established a panel on April 9, 2018. On May 22, 2018, the Director-General composed the Panel as follows: Mr. Thinus Jacobsz, Chair; and Ms. María Valeria Raiteri and Mr. Guillermo Valles, Members.

The Panel circulated its report on April 9, 2019. The Panel found that Commerce’s use of zeroing when applying the average-to-transaction comparison methodology was not inconsistent with the Antidumping Agreement or the GATT 1994. Among other things, the Panel reasoned that nothing in the text of the Antidumping Agreement directly addresses the use of zeroing. The Panel agreed with the United States that, if the use of zeroing were prohibited in connection with the alternative, targeted dumping methodology, then the alternative calculation methodology necessarily always would result in a margin of

dumping that is mathematically equivalent to that calculated using the normal calculation methodology, which would render the alternative methodology useless. In coming to its conclusion, the Panel also examined and disagreed with findings in prior WTO Panel and Appellate Body reports. The Panel explained why it found the approach of those reports not persuasive.

The Panel also found that one aspect of Commerce's differential pricing analysis, in which Commerce aggregated differences in export prices across categories (*i.e.*, purchasers, regions, and time periods) to find a single pattern of export prices which differed significantly among different purchasers, regions, and time periods, was inconsistent with the requirements of the Antidumping Agreement.

On June 4, 2019, Canada notified the DSB of its decision to appeal certain of the panel's findings.

### **United States – Certain Systemic Trade Remedies Measures from Canada (DS535)**

On December 20, 2017, Canada requested consultations with the United States concerning certain laws, regulations, and practices that Canada claims are maintained by the U.S. in its AD and CVD proceedings. Specifically, Canada alleged that the United States: (1) failed to implement WTO-inconsistent findings by liquidating final duties in excess of WTO-consistent rates, and failed to refund cash deposits collected in excess of WTO-consistent rates; (2) retroactively collected provisional AD and CVD duties following preliminary affirmative critical circumstances determinations; (3) treated export controls as a financial contribution and improperly initiated investigations into and/or imposed duties; (4) improperly calculated the benefit in determining whether there is a provision of goods for less than adequate remuneration; (5) effectively closed the evidentiary record before the preliminary determination and failed to exercise its discretion to accept additional factual information; and (6) created an institutional bias in favor of affirmative results in injury, threat of injury, or material retardation when the commissioners of the U.S. International Trade Commission are evenly divided on whether a determination should be affirmative or negative.

Canada claims these alleged measures are inconsistent with Articles VI (in particular, VI:2 and VI:3) and X:3(a) of the GATT 1994; Articles 1, 3.1, 6 (in particular, 6.1, 6.2, and 6.9), 7 (in particular, 7.4 and 7.5), 9 (in particular, 9.2, 9.3, 9.3.1, and 9.4), 10 (in particular, 10.1 and 10.6), 11 (in particular 11.1 and 11.2), 18 (in particular, 18.1 and 18.4) of the Antidumping Agreement; Articles 1 (in particular, 1.1(a) and 1.1(b)), 10, 11 (in particular, 11.2, 11.3, and 11.6), 12 (in particular, 12.1 and 12.8), 14(d), 15.1, 17 (in particular, 17.3, 17.4, and 17.5), 19 (in particular, 19.1, 19.3 and 19.4), 20 (in particular, 20.1 and 20.6), 21 (in particular, 21.1 and 21.2), and 32 (in particular, 32.1 and 32.5) of the SCM Agreement; and Articles 21.1 and 21.3 of the DSU.

Consultations between the United States and Canada took place on February 6, 2018.

### **United States — Anti-Dumping Measures on Fish Fillets from Vietnam (DS536)**

On January 8, 2018, Vietnam requested consultations concerning anti-dumping measures on fish fillets from Vietnam. Vietnam claimed that Commerce's determinations, as well as certain methodologies used by Commerce, are inconsistent with U.S. obligations under Articles 1, 2.1, 2.4, 2.4.2, 6, 9, 11, 17.6, and Annex II of the Antidumping Agreement; Articles I:1, VI:1, VI:2, and X:3(a) of the GATT 1994; and Vietnam's Protocol of Accession. The United States and Vietnam held consultations on March 1, 2018, but were unable to resolve the dispute. On June 8, 2018, Vietnam requested the establishment of a panel. The DSB established a panel on July 20, 2018. On December 3, 2018, the Director-General composed the panel as follows: Mr. José Alfredo Graça Lima, Chair; and Mr. Shahid Bashir and Mr. Greg Weppner, Members. The Panel met with the parties on May 8 and May 9, 2019, and on August 6 and August 7, 2019.

In 2024, the United States and Vietnam have, on several occasions, jointly informed the panel that they remain engaged in discussions with respect to the resolution of this dispute and requested that the panel postpone circulation of the final report. The Panel has accepted these requests.

### **United States – Anti-Dumping and Countervailing Duties on Certain Products and the Use of Facts Available (DS539)**

In February 2018, Korea requested WTO dispute settlement consultations regarding Commerce’s use of facts available in certain antidumping and countervailing duty measures against Korea, and certain laws, regulations, and other measures maintained by the United States with respect to the use of facts available in antidumping and countervailing duty proceedings. The United States and Korea held consultations in March 2018, but those consultations failed to resolve the dispute. On April 27, 2018, Korea requested the establishment of a panel. On May 28, 2018, the DSB established a panel. Following agreement of the parties, a panel was composed on December 5, 2018 as follows: Ms. Marta Lemme, Chair; and Ms. Leonora Blumberg and Mr. Matthew Kennedy, Members.

The Panel circulated its report on January 21, 2021. The Panel found that Commerce acted inconsistently with the Antidumping Agreement, or SCM Agreement, in either resorting to facts available or selecting the replacement facts in the eight instances challenged by Korea. With respect to the “as such” claim against an alleged unwritten measure, the panel found that Korea failed to establish that such an unwritten rule even existed. This obviated the Panel’s need to evaluate whether such a rule (if it did exist) would breach the Antidumping Agreement or SCM Agreement.

On March 19, 2021, the United States notified the DSB of its decision to appeal certain issues of law covered in the panel report. As of December 31, 2024, no division of the Appellate Body could be established to hear the appeal.

### **United States – Tariff Measures on Certain Goods from China (DS543)**

On April 4, 2018, China requested consultations with the United States concerning certain tariff measures on Chinese goods that the United States might implement under Section 301-310 of the U.S. Trade Act of 1974. China alleged that the tariff measures are inconsistent with U.S. commitments and obligations under Articles I:1, II:1(a), and II:1(b) of the GATT 1994 and Article 23 of the DSU. On July 6, July 16, and September 18, respectively, China requested additional consultations regarding tariff measures imposed under Section 301 that supplemented its original consultations request of April 4, 2018. The United States and China held consultations in Geneva on August 28 and October 22, 2018.

At China’s request, the WTO established a panel on January 28, 2019. On June 3, 2019 the Panel was composed by the Director-General. Following the resignation of a panelist on September 25, 2019, the Director-General appointed a new panelist on October 17, 2019. The Panel includes: Mr. Alberto Juan Dumont, Chair; and Mr. Álvaro Espinoza and Ms. Athaliah Lesiba Molokomme, Members.

The Panel circulated its report on September 15, 2020. The Panel concluded that the tariff measures at issue are inconsistent with Article I:1 of the GATT 1994 (MFN), because they fail to provide treatment for Chinese products that is no less favorable than that granted to like products originating from other WTO Members, and with Articles II:1(a) and (b) of the GATT 1994, because the additional duties are in excess of the bound rates found in the U.S. Schedule.

On October 27, 2020, the United States notified the DSB of its decision to appeal certain issues of law covered in the panel report. As of December 31, 2024, no division of the Appellate Body could be established to hear the appeal.

### **United States – Certain Measures on Steel and Aluminum Products (DS544)**

On April 5, 2018, China requested consultations concerning certain duties that the United States had imposed under Section 232 of the Trade Expansion Act of 1962, as amended, on imports of steel and aluminum products that threaten to impair U.S. national security. China claimed that imposition of the duties breached various provisions of the GATT 1994, and the Agreement on Safeguards. The United States and China held consultations on July 19, 2018, but the consultations failed to resolve the dispute. At China's request, the WTO established a panel on November 21, 2018. On January 25, 2019, the Panel was composed by the Director-General to include: Mr. Elbio Rosselli, Chair; and Mr. Esteban B. Conejos, Jr. and Mr. Rodrigo Valenzuela, Members.

The Panel circulated its final report on December 9, 2022. The Panel concluded that the Section 232 measures are inconsistent with Article I of the GATT 1994 because exemptions for certain countries from Section 232 tariffs confer an advantage to products from those countries that have not been accorded immediately and unconditionally to like products from all other Members, and with Article II:1(a) and Article II:1(b) of the GATT 1994 because the Section 232 duties do not accord the treatment provided for in the United States' Schedule. The Panel rejected the complainant's claims under Article XIX of the GATT 1994 and the Agreement on Safeguards because the measures at issue are not safeguard measures, as they were sought, taken, or maintained pursuant to a provision of the GATT 1994 other than Article XIX, namely Article XXI of the GATT 1994. The Panel disagreed with the long-standing U.S. interpretation that the essential security exception is self-judging and concluded that the measures at issue were not "taken in time of war or other emergency in international relations" within the meaning of Article XXI(b)(iii). Accordingly, the Panel found that the Section 232 measures were not justified under Article XXI(b)(iii) of the GATT 1994. In response to the reports, the United States rejected the Panel's flawed interpretation and conclusions and reiterated that the United States has held the clear and unequivocal position, for over 70 years, that issues of national security cannot be reviewed in WTO dispute settlement and the WTO has no authority to second-guess the ability of a WTO Member to respond to a wide-range of threats to its security. On January 26, 2023, the United States notified the DSB of its decision to appeal certain issues of law covered in the panel report. As of December 31, 2024, no division of the Appellate Body could be established to hear the appeal.

### **United States – Safeguard Measure on Imports of Crystalline Silicon Photovoltaic Products (DS545)**

On May 14, 2018, Korea requested consultations with the United States concerning a safeguard measure imposed by the United States on imports of CSPV products. Korea claimed that the measure appears to be inconsistent with Articles 1, 2.1, 3.1, 3.2, 4.1, 4.2, 5.1, 5.2, 7.1, 7.4, 8.1, 12.1, 12.2, and 12.3 of the Agreement on Safeguards; and Articles II:1, X:3, XIII, and XIX:1(a) of the GATT 1994. China, the EU, Malaysia, and Thailand requested to join the consultations, and the United States accepted each request. Consultations were held on June 26, 2018.

At Korea's request, the WTO established a panel on September 26, 2018.

### **United States – Certain Measures on Steel and Aluminum Products (DS548)**

On June 1, 2018, the EU requested consultations concerning certain duties that the United States had imposed under Section 232 of the Trade Expansion Act of 1962, as amended, on imports of steel and aluminum products that threaten to impair U.S. national security. The EU claimed that imposition of the duties breached various provisions of the GATT 1994 and the Agreement on Safeguards. The United States and the EU held consultations on July 19, 2018, but the consultations failed to resolve the dispute. At the

EU's request, the WTO established a panel on November 21, 2018. On January 25, 2019, the Panel was composed by the Director-General to include: Mr. Elbio Rosselli, Chair; and Mr. Esteban B. Conejos, Jr. and Mr. Rodrigo Valenzuela, Members.

In November 2021, the United States and the EU announced arrangements on steel and aluminum, including U.S. TRQs for EU steel and aluminum products free of duties under Section 232. The EU requested that the Panel suspend its work. The United States informed the Panel that it did not object to that request, and the Panel granted it. Pursuant to that agreement, the United States and the EU mutually agreed to resort to arbitration regarding the matter pending before the Panel in this dispute. Upon composition of the Arbitrator, the arbitration was immediately and indefinitely suspended and the dispute before the Panel was terminated.

On January 17, 2022, the EU and the United States notified the DSB that they were terminating this dispute before the panel in light of the agreed procedures for arbitration under Article 25 of the DSU. On January 20, 2022, the Chair of the Panel informed the DSB that it had ceased all work in these proceedings.

On January 17, 2022, the EU and the United States notified the DSB that they had agreed, pursuant to Article 25.2 of the DSU, to resort to arbitration on the matter pending before the Panel in this dispute. The Arbitrator was composed on January 20, 2022 with the same persons who served as members of the Panel. As provided in the Parties' communication of January 17, 2022, the arbitration was suspended.

### **United States – Certain Measures on Steel and Aluminum Products (DS552)**

On June 13, 2018, Norway requested consultations concerning certain duties that the United States had imposed under Section 232 of the Trade Expansion Act of 1962, as amended, on imports of steel and aluminum products that threaten to impair U.S. national security. Norway claimed that imposition of the duties breached various provisions of the GATT 1994 and the Agreement on Safeguards. The United States and Norway did not hold consultations. At Norway's request, the WTO established a panel on November 21, 2018. On January 25, 2019, the Panel was composed by the Director-General to include: Mr. Elbio Rosselli, Chair; and Mr. Esteban B. Conejos, Jr. and Mr. Rodrigo Valenzuela, Members.

The Panel circulated its final report on December 9, 2022. The Panel concluded that the Section 232 measures are inconsistent with Article I of the GATT 1994, because exemptions for certain countries from Section 232 tariffs confer an advantage to products from those countries that has not been accorded immediately and unconditionally to like products from all other Members, and with Article II:1(a) and Article II:1(b) of the GATT 1994 because the Section 232 duties do not accord the treatment provided for in the United States' Schedule. The Panel also concluded that the Section 232 measures were inconsistent with Article XI:1 of the GATT 1994 because by imposing import quotas on steel and aluminum from certain countries, the United States has instituted prohibitions or restrictions other than duties, taxes or other charges on the importation of those products of the territory of those members. The Panel rejected the complainant's claims under Article XIX of the GATT 1994 and the Agreement on Safeguards because the measures at issue are not safeguard measures, as they were sought, taken, or maintained pursuant to a provision of the GATT 1994 other than Article XIX, namely Article XXI of the GATT 1994.

The Panel disagreed with the long-standing U.S. interpretation that the essential security exception is self-judging and concluded that the measures at issue were not "taken in time of war or other emergency in international relations" within the meaning of Article XXI(b)(iii). Accordingly, the Panel found that the Section 232 measures were not justified under Article XXI(b)(iii) of the GATT 1994. In response to the reports, the United States rejected the Panel's flawed interpretation and conclusions and reiterated that the United States has held the clear and unequivocal position, for over 70 years, that issues of national security cannot be reviewed in WTO dispute settlement and the WTO has no authority to second-guess the ability

of a WTO Member to respond to a wide-range of threats to its security. On January 26, 2023, the United States notified the DSB of its decision to appeal certain issues of law covered in the panel report. As of December 31, 2024, no division of the Appellate Body could be established to hear the appeal.

### **United States – Certain Measures on Steel and Aluminum Products (DS554)**

On June 29, 2018, Russia requested consultations concerning certain duties that the United States had imposed under Section 232 of the Trade Expansion Act of 1962, as amended, on imports of steel and aluminum products that threaten to impair U.S. national security. Russia claimed that imposition of the duties breached various provisions of the GATT 1994 and the Agreement on Safeguards. The United States and Russia held consultations on August 30, 2018, but the consultations failed to resolve the dispute. At Russia’s request, the WTO established a panel on November 21, 2018. On January 25, 2019, the Panel was composed by the Director-General to include: Mr. Elbio Rosselli, Chair; and Mr. Esteban B. Conejos, Jr. and Mr. Rodrigo Valenzuela, Members. In April 2022, due to the conflict in Ukraine, the United States suspended permanent normal trade relations with Russia. In June 2023, Russia requested that the Panel suspend its work in this dispute pursuant to Article 12.12 of the DSU, and the Panel accepted Russia’s request. On June 25, 2024, the WTO Secretariat published a note indicating that the authority for the establishment of the panel in DS554 had lapsed because the panel had not been requested to resume its work.

### **United States – Certain Measures on Steel and Aluminum Products (DS556)**

On July 9, 2018, Switzerland requested consultations concerning certain duties that the United States had imposed under Section 232 of the Trade Expansion Act of 1962, as amended, on imports of steel and aluminum products that threaten to impair U.S. national security. Switzerland claimed that imposition of the duties breached various provisions of the GATT 1994 and the Agreement on Safeguards. The United States and Switzerland held consultations on August 30, 2018, but the consultations failed to resolve the dispute. At Switzerland’s request, the WTO established a panel on December 4, 2018. On January 25, 2019, the Panel was composed by the Director-General to include: Mr. Elbio Rosselli, Chair; and Mr. Esteban B. Conejos, Jr. and Mr. Rodrigo Valenzuela, Members.

The Panel circulated its final report on December 9, 2022. The Panel concluded that the Section 232 measures are inconsistent with Article I of the GATT 1994, because exemptions for certain countries from Section 232 tariffs confer an advantage to products from those countries that has not been accorded immediately and unconditionally to like products from all other Members, and with Article II:1(a) and Article II:1(b) of the GATT 1994 because the Section 232 duties do not accord the treatment provided for in the United States’ Schedule. The Panel also concluded that the Section 232 measures were inconsistent with Article XI:1 of the GATT 1994 because by imposing import quotas on steel and aluminum from certain countries, the United States has instituted prohibitions or restrictions other than duties, taxes or other charges on the importation of those products of the territory of those members. The Panel rejected the complainant’s claims under Article XIX of the GATT 1994 and the Agreement on Safeguards, because the measures at issue are not safeguard measures, as they were sought, taken, or maintained pursuant to a provision of the GATT 1994 other than Article XIX, namely Article XXI of the GATT 1994.

The Panel disagreed with the long-standing U.S. interpretation that the essential security exception is self-judging and concluded that the measures at issue were not “taken in time of war or other emergency in international relations” within the meaning of Article XXI(b)(iii). Accordingly, the Panel found that the Section 232 measures were not justified under Article XXI(b)(iii) of the GATT 1994. In response to the reports, the United States rejected the Panel’s flawed interpretation and conclusions and reiterated that the United States has held the clear and unequivocal position, for over 70 years, that issues of national security cannot be reviewed in WTO dispute settlement and the WTO has no authority to second-guess the ability

of a WTO Member to respond to a wide-range of threats to its security. On January 26, 2023, the United States notified the DSB of its decision to appeal certain issues of law covered in the panel report. As of December 31, 2024, no division of the Appellate Body could be established to hear the appeal.

### **United States – Safeguard Measure on Imports of Crystalline Silicon Photovoltaic Products (DS562)**

On August 14, 2018, China requested consultations with the United States concerning a safeguard measure imposed by the United States on CSPV products. China claimed that the measure appears to be inconsistent with Articles 2.1, 2.2, 3.1, 3.2, 4.1, 4.2, 5.1, 7.1, 7.4, 8.1, 12.1, 12.2, and 12.3 of the Agreement on Safeguards; and Articles X:3, XIII, XIX:1(a), and XIX:2 of the GATT 1994. The EU and Thailand requested to join the consultations, and the United States accepted each request. Consultations were held on October 22, 2018.

At China’s request, the WTO established a panel on August 15, 2019. On October 24, 2019, the Panel was composed by the Director-General to include: Mr. Guillermo Valles, Chair; and Mr. José Antonio de la Puente León and Ms. Chantal Ononaiwu, Members.

The Panel circulated its final report on September 2, 2021. The Panel rejected all of China’s claims against the U.S. safeguard measure.

On September 16, 2021, China notified the DSB of its decision to appeal certain issues of law covered in the panel report. As of December 31, 2024, no division of the Appellate Body could be established to hear the appeal.

### **United States – Certain Measures Related to Renewable Energy (DS563)**

On August 2018, China requested consultations with the United States concerning certain measures adopted and maintained in the States of California, Michigan, and Washington in relation to alleged subsidies or domestic content requirements in the energy sector. China alleged that the measures appear to be inconsistent with U.S. obligations under Articles 3.1(b) and 3.2 of the SCM Agreement, Articles 2.1 and 2.2 of the TRIMS Agreement, and Article III:4 of the GATT 1994. The United States and China held consultations on October 23, 2018.

### **United States – Certain Measures on Steel and Aluminum Products (DS564)**

On August 15, 2018, Türkiye requested consultations concerning certain duties that the United States had imposed under Section 232 of the Trade Expansion Act of 1962, as amended, on imports of steel and aluminum products that threaten to impair U.S. national security. Türkiye claimed that imposition of the duties breached various provisions of the GATT 1994, and the Agreement on Safeguards. The United States and Türkiye held consultations on October 10, 2018, but the consultations failed to resolve the dispute. At Türkiye’s request, the WTO established a panel on November 21, 2018. On January 25, 2019, the Panel was composed by the Director-General to include: Mr. Elbio Rosselli, Chair; and Mr. Esteban B. Conejos, Jr. and Mr. Rodrigo Valenzuela, Members.

The Panel circulated its final report on December 9, 2022. The Panel concluded that the Section 232 measures are inconsistent with Article I of the GATT 1994 because exemptions for certain countries from Section 232 tariffs confer an advantage to products from those countries that has not been accorded immediately and unconditionally to like products from all other Members, and with Article II:1(a) and Article II:1(b) of the GATT 1994 because the Section 232 duties do not accord the treatment provided for in the United States’ Schedule. The Panel also concluded that the Section 232 measures were inconsistent

with Article XI:1 of the GATT 1994 because by imposing import quotas on steel and aluminum from certain countries, the United States has instituted prohibitions or restrictions other than duties, taxes or other charges on the importation of those products of the territory of those members. The Panel rejected the complainant's claims under Article XIX of the GATT 1994 and the Agreement on Safeguards, because the measures at issue are not safeguard measures, as they were sought, taken, or maintained pursuant to a provision of the GATT 1994 other than Article XIX, namely Article XXI of the GATT 1994.

The Panel disagreed with the long-standing U.S. interpretation that the essential security exception is self-judging and concluded that the measures at issue were not "taken in time of war or other emergency in international relations" within the meaning of Article XXI(b)(iii). Accordingly, the Panel found that the Section 232 measures were not justified under Article XXI(b)(iii) of the GATT 1994. In response to the reports, the United States rejected the Panel's flawed interpretation and conclusions and reiterated that the United States has held the clear and unequivocal position, for over 70 years, that issues of national security cannot be reviewed in WTO dispute settlement and the WTO has no authority to second-guess the ability of a WTO Member to respond to a wide-range of threats to its security. On January 26, 2023, the United States notified the DSB of its decision to appeal certain issues of law covered in the panel report. As of December 31, 2024, no division of the Appellate Body could be established to hear the appeal.

### **United States – Tariff Measures on Certain Goods from China II (DS565)**

On August 23, 2018, China requested consultations with the United States concerning certain tariff measures on Chinese goods that the United States might implement under Section 301-310 of the U.S. Trade Act of 1974. China alleged that the tariff measures are inconsistent with U.S. commitments and obligations under Articles I:1, II:1(a), and II:1(b) of the GATT 1994 and Article 23 of the DSU. The United States and China held consultations on October 22, 2018.

### **United States – Anti-Dumping and Countervailing Duties on Ripe Olives from Spain (DS577)**

On January 29, 2019, the EU requested consultations with the United States concerning the imposition of antidumping and countervailing duties on ripe olives from Spain. The EU alleged that the duties imposed, as well as the administrative acts and legislation that were the basis for the imposition of those duties, appear to be inconsistent with various provisions of the Antidumping Agreement, the SCM Agreement and the GATT 1994. The United States and the EU held consultations on March 20, 2019, but the consultations failed to resolve the dispute. At the EU's request, the WTO established a panel on June 24, 2019. On October 18, 2019, the WTO Director-General composed the Panel as follows: Mr. Daniel Moulis, Chair; and Mr. Martin Garcia and Ms. Charis Tan, Members.

On November 19, 2021, the Panel circulated its report. The Panel found that the United States acted inconsistently with the SCM Agreement and GATT 1994 in calculating the final subsidy rate of one respondent, and in relying upon Section 771B of the Tariff Act of 1930 to attribute benefits to downstream agricultural processors. The Panel also found that certain factual findings related to Commerce's specificity determination were inconsistent with the SCM Agreement. The Panel rejected the EU's other claims concerning specificity and rejected all of the EU's claims concerning the USITC's injury determination. On December 20, 2021, the DSB adopted the Panel report.

On January 19, 2022, the United States stated that it intended to implement the recommendations of the DSB in this dispute in a manner that respects U.S. WTO obligations, and that it will need a reasonable period of time in which to do so. On July 1, 2022, the United States and the EU informed the DSB that they had agreed that the reasonable period of time to implement the DSB's recommendations and rulings would be 12 months and 25 days, expiring on January 14, 2023. In July 2022, Commerce initiated an

administrative proceeding pursuant to Section 129 of the Uruguay Round Agreements Act of 1994 to reexamine Commerce's original countervailing duty determination.

Commerce issued its preliminary Section 129 determination on September 26, 2022, and its final Section 129 determination on December 20, 2022. In its final Section 129 determination Commerce: (1) reconsidered its specificity analysis of the basic payment scheme (BPS) program and found that the program is de facto specific under Section 771(5A)(D)(iii)(III) of the Tariff Act of 1930, as amended; (2) modified its definition of the "prior stage product" from all raw olives to four biologically distinct table and dual-use olive varietals and found that 55.28 percent of these varietals were processed into table olives; and (3) revised Aceitunas Guadalquivir S.L.U.'s total subsidy rate from 27.02 percent to 11.63 percent and the all-others rate from 14.97 percent to 11.08 percent. On January 12, 2023, USTR directed the Department of Commerce to implement the Section 129 determinations, and on January 16, 2023, the United States provided a status report to the DSB confirming it had completed implementation of the DSB's recommendations.

On April 28, 2023, the EU requested consultations with the United States with respect to Commerce's redetermination of the attribution of benefits to downstream agricultural processors in the Section 129 determinations. The United States and the EU held consultations on May 24, 2023, but the consultations failed to resolve the dispute. At the EU's request, the WTO established a compliance panel on July 28, 2023. The EU claims that Section 771B remains inconsistent with Article V:3 of the GATT 1994 and Article 10 of the SCM Agreement, both "as such" and as applied in the Section 129 determinations. On July 31, 2023, the WTO Director-General composed the compliance Panel as follows: Mr. Daniel Moulis, Chair; and Mr. Martin Garcia and Ms. Charis Tan, Members.

The panel circulated its final report on February 20, 2024, and found that Commerce's revised analysis of Section 771B failed to implement the relevant DSB recommendations that Section 771B is "as such" inconsistent with Article VI:3 of the GATT 1994 and Article 10 of the SCM Agreement. The panel also found that Commerce's application of Section 771B in the Section 129 proceeding was inconsistent with Article VI:3 of the GATT 1994 and Article 10 of the SCM Agreement. On March 19, 2024, the DSB adopted the panel report. On November 14, 2024, the EU requested authorization from the DSB to suspend concessions under Article 22.2 of the DSU at an annual level of approximately \$35 million, and in an additional amount based on a formula commensurate with the trade effects to be caused to the European Union by the United States' non-compliance with the "as such" recommendations and rulings. On November 22, 2024, the United States objected to the EU request under Article 22.6 of the DSU, referring the matter to arbitration.

### **United States – Anti-Dumping Measures on Carbon-Quality Steel from Russia (DS586)**

On July 5, 2019, Russia requested consultations with the United States concerning antidumping duty measures pertaining to hot-rolled flat-rolled carbon quality steel products from Russia. Russia alleged that the measures appear to be inconsistent with various provisions of the Antidumping Agreement and the GATT 1994. The United States and Russia held consultations on September 11, 2019.

### **United States – Origin Marking Requirement (DS597)**

On October 30, 2020, Hong Kong, China, requested consultations concerning certain measures affecting marks of origin with respect to imported goods produced in Hong Kong, China. Hong Kong, China, alleged that the measures are inconsistent with Articles I:1, IX:1, and X:3(a) of the GATT 1994, Articles 2(c), 2(d), and 2(e) of the Agreement on Rules of Origin, and Article 2.1 of the Agreement on Technical Barriers to Trade. The United States and Hong Kong, China, held consultations on November 24, 2020. At the request of Hong Kong, China, the WTO established a panel on February 22, 2021. On April 29, 2021, the Director-

General composed the Panel as follows: Ms. Beatriz Leycegui Gardoqui, Chair; and Mr. Johannes Human and Mr. Alexander Hugh McPhail, Members.

On December 21, 2022, the Panel circulated its report. The Panel found that the marking requirement is inconsistent with Article IX:1 of the GATT 1994 because it accords products of Hong Kong, China, less favorable treatment with respect to marking requirements than the treatment accorded to like products of other countries, and exercised judicial economy with respect to the claims under Article I:1 of the GATT 1994, Article 2(c) and 2(d) of the Agreement on Rules of Origin, and Article 2.1 of the Agreement on Technical Barriers to Trade. The Panel disagreed with the long-standing U.S. interpretation that the essential security exception is self-judging and concluded that the situation with respect to Hong Kong, China is not “an emergency in international relations” within the meaning of Article XXI(b)(iii). The Panel therefore concluded that the measure at issue is not justified under Article XXI(b) of the GATT 1994. In response to the reports, the United States rejected the Panel’s flawed interpretation and conclusions and reiterated that the United States has held the clear and unequivocal position, for over 70 years, that issues of national security cannot be reviewed in WTO dispute settlement and the WTO has no authority to second-guess the ability of a WTO Member to respond to what it considers a threat to its security. On January 26, 2023, the United States notified the DSB of its decision to appeal certain issues of law covered in the panel report. As of December 31, 2024, no division of the Appellate Body could be established to hear the appeal.

#### **United States – Measures on Certain Semiconductors and Other Products, and Related Services and Technologies (DS615)**

On December 12, 2022, China requested consultations concerning measures related to trade restrictions on certain advanced computing semiconductor chips, supercomputer items, semiconductor manufacturing items, and related services and technologies destined for China. China alleged that the measures are inconsistent with Articles I:1, XI:1, and X:3 of the GATT 1994, Article 2 of the TRIMs Agreement, Article 28 of the TRIPS Agreement, and Article VI of the GATS. The United States and China held consultations on March 29, 2023. On September 15, 2023, China supplemented its earlier consultations request with a request for further consultations, which the United States and China held on October 27, 2023.

#### **United States – Anti-dumping Measure on Oil Country Tubular Goods from Argentina (DS617)**

On May 17, 2023, Argentina requested consultations concerning antidumping duty measures pertaining to oil country tubular goods from Argentina and Section 771(7)(G) of the Tariff Act of 1930 regarding the cumulation of imports for purposes of an injury determination. Argentina alleged that the measures appear to be inconsistent with various provisions of the Antidumping Agreement and the GATT 1994. The United States and Argentina held consultations on July 6, 2023, but the consultations failed to resolve the dispute. At Argentina’s request, the WTO established a panel on October 26, 2023. On January 7, 2024, the Panel was composed by the Director-General to include: Ms. Enie Neri de Ross, Chair; and Mr. Jorge Miranda and Mr. Marco César Saraiva Da Fonseca, Members. As of December 31, 2024, the panel proceeding was ongoing.

#### **United States – Certain Tax Credits Under the Inflation Reduction Act (DS623)**

On March 26, 2024, China requested consultations concerning aspects of five clean energy tax credits created or amended by the Inflation Reduction Act, P.L. 117-169, and related implementing guidance. China alleged that the measures appear to be inconsistent with various provisions of the GATT 1994, the TRIMs Agreement, and the SCM Agreement. The United States and China held consultations on May 7, 2024, but the consultations failed to resolve the dispute. At China’s request, the WTO established a panel on September 23, 2024. As of December 31, 2024, the Panel has not yet been composed.

## **E. ENFORCEMENT ACTIVITIES TO COUNTER NON-MARKET POLICIES AND PRACTICES AND ENHANCE ECONOMIC SECURITY**

Non-market policies and practices (NMPPs)—such as targeting of industrial sectors for dominance, non-market excess capacity, forced labor and other labor rights violations, and distorting activities of firms that are state-owned or state-sponsored, or whose market power is directly supported by government—have been used to create dependencies and vulnerabilities, which undermines U.S. economic security, including economic security for working people. The Office of the United States Trade Representative (USTR) engages with trade partners in multiple forums to develop or coordinate effective responses to NMPPs in order to defend U.S. workers and industries, enhance economic security, strengthen supply chains, and cooperate with trusted partners. In addition to other USTR activities that may address NMPPs, USTR has developed and engaged in the following initiatives.

*For more information on USTR’s Section 301 activities – including its investigation of China’s targeting of the shipbuilding, maritime, and logistics sectors for dominance, and USTR’s actions to obtain the elimination of China’s acts, policies, and practices concerning forced technology transfer – see Chapter II.B Section 301.*

### **Group Addressing Economic Coercion and Non-Market Policies and Practices**

The United States works with a group of like-minded trade partners to address a range of threats to U.S. economic security. These efforts include coordination to deter and respond to economic coercion as well as actions to address NMPPs. USTR worked with these partners to develop a Joint Declaration Against Trade-Related Economic Coercion and Non-Market Policies and Practices in 2023. The Joint Declaration expresses a shared concern and affirms a commitment to enhance international cooperation in order to effectively deter and address trade-related economic coercion and NMPPs. Australia, Canada, Japan, New Zealand, the United Kingdom, and the United States endorsed the Joint Declaration at a Ministerial meeting in Paris on June 8, 2023. The group continues its work on economic security to develop effective responses to trade-related economic coercion and NMPPs.

### **United States–European Union Trade and Technology Council**

USTR has led efforts in the United States–European Union Trade and Technology Council (TTC) to engage European Union (EU) partners on effective means to address NMPPs, economic coercion, and other issues of concern posed by third countries, including China.

In 2024, the United States and the EU exchanged views and information about NMPPs in the medical devices sector in China and their adverse impact on U.S. and EU workers and businesses and explored possible coordinated actions in response to these policies and practices.

The United States and the EU also announced efforts to enhance coordination to deter and counter economic coercion and bolster transatlantic preparedness and resilience.

The United States and the EU shared concerns about the impact of NMPPs on the global supply of semiconductors, particularly in legacy chips. To avoid negative impact from excess global capacity, the United States and the EU, in cooperation with like-minded partners, continued to exchange information and market intelligence about NMPPs that undermine the well-being of the global semiconductor industry and explore cooperative measures to address the distortionary effects of these policies and practices.

*For further discussion of the United States–European Union Trade and Technology Council, see Chapter I.D.2.*

### **Trilateral (US-EU-Japan)**

The United States worked with the EU and Japan in the trilateral format to address NMPPs. In 2021, the United States, EU, and Japan renewed their trilateral partnership to address the global challenges posed by NMPPs of third countries. Work in the trilateral format continued throughout 2024, and the group has focused on analyzing NMPPs and potential responses on a sectoral basis.

### **Group of Seven**

In addition to other trade-related Group of Seven (G7) activity, in 2024, the United States and other G7 partners took a number of steps to enhance cooperation on addressing NMPPs and to promote economic security and supply chain resilience, and effectively deter and respond to economic coercion.

The United States and other G7 partners continued work in the Coordination Platform on Economic Coercion to increase collective assessment, preparedness, deterrence, and response to economic coercion, and further promote cooperation with partners beyond the G7. The United States works with G7 partners within the Coordination Platform to use early warning and rapid information sharing, regularly consult each other, collaboratively assess situations, explore coordinated responses, deter and, where appropriate, counter economic coercion.

In July 2024, the USTR and other G7 trade ministers issued a joint statement underscoring the need to address NMPPs and promote economic resilience and economic security. To this end, the United States and other G7 partners focused on addressing non-market excess capacity, including in key sectors, for example, through work in the newly established G7 semiconductor Point of Contact Group.

*For further discussion of G7 activities, see Chapter IV.A Group of Seven.*

### **Large Civil Aircraft (LCA) Cooperative Frameworks**

As part of the understandings reached on cooperative frameworks with the UK and the EU in June 2021, the United States continued to work with UK and EU partners to implement the understanding on cooperation on non-market economies in 2024. Through the respective LCA Working Groups, USTR worked with UK and EU counterparts to collaborate on jointly analyzing and addressing NMPPs of third parties that may harm the countries' respective large civil aircraft industries.

The LCA Working Groups have engaged in ongoing analytical work related to China's NMPPs in the sector, such as China's state-directed industrial dominance targeting, discriminatory and anti-competitive activities of State- or Party-controlled entities, State-directed purchases, financial support, and forced technology transfer policies.

*For further discussion of Large Civil Aircraft, see Chapter II.D WTO and FTA Enforcement.*

### **Global Arrangement on Steel and Aluminum to Address Non-Market Excess Capacity and Emissions Intensity**

As part of efforts to negotiate global arrangements on steel and aluminum, the United States worked with the EU to restore market-oriented conditions and address emissions intensity in these critical sectors. Non-

market excess capacity harms our workers, communities, and market-oriented industries and generates unnecessary greenhouse gas emissions. In 2021, the United States and EU resolved to negotiate future arrangements for trade in the steel and aluminum sectors that take account of both global non-market excess capacity as well as the emissions intensity of these industries. The United States and the EU formed a technical working group to enhance their cooperation and facilitate negotiations on these arrangements and decided to invite like-minded economies to participate in the arrangements.

*For further discussion of the Global Arrangement, see Chapter III.F Manufacturing and Trade.*

### **Critical Minerals**

On March 28, 2023, the United States and Japan signed the Agreement Between the Government of the United States of America and the Government of Japan on Strengthening Critical Minerals Supply Chains (Critical Minerals Agreement). The objective of the Critical Minerals Agreement is to strengthen and diversify critical minerals supply chains and promote the adoption of electric vehicle battery technologies. In particular, the Critical Minerals Agreement memorializes the shared commitment of the United States and Japan with respect to the critical minerals sector to facilitate trade, promote fair competition and market oriented conditions for trade in critical minerals, advance robust labor and environment standards, and cooperate in efforts to ensure secure and transparent critical minerals supply chains.

The United States and Japan continued to engage, including during discussions of the U.S.-Japan Partnership on Trade with respect to NMPPs.

In 2024, the United States and the European Union held negotiations on a targeted critical minerals agreement. In 2024, the United States and the United Kingdom also held negotiations on a targeted critical minerals agreement.

*For further discussion of Critical Minerals Agreements, see Chapter I.D.2 Europe and Middle East and Chapter I.D.3 Japan and Korea.*

## **F. OTHER MONITORING AND ENFORCEMENT ACTIVITIES**

### **1. Preference Programs Monitoring and Enforcement**

#### **Generalized System of Preferences**

During 2024, the Office of the United States Trade Representative (USTR) and the Trade Policy Staff Committee (TPSC) Subcommittee on the Generalized System of Preferences (GSP) (19 U.S.C. § 2461 *et seq.*) continued to monitor beneficiary countries' compliance with the 15 GSP eligibility criteria established by Congress. These criteria include taking steps to afford internationally recognized worker rights, providing the United States with equitable and reasonable market access, reducing trade-distorting investment practices, providing adequate and effective protection of intellectual property (IP) rights to U.S. rights holders, and enforcing arbitral awards in favor of U.S. citizens or corporations.

As a result of the lapse of the GSP program's authorization on December 31, 2020, USTR did not open or close any reviews of designated GSP beneficiary countries' eligibility or hold public hearings on existing reviews in 2024. As of December 31, 2024, seven reviews were pending, including reviews of Indonesia and South Africa on intellectual property (IP) protection and IP enforcement; a review of Ecuador on enforcement of arbitral awards; and reviews of Azerbaijan, Eritrea, Kazakhstan, and Zimbabwe on worker rights.

Throughout 2024, USTR engaged with GSP beneficiary countries, including Argentina, Armenia, Azerbaijan, Brazil, Cambodia, Ecuador, Kazakhstan, Kyrgyz Republic, Maldives, Pacific Islands, Nepal, Paraguay, the Philippines, Thailand, and Uzbekistan, on GSP eligibility criteria. Discussions took place during trade and investment framework agreement and other bilateral meetings.

*For further discussion of the GSP program, see Chapters I.A.1 Generalized System of Preferences and IV.E.2 Labor and Trade Monitoring and Enforcement Activities of Existing Agreements.*

### **The African Growth and Opportunity Act**

The African Growth and Opportunity Act (AGOA) (Title 1 of The Trade and Development Act of 2000, P.L. 106-200, 19 U.S.C. § 3701 *et seq.*) requires the President to designate annually which of the sub-Saharan African countries listed in the Act are eligible to receive AGOA benefits. The AGOA Implementation Subcommittee of the Trade Policy Staff Committee examines through an annual review whether each country already eligible for AGOA benefits has continued to meet the eligibility criteria and whether circumstances in ineligible countries have improved sufficiently to warrant their designation as AGOA beneficiary country. The AGOA eligibility criteria include establishing or making continual progress in establishing: (1) a market-based economy; (2) rule of law; (3) poverty-reduction policies; (4) a system to combat corruption and bribery; and (5) protection of internationally recognized worker rights. The AGOA also requires that eligible countries do not engage in activities that undermine U.S. national security or foreign policy interests or engage in gross violations of internationally recognized human rights.

The annual review takes into account information drawn from U.S. Government agencies, the private sector, civil society, African governments, and other interested stakeholders. Through the AGOA eligibility review process, the annual AGOA Forum meeting, and ongoing dialogue with AGOA partners, AGOA provides incentives to promote economic and political reform as well as trade expansion in AGOA-eligible countries in support of broad-based economic development.

As a result of the 2025 AGOA eligibility review, no countries were reinstated or terminated from the program, and 32 countries continue to be eligible for the AGOA program as of January 1, 2025. Additionally, during 2024, the United States continued to closely monitor Mauritania's progress in effectively and decisively protecting international recognized worker rights, particularly eradicating the scourge of hereditary slavery.

For additional information on country compliance with the AGOA eligibility criteria, see USTR's [2024 Biennial Report on the Implementation of the African Growth and Opportunity Act](#).

*For further discussion on the AGOA Program and related activities, see Chapter I.D.6 Sub-Saharan Africa and I.A.2 African Growth and Opportunity Act.*

### **Caribbean Basin Initiative**

USTR monitors Caribbean Basin Initiative (CBI) beneficiary countries' compliance with eligibility criteria set out in the various statutes, including the Caribbean Basin Economic Recovery Act (CBERA) (P.L. 98-67) and the Caribbean Basin Trade Partnership Act (CBTPA) (Title II of the Trade and Development Act of 2000, P.L. 106-200 (19 U.S.C. § 2701 *et seq.*)). For CBERA, these criteria include taking steps to respect internationally recognized worker rights, providing the United States with equitable and reasonable market access, respecting certain IP rights, and enforcing arbitral awards in favor of U.S. citizens or corporations. Additional criteria for the CBTPA include demonstrating a commitment to undertake World Trade Organization obligations; providing appropriate IP protection; providing internationally recognized worker

rights; implementing commitments to eliminate the worst forms of child labor; meeting U.S. counter-narcotics criteria; taking steps to implement the Inter-American Convention against Corruption; and applying transparent, nondiscriminatory, and competitive procedures in government procurement.

For information on compliance of each country with CBI eligibility criteria, see USTR's [Fifteenth Report to Congress on the Operation of the Caribbean Basin Economic Recovery Act](#).

*For further discussion of the CBI program, see Chapter I.A.3 Caribbean Basin Initiative.*

### **Haitian Hemispheric Opportunity through the Partnership Encouragement Act**

The Haitian Hemispheric Opportunity through Partnership Encouragement Act of 2008 (HOPE II Act) (P.L. 110-234, Title XV, Subtitle D, Part I) requires Haiti to have established or be making continual progress toward establishing the protection of internationally recognized worker rights to be eligible for the program. The HOPE II Act also requires Haitian producers to comply with core labor standards and the corresponding labor laws of Haiti for their goods to receive duty-free treatment under HOPE II. The U.S. Department of Labor (DOL), in consultation with USTR, is charged with publicly identifying noncompliant producers on a biennial basis and providing assistance to such producers to comply with the standards. In addition, the DOL provides support to at-risk producers to help ensure that they do not fall out of compliance. During 2024, the DOL continued to monitor producer-level compliance with worker rights criteria and to follow up with producers to address concerns related to worker rights criteria to ensure continued compliance with HOPE II labor requirements. The United States also continued to work closely with the Government of Haiti and the International Labor Organization on implementation of the Technical Assistance Improvement and Compliance Needs Assessment and Remediation (TAICNAR) program to monitor factories' compliance with internationally recognized worker rights.

For information on monitoring efforts, see the [2024 USTR Annual Report on the Implementation of the Technical Assistance Improvement and Compliance Needs Assessment and Remediation \(TAICNAR\) Program and Assessment of Producer Eligibility](#).

*For further discussion of the Haiti HOPE Act, see Chapter I.A.4 Haitian Hemispheric Opportunity through Partnership Encouragement Act.*

### **Nepal Trade Preference Program**

The United States regularly engages with Nepal through the United States–Nepal Trade and Investment Framework Agreement (TIFA) Council to ensure that Nepal is meeting the Nepal Trade Preference Program (NTPP) statutory criteria, which consist of the eligibility requirements under GSP and AGOA. At the September 2024 TIFA Council meeting, the United States and Nepal discussed the criteria for the NTPP program, which is set to expire in 2025, including the need for continual progress in establishing a market-based economy, rule of law, and the protection of internationally recognized worker rights in Nepal. The Trade Facilitation and Trade Enforcement Act of 2015, which created the NTPP (19 U.S.C. § 4454), requires the President to determine annually whether Nepal is eligible to receive benefits under this program. These decisions are supported by an annual interagency review, chaired by USTR, that examines whether Nepal meets the eligibility criteria.

For information on Nepal's eligibility to receive preferential trade benefits, see the [2024 USTR Annual Report to Congress on the Implementation of the Nepal Trade Preference Program \(NTPP\)](#).

*For further discussion of the NTPP, see Chapter I.A.5 Nepal Trade Preference Program.*

## **2. Special 301**

Pursuant to Section 182 of the Trade Act of 1974, as amended by the Omnibus Trade and Competitiveness Act of 1988, the Uruguay Round Agreements Act of 1994, and the Trade Facilitation and Trade Enforcement Act of 2015 (19 U.S.C. § 2242), the Office of the United States Trade Representative (USTR) is required to identify “those foreign countries that deny adequate and effective protection of intellectual property rights, or deny fair and equitable market access to United States persons that rely on intellectual property protection.” Countries that have the most onerous or egregious acts, policies, or practices and whose acts, policies, or practices have the greatest adverse impact (actual or potential) on relevant U.S. products are designated as “Priority Foreign Countries” (PFCs), unless those countries are entering into good faith negotiations or are making significant progress in bilateral or multilateral negotiations to provide adequate and effective protection of intellectual property (IP).

In addition, USTR has created a Special 301 “Priority Watch List” (PWL) and “Watch List” (WL). Placement of a trading partner on the PWL or WL indicates that particular problems exist in that country with respect to IP protection, enforcement, or market access for persons relying on IP. Countries placed on the PWL are the focus of increased bilateral attention concerning the specific problem areas. USTR develops an action plan for each foreign country identified for placement on the PWL and that has remained on the PWL for at least one year.

Additionally, Section 306 of the Trade Act of 1974 requires USTR to monitor a trading partner’s compliance with measures that are the basis for resolving an investigation under Section 301. USTR may take trade action if a country fails to implement such measures satisfactorily.

The Special 301 PWL and WL placements not only indicate those trading partners whose IP protection and enforcement regimes most concern the United States, but also alert firms considering trade or investment relationships with such countries that their IP may not be adequately protected.

### **2024 Special 301 Review Results**

On April 25, 2024, USTR announced the results of the 2024 Special 301 Review. The 2024 Special 301 Report was the result of stakeholder input and interagency consultation.

USTR requested written submissions from the public through a *Federal Register notice* published on December 6, 2023. USTR fostered public participation through written submissions, and a public hearing held on February 21, 2024, that allowed interested persons, including representatives of foreign governments, industry, and non-governmental organizations, to provide oral testimony to members of the interagency Special 301 Subcommittee of the Trade Policy Staff Committee (TPSC).

The *Federal Register* notice drew submissions from 45 non-government stakeholders and 16 foreign governments. USTR posted online all submissions received, as well as the written questions from the TPSC and the written responses at [www.regulations.gov](http://www.regulations.gov), docket number [USTR-2023-0014](#).

For more than 30 years, the Special 301 Report has identified positive advances as well as areas of continued concern. The Report has reflected changing technologies, promoted best practices, and situated these critical issues in their policy context, underscoring the importance of IP protection and enforcement to the United States and its trading partners. During this period, there has been significant progress in a variety of countries, including Australia, Costa Rica, the Dominican Republic, Israel, Italy, Jamaica, Japan, Korea, the Philippines, Spain, Taiwan, Uruguay, and Uzbekistan.

Considerable concerns still remain. In 2024, USTR received stakeholder input on more than 60 trading partners, but focused the review on the nominations contained in submissions that complied with the requirement in the *Federal Register* notice to identify whether a particular trading partner should be designated as a PFC, or placed on the PWL or WL, or not listed in the Special 301 Report, and that were filed by the deadlines provided in the notice. Following extensive research and analysis, USTR listed 7 countries on the PWL and 20 countries on the WL. Several countries, including Chile, India, Indonesia, the People’s Republic of China, Thailand, and Türkiye, have been listed every year since the Report’s inception. The 2024 listings were as follows:

**Priority Watch List:** Argentina, Chile, India, Indonesia, the People’s Republic of China, Russia, and Venezuela.

**Watch List:** Algeria, Barbados, Belarus, Bolivia, Brazil, Bulgaria, Canada, Colombia, Ecuador, Egypt, Guatemala, Mexico, Pakistan, Paraguay, Peru, Thailand, Trinidad and Tobago, Türkiye, Turkmenistan, and Vietnam.

When appropriate, USTR may conduct an Out-of-Cycle Review (OCR) to encourage progress on IP issues of concern. OCRs provide an opportunity to address and remedy such issues through heightened engagement with trading partners and other stakeholders. Successful resolution of specific IP issues of concern can lead to a positive change in a trading partner’s Special 301 status outside of the typical period for the annual review.

USTR also conducts a review focused on prominent and illustrative examples of online and physical markets that reportedly engage in or facilitate substantial piracy or counterfeiting. USTR started identifying notorious markets in the Special 301 Report in 2006. In 2010, USTR began publishing the Notorious Markets List (NML) separately from the Special 301 Report in order to increase public awareness and guide related enforcement efforts. Since publication of the first NML, several online markets closed or saw their business models disrupted as a result of enforcement efforts. In some instances, in an effort to legitimize their overall business, companies made the decision to close down problematic aspects of their operations; while others cooperated with authorities to address unauthorized conduct on their sites. Notwithstanding the progress that has occurred, online piracy and counterfeiting continue to grow, requiring robust, sustained, and coordinated responses by governments, private sector stakeholders, and consumers.

The NML also includes an “issue focus” that highlights an issue related to the facilitation of substantial trademark counterfeiting or copyright piracy. As announced in the *Federal Register notice* published on August 16, 2024, the issue focus for the 2024 NML will examine illicit online pharmacies and counterfeit medicine.

The Special 301 Review and NML serve a critical function by identifying opportunities and challenges in foreign markets related to adequate and effective IP protection and enforcement facing U.S. innovative and creative industries, which are key industries for job creation and economic development. The Special 301 Report and NML inform the public and U.S. trading partners, and serve as a positive catalyst for change. USTR remains committed to meaningful and sustained engagement with U.S. trading partners, with the goal of resolving these challenges. Information related to Special 301 (including public hearing transcripts and videos), the NML, and USTR’s overall IP efforts can be found on [USTR’s website](#).

### 3. Section 1377 Review of Telecommunications Agreements

Section 1377 of the Omnibus Trade and Competitiveness Act of 1988 requires the Office of the United States Trade Representative (USTR) to review by March 31 of each year the operation and effectiveness of

U.S. telecommunications trade agreements. The purpose of this review is to determine whether any act, policy, or practice of a foreign country that has entered into a telecommunications-related agreement with the United States: (1) is not in compliance with the terms of the agreement, or (2) otherwise denies, within the context of the agreement, to telecommunications products and services of U.S. firms, mutually advantageous market opportunities in that country.

USTR addresses these issues in its annual National Trade Estimate Report on Foreign Trade Barriers. This approach allows USTR to describe, in one comprehensive report, all of the overlapping barriers concerning telecommunications services and goods, along with any related digital trade issues.

In its 2024 Section 1377 Review, USTR focused on issues related to: barriers to competition and spectrum allocation, restrictions on market access, technical barriers related to standards and conformity assessment procedures, and tariffs on telecommunications equipment.

## **4. Section 337**

Section 337 of the Tariff Act of 1930, as amended, makes it unlawful to engage in unfair acts or unfair methods of competition in the importation of goods or sale of imported goods. Most Section 337 investigations concern alleged infringement of intellectual property rights, such as U.S. patents.

The U.S. International Trade Commission (USITC) conducts Section 337 investigations through adjudicatory proceedings under the Administrative Procedure Act. The proceedings normally involve an evidentiary hearing before a USITC administrative law judge who issues an Initial Determination that is subject to review by the USITC (all sitting commissioners). If the USITC finds a violation, it can order that imported infringing goods be excluded from entry into the United States, issue cease and desist orders requiring firms to stop unlawful conduct in the United States, such as the sale or other distribution of imported infringing goods in the United States, or both. The USITC also is authorized to issue temporary exclusion or cease and desist orders before it completes an investigation if the complainant shows that there is reason to believe there has been a violation of Section 337 and shows that it will suffer irreparable harm absent issuance of a temporary exclusion order. Many Section 337 investigations are terminated after the parties reach settlement agreements or agree to the entry of consent orders. In cases in which the USITC finds a violation of Section 337, it must decide whether certain public interest factors nevertheless preclude the issuance of a remedial order. The four public interest considerations are the order's effect on: (1) public health and welfare; (2) competitive conditions in the U.S. economy; (3) the production of like or directly competitive articles in the United States; and (4) U.S. consumers. USITC Section 337 determinations are subject to judicial review on the merits in the U.S. Court of Appeals for the Federal Circuit, with possible appeal to the U.S. Supreme Court. The Department of Homeland Security U.S. Customs and Border Protection enforces USITC exclusion and seizure orders.

If the USITC issues an affirmative determination and concomitant remedial order(s), it transmits the determination, order(s), and the record upon which the determination is based to the President for policy review. The Presidential review, set out in Section 337(j)(1)(B), Section 337(j)(2), and Section 337(j)(4) of the Tariff Act of 1930, has been delegated to the United States Trade Representative (USTR). The USTR conducts these reviews in consultation with other agencies. Importation of the subject goods may continue during this review process if the importer pays a bond in an amount determined by the USITC. If the USTR disapproves a determination before the end of the 60-day review period, the determination and order(s) have no force or effect as of the date the USTR notifies the USITC. If the USTR does not disapprove the USITC's determination within the 60-day review period, or if the USTR formally approves the determination before the end of the 60-day review period, the determination and order(s) become final on the day after the close of such period or the date that the President or the USTR notifies the USITC of the

approval, as the case may be. During 2024, the USITC instituted 45 new Section 337 investigations and commenced 13 ancillary proceedings. The USITC also issued affirmative determinations and remedial orders in nine investigations in calendar year 2024. The USTR did not take any action in six of those investigations in calendar year 2024:

*Certain Graphics Systems, Components Thereof, and Digital Televisions Containing the Same*, 337-TA-1318;

*Certain Raised Garden Beds and Components Thereof*, 337-TA-1334;

*Certain Self-balancing Electric Skateboards and Components Thereof*, 337-TA-1386;

*Certain Compact Wallets and Components Thereof*, 337-TA-1355;

*Certain Pick-up Truck Folding Bed Cover Systems and Components Thereof (III)*, 337-TA-1353; and

*Certain Blood Flow Restriction Devices with Rotatable Windlasses and Components Thereof*, 337-TA-1364.

All six determinations and orders became final in 2024 after Presidential review. Presidential reviews of the remaining three investigations were completed in early 2025:

*Certain Semiconductor Devices, and Methods of Manufacturing Same and Products Containing the Same*, 337-TA-1366;

*Certain Chocolate Milk Powder and Packaging Thereof*, 337-TA-1232 (Enforcement); and

*Certain Moveable Barriers Operator Systems and Components Thereof*, 337-TA-1118 (Remand).

## **5. Antidumping Actions**

Under the U.S. antidumping law, duties are imposed on imported merchandise when the U.S. Department of Commerce (Commerce) determines that the merchandise is being dumped (sold at “less than fair value”) and the U.S. International Trade Commission (USITC) determines that there is material injury or threat of material injury to the domestic industry, or material retardation of the establishment of an industry, “by reason of” those imports. The antidumping law’s provisions are incorporated in Title VII of the Tariff Act of 1930 and have been substantially amended by the Trade Agreements Act of 1979, the Trade and Tariff Act of 1984, the Trade and Competitiveness Act of 1988, the Uruguay Round Agreements Act of 1994, and the Trade Facilitation and Trade Enforcement Act of 2015.

An antidumping investigation usually begins when a U.S. industry, or an entity filing on its behalf, submits a petition alleging, with respect to certain imports, the dumping and injury elements described above. If the petition meets the applicable requirements, Commerce will initiate an antidumping investigation. In special circumstances, Commerce also may self-initiate an investigation.

After initiation, the USITC decides, generally within 45 days of the filing of the petition, whether there is a “reasonable indication” of material injury or threat of material injury to a domestic industry, or material retardation of an industry’s establishment, by reason of the allegedly dumped imports. If this preliminary injury determination by the USITC is negative, the investigation is terminated and no duties are imposed; if it is affirmative, Commerce will make preliminary and final determinations concerning the allegedly

dumped sales into the U.S. market. If Commerce’s preliminary determination is affirmative, it will direct the U.S. Department of Homeland Security Customs and Border Protection (CBP) to suspend liquidation of entries and require importers to post a cash deposit equal to the estimated weighted-average dumping margin. If Commerce’s preliminary determination is negative, there is no suspension of liquidation of entries. In either scenario, Commerce will complete its investigation and issue a final determination.

If Commerce’s final determination regarding dumping is negative, the investigation is terminated and no duties are imposed. If affirmative, the USITC makes a final injury determination. If the USITC determines that there is material injury or threat of material injury, or material retardation of an industry’s establishment, by reason of the dumped imports, then Commerce will issue an antidumping order and direct CBP to assess, upon further instruction by Commerce, antidumping duties and require cash deposits on imported goods. If the USITC’s final injury determination is negative, the investigation is terminated and the cash deposits are refunded.

Upon request of an interested party, Commerce conducts annual reviews of dumping margins pursuant to Section 751 of the Tariff Act of 1930, as amended. Section 751 also provides for Commerce and USITC review in cases of changed circumstances and periodic review in conformity with the five-year “sunset” provisions of the U.S. antidumping law.

Antidumping determinations may be appealed to the U.S. Court of International Trade, with further judicial review possible in the U.S. Court of Appeals for the Federal Circuit and the U.S. Supreme Court. For certain investigations involving Canadian or Mexican merchandise, final determinations may be reviewed by a binational panel established under the United States–Mexico–Canada Agreement.

The United States initiated 54 antidumping investigations in 2024 and imposed 26 antidumping orders.

## **6. Countervailing Duty Actions**

The U.S. countervailing duty (CVD) law dates back to late 19th century legislation authorizing the imposition of CVDs on subsidized sugar imports. The current CVD provisions are contained in Title VII of the Tariff Act of 1930, as amended by subsequent legislation including the Uruguay Round Agreements Act of 1994. As with the antidumping law, the U.S. International Trade Commission (USITC) and the U.S. Department of Commerce (Commerce) jointly administer the CVD law, and the U.S. Department of Homeland Security Customs and Border Protection (CBP) collects duties and enforces CVD orders on imported goods.

The CVD law’s purpose is to offset certain foreign government subsidies that benefit imports into the United States. CVD procedures under Title VII are very similar to antidumping procedures, and CVD determinations by Commerce and the USITC are subject to the same system of judicial review as antidumping determinations. Commerce normally initiates investigations based on a petition submitted by a U.S. industry or an entity filing on its behalf. The USITC is responsible for investigating material injury issues. The USITC makes a preliminary finding as to whether there is a reasonable indication of material injury or threat of material injury, or material retardation of an industry’s establishment, by reason of imports subject to investigation. If the USITC’s preliminary determination is negative, the investigation terminates; otherwise, Commerce issues preliminary and final determinations on subsidization. If Commerce’s final determination of subsidization is affirmative, the USITC proceeds with its final injury determination of whether a domestic industry is materially injured or threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of imports for which Commerce has made an affirmative determination. If the USITC’s final determination is affirmative,

Commerce will issue a CVD order. CBP collects CVDs on imported goods. If the USITC's final injury determination is negative, the investigation is terminated.

Upon request of an interested party, Commerce conducts annual reviews of countervailable subsidy rates pursuant to Section 751 of the Tariff Act of 1930, as amended. Section 751 also provides for Commerce and USITC review in cases of changed circumstances and periodic review in conformity with the five-year "sunset" provisions of the U.S. countervailing duty law.

CVD determinations may be appealed to the U.S. Court of International Trade with further judicial review possible in the U.S. Court of Appeals for the Federal Circuit and the U.S. Supreme Court. For certain investigations involving Canadian or Mexican merchandise, final determinations may be reviewed by a binational panel established under the United States–Mexico–Canada Agreement.

The United States initiated 34 CVD investigations and imposed 10 new CVD orders during 2024.

## **7. Subsidies Monitoring and Other Antidumping and Countervailing Duty Enforcement**

### **Subsidies Enforcement**

The World Trade Organization (WTO) Agreement on Subsidies and Countervailing Measures (SCM Agreement) establishes multilateral disciplines on subsidies. Among its various disciplines, the SCM Agreement provides remedies for subsidies that have adverse effects not only in the importing country's market, but also in the subsidizing government's market and in third-country markets. The SCM Agreement also obligates all WTO Members to file biennial notifications of all specific subsidies that they maintain. This transparency is fundamental to assessing the nature and extent of Members' subsidy programs and their likely impact on trade, and to utilizing the remedies permitted under the Agreement.

Prior to the SCM Agreement coming into effect in 1995, the U.S. countervailing duty (CVD) law was, in effect, the only practical mechanism for U.S. companies to address subsidized foreign competition. However, the CVD law focuses exclusively on the effects of foreign subsidized competition in the United States. Although the procedures and remedies are different, the multilateral remedies of the SCM Agreement provide an alternative tool to address foreign subsidies that affect U.S. businesses in an increasingly global marketplace.

Section 281 of the Uruguay Round Agreements Act of 1994 (URAA) and other authorities set out the responsibilities of the Office of the United States Trade Representative (USTR) and the U.S. Department of Commerce (Commerce) in enforcing U.S. rights in the WTO under the SCM Agreement. USTR coordinates the development and implementation of overall U.S. trade policy with respect to subsidy matters; represents the United States in the WTO, including in the WTO Committee on Subsidies and Countervailing Measures and in WTO dispute settlement relating to subsidies disciplines; and leads the interagency team on matters of policy. The role of Commerce's Enforcement and Compliance (E&C) is to enforce the CVD law and, in accordance with responsibilities assigned by the Congress in the URAA, to pursue certain subsidies enforcement activities of the United States with respect to the disciplines embodied in the SCM Agreement. The E&C's Subsidies Enforcement Office (SEO) is the specific office charged with carrying out these duties.

The primary mandate of the SEO is to examine subsidy complaints and concerns raised by U.S. exporting companies and to monitor foreign subsidy practices to determine whether there is reason to believe they are impeding U.S. exports to foreign markets and are inconsistent with the SCM Agreement. Once sufficient

information about a subsidy practice has been gathered to permit it to be reliably evaluated, USTR and Commerce confer with an interagency team to determine the most effective way to proceed. It is frequently advantageous to pursue resolution of these problems through a combination of informal and formal contacts, including, where warranted, dispute settlement action in the WTO. Remedies for violations of the SCM Agreement may, under certain circumstances, involve the withdrawal of a subsidy program or the elimination of the adverse effects of the program.

During 2024, USTR and E&C addressed numerous inquiries and met with representatives of U.S. industries concerned with the subsidization of foreign competitors. These efforts continued to be importantly enhanced by E&C officers stationed overseas (e.g., in the People's Republic of China), who help gather, clarify, and check the accuracy of information concerning foreign subsidy practices. U.S. Government officers stationed at U.S. Embassies where E&C are not present also handled such inquiries.

The SEO's electronic subsidies database continued to fulfill the goal of providing the U.S. trading community with a centralized location to obtain information about the remedies available under the SCM Agreement and much of the information that is needed to develop a CVD case or a WTO subsidies complaint. This database is accessible to the public through the [SEO website](#). The website includes an overview of the SEO, helpful links, and an easily navigable tool that provides information about each subsidy program investigated by Commerce in CVD cases since 1980. This database is frequently updated, making information on subsidy programs quickly available to the public.

### **Monitoring and Challenging Foreign Antidumping, Countervailing Duty, and Safeguard Actions**

The WTO Agreement on Implementation of Article VI (Antidumping Agreement) and the SCM Agreement permit WTO Members to impose antidumping (AD) duties or CVDs to offset injurious dumping or subsidization of products exported from one Member to another. The United States actively monitors, evaluates, and where appropriate, participates in ongoing AD and CVD cases conducted by foreign countries in order to safeguard the interests of U.S. industry and to ensure that Members abide by their WTO obligations in conducting such proceedings.

To this end, the United States works closely with U.S. companies affected by foreign countries' AD and CVD investigations in an effort to help them better understand WTO Members' AD and CVD systems. The United States also advocates on their behalf in connection with ongoing investigations, with the goal of obtaining fair and objective treatment that is consistent with the WTO agreements. In addition, with regard to CVD cases, the United States provides extensive information in response to questions from foreign governments regarding the subsidy allegations at issue in a particular case.

Further, E&C's Trade Remedy Compliance Staff (TRCS) track foreign AD and CVD actions, as well as safeguard actions involving U.S. exporters, enabling U.S. companies and U.S. Government agencies to monitor other WTO Members' administration of such actions. Information about foreign trade remedy actions affecting U.S. exports is accessible to the public via the [TRCS's website](#). The stationing of E&C officers to certain overseas locations and close contacts with U.S. Government officers stationed in embassies worldwide has contributed to U.S. efforts to monitor the application of foreign trade remedy laws with respect to U.S. exports. In addition, E&C promotes fair treatment, transparency, and consistency with WTO obligations through technical exchanges and other bilateral engagements.

During the past year, several trade remedy actions involving exports from the United States were closely monitored, notable examples of which include: (1) India's separate AD investigations of isobutylene-isoprene rubber and halo-isobutene-isoprene rubber; (2) the European Union's AD investigation of polyvinyl chloride; and (3) Colombia's CVD investigation of milk powder.

WTO Members must notify, on an ongoing basis and without delay, their preliminary and final determinations to the WTO. Twice a year, WTO Members also must notify the WTO of all AD and CVD actions they have taken during the preceding six-month period. The actions are identified in semiannual reports submitted for discussion in meetings of the relevant WTO committees. Finally, Members are required to notify the WTO of changes in their AD and CVD laws and regulations. These notifications are accessible through the [WTO website](#).



# **III. SECTORAL PROGRAMS, AGREEMENTS, NEGOTIATIONS, AND OTHER INITIATIVES**

## **A. SMALL AND MEDIUM-SIZED ENTERPRISE INITIATIVE**

U.S. small and medium-sized enterprises (SMEs) are key engines for U.S. economic growth, jobs, and innovation. The Office of the United States Trade Representative (USTR) is focused on enhancing the benefits of trade for U.S. SMEs, helping them take advantage of new markets abroad, access and participate in global supply chains, and support jobs at home. During 2024, USTR negotiated with foreign governments to open their markets and enforced existing U.S. trade agreements to ensure a level playing field for U.S. workers and businesses of all sizes. USTR worked to better integrate specific SME issues and priorities into trade policy development, increased outreach to SMEs around the country, and expanded interagency collaboration and coordination on SME trade issues.

USTR's SME Initiative to increase export opportunities for U.S. SMEs has expanded efforts to address the specific export challenges and priorities of SMEs and their workers in U.S. trade policy and enforcement activities. In 2024, USTR continued to engage with its interagency partners and trading partners to develop and implement new and ongoing initiatives that support small business exports.

USTR supported efforts to help more SMEs reach overseas markets by improving information availability, leveraging new technology applications, and empowering local export efforts. USTR worked closely with the U.S. Small Business Administration (SBA), the U.S. Departments of Commerce and State, and other agencies that help provide U.S. SMEs with information, assistance, and counseling on specific export opportunities. In 2024, USTR undertook a range of actions in support of the SME Initiative.

### **Small and Medium-Sized Enterprise-Related Trade Policy Activities**

Lack of transparency relating to relevant regulations and unduly burdensome customs procedures present particular challenges for U.S. SMEs exporting abroad. Under the SME Initiative, USTR's small business office, regional offices, and functional offices pursued initiatives and advanced efforts to address these issues.

U.S. trade agreements, as well as other trade dialogues and fora, provide a critical opportunity to address specific concerns of U.S. SMEs and facilitate their participation in export markets. For example:

- The United States–Mexico–Canada Agreement (USMCA) includes a dedicated chapter on SMEs, in recognition of the fundamental role of SMEs as engines of the North American economy. Mexico and Canada are the top two export destinations for U.S. SME goods. In 2022 (most recent year available), over 90,000 U.S. SMEs exported over \$83 billion in goods to Canada, and over 49,000 U.S. SMEs exported over \$110 billion in goods to Mexico.
- The USMCA SME Chapter created a trilateral USMCA SME Committee—composed of government officials from each country—that promotes ongoing SME cooperation among the Parties to increase SME trade and investment opportunities, develops information-sharing tools that help SMEs better understand the benefits of the Agreement, and provides other information useful for SMEs doing business in the region. The chapter also launched a new framework for an ongoing SME Dialogue, which is open to participation by SMEs.

The following activities occurred under the USMCA SME Chapter in 2024:

- In May 2024, the United States, Canada, and Mexico held the third USMCA SME Dialogue, which was hosted by Global Affairs Canada in Montreal. Over 200 participants attended in person, with interpretation provided in English, Spanish, and French. The Dialogue's participants included government officials; small businesses; and business support organizations sharing perspectives, best practices, and business guidance. The SME Dialogue is convened by USTR, SBA, and the U.S. Department of Commerce; Global Affairs Canada and Canada's Trade Commissioner Service; and the Development Productive Unit and the Vice Ministry of Foreign Trade of the Ministry of Economy of Mexico. Discussion at the third SME Dialogue included SME participation in value chains, trade in North America, customs and regulatory procedures, intellectual property rights protection, access to financing and government resources for SMEs, and electronic commerce.
- The USMCA SME Committee expanded its network of Small Business Development Center (SBDC) SME counselors within the United States, Canada, and Mexico to share best practices and help SME clients prepare for new trade opportunities under the USMCA. USTR and SBA worked with America's Small Business Development Centers (ASBDC) to launch an online networking platform, MOBILIZE, hosted by ASBDC, for the use of the USMCA SME Counselor pilot network. The platform is intended to encourage information sharing and connections among SME counselors in North America to help SMEs take advantage of USMCA trade opportunities.

Outside of the SME Chapter, the USMCA contains numerous other provisions that benefit SMEs, including customs and trade facilitation provisions to cut red tape and reduce costs; provisions to support Internet-enabled small businesses; and other provisions to protect the intellectual property of innovators, support cross border trade in services for small businesses, and support small businesses through good regulatory practices to promote transparency and accountability when developing and implementing regulations.

Other trade dialogues and fora also provided opportunities for engagement with SME stakeholders on trade opportunities and challenges they face exporting to foreign markets:

- On April 16, 2024, the United States and the United Kingdom (UK) jointly convened the 8th U.S.-UK Small and Medium-Sized Enterprise Dialogue, bringing together small business representatives from both sides of the Atlantic to identify ways to expand bilateral trade and investment and to enhance broad SME participation in our trading relationship. The SME Dialogue was organized by USTR, SBA, and the U.S. Department of Commerce, alongside the UK Department for Business and Trade. Participants at the SME Dialogue discussed opportunities and obstacles to SME trade, including resources available to support their growth in bilateral trade. The discussions focused on the creative industries, digitalization and paperless trading, and intellectual property protection. At the SME Dialogue, the United States and the UK also jointly highlighted their intellectual property (IP) toolkits to help support small businesses. The U.S. Special Envoy for Northern Ireland participated in the SME Dialogue to further highlight small business connections on both sides of the Atlantic.
- In 2024, USTR participated in the United States–European Union Trade and Technology Council Working Group on Promoting SME Access to and Use of Digital Tools, an initiative led by the U.S. Department of Commerce, which included webinars on cybersecurity and electronic commerce for SMEs.

*For further information, see Chapter I.D.2 Europe and the Middle East, United States–European Union Trade and Technology Council.*

- USTR negotiated the first agreement under the United States–Taiwan Initiative on 21st-Century Trade, under the auspices of the American Institute in Taiwan (AIT) and the Taipei Economic and Cultural Representative Office in the United States (TECRO), covering the areas of customs administration and trade facilitation, good regulatory practices, services domestic regulation, anticorruption, and SMEs. The agreement entered into force on December 10, 2024. The provisions of the agreement enable U.S. businesses to bring more products to Taiwan-based customers, while creating more transparent and streamlined regulatory procedures that can facilitate investment and economic opportunities in both markets, particularly for SMEs. In 2024, USTR and SBA worked with Taiwan to review the SME provisions for information-sharing tools.

*For further information, see Chapter I.B.2 United States–Taiwan Initiative on 21st-Century Trade.*

- Under the United States–Kenya Strategic Trade and Investment Partnership (STIP), the United States has negotiated text for a chapter on micro-, small, and medium-sized enterprises (MSMEs) to highlight the fundamental role of MSMEs in maintaining the dynamism and competitiveness of the economies of the United States and Kenya, as well as the role of the private sector in promoting MSME cooperation. Under the auspices of the STIP, the United States and Kenya held MSME Technical Exchanges in Washington, D.C., on the development of pilot Small Business Development Centers (SBDCs) in Kenya with U.S. Agency for International Development assistance, following the successful U.S. SBDC model administered by the SBA across the United States. The United States also met with Kenya’s Principal Secretary for MSMEs at the America’s Small Business Development Centers annual conference in Atlanta to discuss further MSME cooperation under a possible STIP agreement.

*For further information, see Chapter I.B.3 United States–Kenya Strategic Trade and Investment Partnership.*

- USTR, SBA, the U.S. Departments of Commerce and State convened the first United States–Ecuador SME Dialogue under the United States–Ecuador Protocol, an addendum to the Agreement Between the Government of the United States of America and the Government of the Republic of Ecuador Concerning a United States–Ecuador Council on Trade and Investment. Over 150 U.S. stakeholders participated remotely, with English and Spanish interpretation. Topics included United States–Ecuador Protocol SME cooperation; SBDC training in the U.S. model with the University of Texas San Antonio Small Business Development Center; U.S. Agency for International Development, U.S. International Development Finance Corporation, and U.S. Department of State SME programs with Ecuador; trade promotion resources available for U.S. SMEs to take advantage of United States–Ecuador trade; and Government of Ecuador export resources and financing available for Ecuador SMEs to take advantage of United States–Ecuador trade.
- Engagements under the Indo-Pacific Economic Framework for Prosperity (IPEF) emphasized the importance of strengthening economic competitiveness and cooperation and securing critical supply chains, while stimulating job growth and improving economic opportunities, including for MSMEs. As of December 31, 2024, negotiations on the IPEF Trade Pillar were still ongoing and the three other Pillar IPEF agreements had entered into force: the IPEF Agreement Relating to Supply Chain Resilience on February 24, 2024; the IPEF Agreement Relating to a Clean Economy on October 11, 2024; and the IPEF Agreement relating to a Fair Economy on October 12, 2024.

*For further information, see Chapter I.B.1 Indo-Pacific Economic Framework.*

- In the Asia-Pacific Economic Cooperation (APEC) Forum, APEC member economies continued to advance initiatives to facilitate SME access to global markets, including by promoting approaches to strengthen the digital economy. In 2024, the United States worked with host Peru and other APEC members to support multiple workshops and capacity-building activities through the APEC Alliance for Supply Chain Connectivity, in which the United States focused on implementation of Phase III of the Supply Chain Framework Action Plan and its efforts to facilitate SMEs' access and integration into global supply chains. APEC member economies also continued to update the [APEC Trade Repository](#) to help SMEs seeking information on tariff rates, customs procedures, and other information related to doing business in the APEC region.

*For more information, see Chapter IV.C. Asia-Pacific Economic Cooperation Forum.*

- In the World Trade Organization (WTO), USTR pursued work with other WTO Members on issues of interest to SME stakeholders, such as electronic commerce, transparency of regulatory processes, and implementation of trade facilitation measures.

### **U.S. Government Small and Medium-Sized Enterprise Activities**

USTR participated in the Trade Promotion Coordinating Committee's (TPCC) Small Business Working Group, collaborating with agencies such as SBA, the U.S. Departments of Commerce and State, and the U.S. Export-Import Bank to promote small business exports, including by connecting SMEs to trade information and resources to help them begin or expand their exports and take advantage of existing trade agreements. This work also involved improving U.S. Government digital outreach and engagement with potential small business exporters with online tools.

### **Small and Medium-Sized Enterprise Outreach and Consultations**

In 2024, USTR regularly consulted with the Industry Trade Advisory Committee on Small, Minority, and Women-led Business (ITAC-9) to seek its advice and input on U.S. trade policy negotiations and initiatives and met frequently with individual SMEs and associations representing SME members on specific issues. USTR briefed SMEs at several SME events in 2024 regarding U.S. trade priorities, including at the annual America's Small Business Development Center Conference in Atlanta, Georgia; the National Association of District Export Councils Trade Policy Committee meetings; the Reservation Economic Summit; and other events aimed at encouraging SMEs to begin or expand their exports, including through the use of digital tools and electronic commerce.

## **B. AGRICULTURE AND TRADE**

The United States is committed to global agricultural trade, as both a major exporter and a major importer of agricultural goods. According to U.S. Department of Agriculture (USDA) estimates, agricultural exports support more than 1.25 million American jobs, with roughly 70 percent of these jobs in the non-farm sector, such as in processing and agricultural manufacturing. In 2024, U.S. total agricultural exports reached \$183.7 billion.<sup>1</sup>

In 2024, U.S. agricultural exports faced many challenges, including climate change's impacts on reliable crop yields, supply chain disruptions caused by regional conflicts, and diverging regulatory standards among trading partners. In partnership with other U.S. Government agencies, the Office of the United

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<sup>1</sup> U.S. domestic exports were \$176.0 billion; and U.S. re-exports were \$7.7 billion.

States Trade Representative (USTR) supported U.S. agricultural stakeholders' efforts to diversify their markets and leverage agricultural technologies for improved sustainability and productivity, by unlocking economic opportunities through eliminating unjustified barriers to trade and expanding market access.

## **1. Opening Export Markets for American Agriculture**

Successful expansion of market opportunities abroad for U.S. food and agricultural products requires close coordination between USTR and a number of U.S. Government agencies, including the Food and Drug Administration within the U.S. Department of Health and Human Services, the U.S. Environmental Protection Agency, the National Oceanic and Atmospheric Administration within the U.S. Department of Commerce, the U.S. Department of Agriculture, and the U.S. Department of State.

Significant accomplishments of the United States in opening and maintaining export markets for U.S. agricultural goods from January 1 to December 31, 2024, include:

**Colombia Restored Market Access for U.S. Beef Products:** After five months of consistent engagement from USTR and USDA, on September 16, 2024, Colombia announced its decision to lift its ban on U.S. beef imports. In April 2024, Colombia had imposed a ban on U.S. beef exports originating in states where avian influenza had been detected in cattle, making it the only country in the world to impose such a ban. In the three years prior to the ban (2021-2023), U.S. exports of beef products to Colombia averaged nearly \$43 million annually.

**Saudi Arabia Removed Business Sensitive Information Requirements for Halal Certification:** In September 2024, after engagement with USTR, the Saudi Food and Drug Authority (SFDA) announced that it will not require U.S. halal certifying bodies to upload business sensitive information from producers in order to receive halal certification as was initially intended when SFDA announced migration to a new halal portal. The reversal allows the United States to continue exporting halal certified products to Saudi Arabia, such as beef and beef products, without compromising business sensitive information.

**Angola Resumed Issuing Import Permits for U.S. Chicken Leg Quarters:** In June 2024, U.S. industry had reported that Angola had stopped issuing import permits for poultry from all countries. In August 2024, following engagement by USTR and USDA, Angola reopened its market to U.S. chicken leg quarters. In 2024, Angola was the fourth largest market for U.S. chicken leg quarter exports globally, with U.S. exports to Angola totaling \$125 million. USTR continues to press Angola to lift restrictions on the issuance of import permits for other U.S. poultry exports.

**Peru Published a Certificate for U.S. Exports of Mixed-Meat Product:** In August 2024, after several years of persistent engagement from USTR and USDA, Peru published transparent documentation requirements that will facilitate U.S. exports of meat products containing combinations of beef, pork, or poultry meat. As a result, USDA estimates that U.S. exports of mixed-meat products to Peru could reach \$5 million per year.

**Australia Removed Restrictions on U.S. Cherries:** In June 2024, Australia suspended imports of all U.S. cherries. USTR and USDA worked with Australian regulators, and Australia lifted all restrictions on July 15, 2024. In 2024, U.S. exports of cherries to Australia were valued at \$9.3 million.

**Agreement Reached to Protect Access for U.S. Cheese and Meat Products to Chile's Market:** In June 2024, the United States reached an agreement with Chile that affirmed market access for U.S. producers that export to, and sell products in Chile using certain cheese and meat terms, such as mozzarella, provolone, brie, salami, and prosciutto, among others. This agreement also allows any current or future U.S. national

to continue using certain terms, such as parmesan, in the Chilean market. In 2024, U.S. cheese exports to Chile, the largest U.S. cheese market in South America, were nearly \$63 million, and U.S. prepared meat exports were valued at approximately \$12.2 million.

**EU Approved Six Agricultural Biotechnology Products:** Since January 2024, the European Union (EU) issued four approvals and two renewals for agricultural biotechnology products. USTR led U.S. bilateral consultations with the EU to raise concerns regarding delays in its agricultural biotechnology approval process. Consultations in 2024 focused on possible ways to alleviate delays in the risk assessment process and opportunities to cooperate on broader agricultural biotechnology policy issues outside of the formal bilateral consultations, in order to discuss areas of mutual interest outside the context of the World Trade Organization (WTO) dispute.

**Korea Granted Market Access for Texas Grapefruit:** On June 27, 2024, Korea granted market access for grapefruit from Texas, following extensive engagement by USTR and USDA since the United States requested access for Texas grapefruit in 2006. Korea previously allowed for importation of U.S. grapefruit only from California and Florida. From July to December 2024, U.S. grapefruit exports to Korea totaled \$2.6 million.

**Uzbekistan Began Accepting U.S. Meat and Poultry Products from Any U.S. Federally Authorized Facility:** In advance of the U.S. Trade Representative's visit to Uzbekistan in June 2024, and following extensive engagement by USTR and USDA, Uzbekistan agreed to accept exports of meat and poultry products from any U.S. federally authorized establishment beginning on June 1, 2024. Since 2021, and until this announcement, only 29 U.S. establishments were allowed to export meat and poultry products to Uzbekistan. In 2023, the United States had exported \$543,000 worth of meat and poultry products to Uzbekistan. However, in the seven months after the announcement in June 2024, exports of U.S. meat and poultry products were up 500 percent in value terms, as compared to the same period a year earlier.

**Ghana Approved Fourteen Agricultural Biotechnology Products:** In March 2024, Ghana's National Biosafety Authority approved fourteen biotechnology products comprising eight corn events and six soybean events for placement on the market. This authorization covers usage of the approved biotechnology products as feed, food, and industrial ingredients. The approval of these products supports the export of innovative U.S. agricultural products and promotes agricultural sustainability. On multiple occasions, including during the 2022 U.S.–Africa Leaders Summit and at the WTO Committee on Sanitary and Phytosanitary Measures (SPS Committee), USTR has supported Ghana's pursuit of proven science-based, advanced technologies to combat food insecurity and improve agricultural sustainability.

**India Reduced Tariffs on Agricultural Products in the Resolution of the Poultry-Avian Influenza Dispute:** In March 2024, India reduced tariffs on certain U.S. products, including frozen turkey; frozen duck; and fresh, dried, frozen, and processed blueberries and cranberries to applied rates of five and 10 percent. India reduced the tariffs as part of the September 2023 agreement between the United States and India to resolve the WTO dispute, *India — Measures Concerning the Importation of Certain Agricultural Products* (DS 430), which is referred to as the Poultry-Avian Influenza dispute. From March to December 2024, U.S. exports of frozen turkey and frozen duck totaled \$85,000; and fresh, dried, frozen, and processed blueberries and cranberries totaled \$10.7 million.

**Ecuador Removed Trade Restrictive Provisions from Dairy Law:** On March 11, 2024, the Ecuadorian President signed the final implementing regulation for Ecuador's 2022 dairy law. This implementing regulation removed the proposed prohibition on imports of various dairy products, including milk powder. The removal of this language came after considerable engagement by USTR and USDA, including at the WTO Committee on Agriculture. From March to December 2024, U.S. dairy exports to Ecuador were \$5.4 million.

**Colombia Restored Market Access for U.S. Poultry Producers:** On February 26, 2024, following extensive engagement with USTR and USDA, the Instituto Colombiano Agropecuario formally reopened the Colombian market for U.S. poultry and egg products. The Colombian Government had stopped issuing import permits for U.S. poultry on August 7, 2023. In the years prior to the 2023 market closure, Colombia had been a \$100 million poultry and egg product export market for the United States. After the market reopened, U.S. poultry and egg product exports from March to December of 2024 totaled nearly \$83 million.

**Thailand Eliminated Tariffs and Reduces Excise Taxes for Wine:** Starting February 23, 2024, following engagement by USTR and USDA, Thailand granted duty free access for U.S. wine and lowered its wine excise taxes. Previously, wine imported from countries without a free trade agreement with Thailand (including the United States) was subject to a 54 percent tariff (if less than 23 percent alcohol by volume (ABV)) or a 60 percent tariff (if ABV content was above 23 percent). It is estimated that Thailand's tariff/tax restructuring reduced the retail price of U.S. wine by between 35 and 40 percent. In 2024, U.S. wine exports to Thailand reached \$6.9 million.

**China Approved U.S. Almond Hulls and Almond Shells as a Feed Ingredient:** On January 12, 2024, the United States received confirmation that almond hulls and shells were added to China's feed ingredient catalog.

## 2. Negotiations

### Indo-Pacific Economic Framework for Prosperity

In 2024, USTR continued regular engagements with its Trade Pillar partners to advance negotiations under the Indo-Pacific Economic Framework for Prosperity (IPEF). Within the Agriculture Chapter negotiations, the United States sought to open or expand opportunities for agricultural producers to access markets throughout the IPEF region, advance food security, promote sustainable agricultural production, and address some of the persistent challenges that U.S. producers face in accessing markets in the region. The United States also sought to increase transparency and regulatory predictability for agricultural exporters and importers, and encourage collaboration and innovation in areas such as agricultural biotechnology and food security.

*For further discussion of the Indo-Pacific Economic Framework, see Chapter I.B.1 Indo-Pacific Economic Framework for Prosperity.*

### United States–Kenya Strategic Trade and Investment Partnership

In 2024, USTR held six productive rounds of in-person discussions of the United States–Kenya Strategic Trade and Investment Partnership (STIP) to pursue enhanced engagement and high-standard commitments in a wide range of areas, including agriculture. The United States proposed agriculture text that includes a broad set of provisions designed to advance the use of science and risk-based measures, increase transparency, and facilitate trade. The two governments also shared an interest in fostering sustainable agricultural practices, creating an enabling environment for innovative agricultural technologies, and advancing food security goals.

*For further discussion of the United States–Kenya Strategic Trade and Investment Partnership, see Chapter I.B.3 United States–Kenya Strategic Trade and Investment Partnership.*

## **United States–Taiwan Initiative on 21st-Century Trade**

In 2024, USTR aimed to deepen the U.S. trade and investment relationship with Taiwan, advance mutual trade priorities based on shared values, and promote innovation and economic growth for U.S. workers and businesses. As part of the Initiative, the United States, under the auspices of the American Institute in Taiwan, sought to establish disciplines to help ensure that sanitary and phytosanitary (SPS) measures are science-based, and developed and implemented in a transparent, predictable, and non-discriminatory manner. The United States has also sought to negotiate provisions to support cooperative mechanisms on the use of sustainable agricultural production practices, including new and innovative technologies. The two sides negotiated both in-person and virtually throughout 2024.

*For further discussion of the United States–Taiwan Initiative on 21st-Century Trade, see Chapter I.B.2 United States–Taiwan Initiative on 21st-Century Trade.*

## **3. Monitoring and Enforcement Activities of Existing Agreements**

U.S. enforcement and monitoring efforts cover a broad expanse of activities in support of American agriculture. In addition to participating in dispute settlement, either at the WTO or through available mechanisms under relevant trade agreements, the United States works to resolve specific trade concerns, reviews and comments on proposed regulations that could unnecessarily impede trade, and advocates for elimination of unwarranted barriers to trade.

### **United States–Australia Free Trade Agreement**

The United States and Australia continued to work under the United States–Australia Free Trade Agreement to make progress on U.S. market access requests for agricultural products in 2024.

*For further discussion of the United States–Australia Free Trade Agreement, see Chapter I.C.1 Australia.*

### **United States–China Economic and Trade Agreement**

Throughout 2024, the United States continued working to advance China’s implementation of the agriculture-related commitments contained in the United States–China Economic and Trade Agreement to maintain new and expanded market access for U.S. food and agricultural exports to China. Through sustained engagement, the United States minimized the negative impact of certain changes to China’s food and agricultural import regulations, and worked to minimize the negative impact of China’s new requirements for overseas food manufacturing facility registration. In 2024, U.S. food and agricultural exports to China totaled \$24.7 billion.

*For further discussion of the United States–China Economic and Trade Agreement, see Chapter II.B.2.ii Section 301, China’s Acts, Policies, and Practices Related to Technology Transfer, Intellectual Property, and Innovation.*

### **United States–Colombia Trade Promotion Agreement**

The United States continued to engage extensively with Colombia on a regular basis and in meetings of the United States–Colombia Trade Promotion Agreement (CTPA) SPS and Agriculture Committees to address issues in our bilateral trade relationship. In February 2024, USTR and USDA successfully restored market access to Colombia for U.S. poultry products. Day-old chicks, hatching eggs, and poultry meat had lost market access in August 2023 due to concern over Highly-Pathogenic Avian Influenza (HPAI), despite a

side-letter agreement to the CTPA establishing regionalization standards in the event of an outbreak. In April 2024, Colombia imposed a ban on U.S. beef exports originating in states where influenza A(H5N1) had been detected in cattle, making it the only country in the world to impose such a ban. After several months of engagement, on September 16, 2024, Colombia announced its decision to lift its ban on U.S. beef imports.

*For further discussion of the United States–Colombia Trade Promotion Agreement, see Chapter I.C.5 Colombia.*

### **United States–Korea Free Trade Agreement**

The United States participated in the United States–Korea Free Trade Agreement (KORUS) Committees on Agricultural Trade and SPS in October 2024 in Korea, during which the United States raised issues including: establishing science-based residue limits for imports of U.S. meat and poultry into Korea; pesticide registration requirements; and Korea’s approval procedures for products of agricultural biotechnology. U.S. exports of agricultural products to Korea in 2024 were valued at \$8.5 billion, making Korea the sixth largest export market for U.S. agricultural exports.

*For further discussion of the United States–Korea Free Trade Agreement, see Chapter I.C.8 Korea.*

### **United States–Panama Trade Promotion Agreement**

The United States and Panama continued to engage on issues of concern throughout 2024.

*For further discussion of the United States–Panama Trade Promotion Agreement, see Chapter I.C.12 Panama.*

### **Dominican Republic–Central America–United States Free Trade Agreement**

In 2024, the United States continued to press Dominican Republic–Central America–United States Free Trade Agreement (CAFTA-DR) Parties for progress to address specific trade concerns in order to facilitate U.S. market access in Central American countries and the Dominican Republic. In 2024, U.S. exports of agricultural products to the CAFTA-DR region were valued at approximately \$7.74 billion.

*For further discussion of the Dominican Republic–Central America–United States Free Trade Agreement, see Chapter I.C.3 Central America and the Dominican Republic.*

### **United States–Mexico–Canada Agreement**

The Parties to the United States–Mexico–Canada Agreement (USMCA) held the third meeting of the USMCA Working Group for Cooperation on Agricultural Biotechnology on March 4, 2024, during which the United States raised concerns and requested information regarding Mexico’s policies concerning agricultural biotechnology. The Parties provided regulatory updates and discussed the role of agricultural biotechnology with regards to climate change, sustainability, and food security.

#### *Mexico Biotechnology*

On August 17, 2023, the United States established a dispute settlement panel under the USMCA, challenging two sets of measures reflected in Mexico’s February 13, 2023 presidential decree: (1) the ban on use of GE corn in tortillas or dough; and (2) the instruction to Mexican government agencies to gradually substitute—*i.e.*, ban—the use of GE corn in all products for human consumption and for animal feed. The

United States considered that Mexico's measures were inconsistent with several of Mexico's USMCA commitments under the Sanitary and Phytosanitary Measures and Market Access chapters. On June 26, 2024, the United States participated in a hearing before the dispute settlement panel, and on December 20, 2024, the panel released its final report. The panel agreed with the United States on all seven legal claims, finding that Mexico's measures were not based on science and undermined the market access that Mexico agreed to provide in the USMCA.

#### *Canada Dairy*

On January 31, 2023, the United States, for the second time, requested and established a dispute settlement panel under the USMCA on Canada's dairy TRQ allocation measures. The final panel report was released to the Parties on November 10, 2023, and to the public on November 24, 2023. Two of the three panelists found that Canada's measures do not breach any of the USMCA commitments that the United States cited. One panelist, however, agreed with a principal U.S. claim challenging Canada's narrow definition of eligible applicants, which excludes a substantial number of importers that would be eager to bring higher-value, retail-ready U.S. dairy products to Canadian consumers. The United States is disappointed by the panel's findings. Throughout 2024, USTR continued to work closely with U.S. industry to consider all options to ensure that the U.S. dairy sector receives the full benefit of market access under the USMCA.

*For further discussion of the United States–Mexico–Canada Agreement, see Chapter I.C.9 Mexico and Canada.*

## **4. Regional, Multilateral, and International Organizations Engagement**

### **Asia-Pacific Economic Cooperation**

In 2024, the United States continued its efforts to build multilateral support for place and scale (*i.e.*, “no-one-size-fits-all”) approaches to sustainable agriculture as well as dedication to promoting transparent, predictable, open, and fair markets in support of regional and global food security. Other workstreams included promoting science- and risk-based standards and harmonization to international standards.

*For further discussion of U.S. participation in Asia-Pacific Economic Cooperation, see Chapter IV.C Asia-Pacific Economic Cooperation Forum.*

### **United States–Central Asia Trade and Investment Framework Agreement**

In 2024, the United States engaged with Kazakhstan, Kyrgyzstan, Turkmenistan, Tajikistan, and Uzbekistan on regional SPS-related trade issues under the United States–Central Asia Trade and Investment Framework Agreement (TIFA) SPS Working Group. The Working Group convened on April 15-17, 2024, in Almaty, Kazakhstan and again, virtually, on October 16 and 17, 2024, providing a forum to share and exchange trade-related SPS best practices, including implementation of WTO-consistent requirements.

*For further discussion of the United States–Central Asia Trade and Investment Framework Agreement, see Chapter I.D.7 South and Central Asia.*

### **United States–European Union Consultations on Agricultural Biotechnology**

The United States continued to engage with the EU in regular consultations to normalize trade in agricultural biotechnology products, in accordance with the 2008 decision by the United States and the European Union (EU) to suspend Article 22.6 arbitration proceedings associated with the WTO dispute

settlement proceedings related to the *European Union – Measures Affecting the Approval and Marketing of Biotechnology Products* (DS291) dispute. Significant delays in the EU for agricultural biotechnology approvals continued to represent a major barrier to the commercialization and trade of safe biotechnology products. During the U.S.–EU consultation on February 9, 2024, the United States reiterated concerns with the continued delays that applicants face while navigating the EU’s biotechnology approval procedures.

*For further discussion of European Union – Measures affecting the approval and marketing of biotechnology products (DS291), see Chapter II.D WTO and FTA Enforcement.*

### **Agriculture in the World Trade Organization**

In 2024, the United States continued to engage on a number of WTO disputes brought by the United States. Pending WTO disputes involving agricultural products include:

- *China – Domestic Support for Agricultural Producers* (DS51);
- *China – Tariff-rate Quotas for Certain Agricultural Products* (DS517);
- *European Union – Measures Concerning Meat and Meat Products (Hormones)* (DS26, DS48);
- *European Union – Measures Affecting the Approval and Marketing of Biotechnology Products* (DS291); and
- *Indonesia – Import Restrictions on Horticultural Products, Animals, and Animal Products* (DS455, DS465, and DS478).

*For further discussion of these disputes, see II.D WTO and FTA Enforcement.*

*For further discussion on the WTO-related activities, see Chapter V.D.1 WTO Committee on Agriculture; Chapter V.D.8 WTO Committee on Sanitary and Phytosanitary Measures; and Chapter V.B WTO Negotiations.*

## **C. ENVIRONMENT AND TRADE**

The United States continued to prioritize monitoring and enforcement of environmental obligations under existing free trade agreements (FTAs), as well as negotiating new commitments by trading partners in bilateral and multilateral fora. Throughout 2024, the United States held meetings of the environment committees and working groups established under U.S. trade agreements to monitor and enforce the environment chapter obligations, including the inaugural meeting of the Subcommittee on Environmental Affairs under the United States–Oman FTA, the ninth meeting of the Environmental Affairs Council (EAC) and the eleventh meeting of the Sub-Committee on Forest Sector Governance under the United States–Peru Trade Promotion Agreement, the fourth meeting of the EAC under the United States–Korea FTA (KORUS), the Eighth Biennial Review under the Memorandum of Intent between the United States and Singapore on Cooperation in Environmental Matters and a review of implementation of Chapter 18 (the Environment Chapter) of the United States–Singapore FTA, and the tenth meeting of the EAC under the United States–Chile FTA. The United States also held additional discussions with these and other FTA partners, including Bahrain, the Central American countries, Colombia, the Dominican Republic, Morocco, and Panama, on pressing environmental issues.

The United States continued to work with trading partners under respective trade and investment framework agreements (TIFAs) and dialogues on a range of trade-related environmental issues such as illegal timber trade; wildlife trafficking; and illegal, unreported, and unregulated (IUU) fishing, in particular with the Association of Southeast Asian Nations (ASEAN), Ecuador, India, the Pacific Islands, the Philippines, Saudi Arabia, Taiwan, and Vietnam. The United States also held the inaugural meeting of the United

States–Ecuador Trade and Environment Committee under the United States–Ecuador Trade and Investment Council and the inaugural meeting of the Americas Partnership for Economic Prosperity Trade and Environment Committee under the Trade Track.

At the World Trade Organization (WTO), the United States continued to exercise a leadership role through extensive engagement in the long-running multilateral negotiations to discipline certain harmful fisheries subsidies. The United States, having formally accepted the WTO Agreement on Fisheries Subsidies in 2023, continued to encourage other WTO Members, through various channels, to deposit their instruments of acceptance to that Agreement to facilitate its prompt entry into force. Throughout 2024, the United States actively participated in the preparatory work for the Committee on Fisheries Subsidies established under that Agreement, and continued to engage in negotiations on comprehensive disciplines on subsidies that contribute to overcapacity and overfishing and on enhanced transparency of forced labor on fishing vessels.

## **1. Negotiations**

As discussed further below, during 2024, the United States was engaged in a number of active negotiations. These negotiations did not include traditional market access issues by way of tariff liberalization.

### **Indo–Pacific Economic Framework for Prosperity**

In the Indo-Pacific Economic Framework for Prosperity (IPEF) Trade Pillar, the United States pursued provisions that contributed to environmental protection. In addition to pressing for fundamental commitments, such as effective enforcement of environmental laws and opportunities for public participation in environmental governance, the United States advocated for obligations on trade and environment issues that are particularly relevant to the Indo-Pacific region. This includes the marine environment; forests, fisheries, and wildlife; fisheries subsidies; marine litter and plastics pollution; and biodiversity conservation.

*For further discussion of the IPEF, see Chapter I.B.1 Indo-Pacific Economic Framework for Prosperity.*

### **United States–Kenya Strategic Trade and Investment Partnership**

During the negotiations of United States–Kenya Strategic Trade and Investment Partnership, the United States continued to pursue a robust environment chapter containing provisions to advance environmental protection and address global environmental issues, including marine litter and plastics pollution, fisheries and forest management, wildlife trade, and biodiversity conservation.

*For further discussion of the United States–Kenya Strategic Trade and Investment Partnership, see Chapter I.B.3 United States–Kenya Strategic Trade and Investment Partnership.*

### **United States–Taiwan Initiative on 21st-Century Trade**

The United States, under the auspices of the American Institute in Taiwan (AIT), continued environment chapter negotiations pursuant to the United States–Taiwan Initiative on 21st-Century Trade. The United States advanced provisions that are expected to meaningfully contribute to environmental protections and respond to our common environmental challenges.

*For further discussion of the United States–Taiwan Initiative on 21st-Century Trade, see Chapter I.B.2 United States–Taiwan Initiative on 21st-Century Trade.*

## **Critical Minerals Agreements**

The United States continued implementation of the United States–Japan Critical Minerals Agreement, which included environmental commitments such as encouraging measures that promote more resource-efficient and circular economy approaches to reduce the demand for, and environmental impact of, virgin material extraction and related processes. The United States continued negotiations of critical minerals agreements with the United Kingdom and the European Union.

*For further discussion of the Japan Critical Minerals Agreement, see Chapter I.D.3 Japan and Korea.*

*For further discussion of the United Kingdom, and European Union Critical Minerals Agreements Critical Minerals Agreement, see Chapter I.D.2 Europe and the Middle East.*

## **WTO Agreement on Fisheries Subsidies**

After more than two decades of negotiations, WTO Members achieved a groundbreaking agreement at the Twelfth WTO Ministerial Conference (MC12) in June 2022. The WTO Agreement on Fisheries Subsidies contains several important disciplines, including prohibitions on subsidies to vessels or operators engaged in IUU fishing, subsidies for fishing overfished stocks, and subsidies for fishing on the unregulated high seas. The Agreement also includes robust transparency provisions to strengthen WTO Members' notification of fisheries subsidies and thereby enable effective monitoring of Members' implementation of their obligations under the Agreement. On April 11, 2023, the United States deposited its instrument of acceptance of the Agreement, making it the first major fishing nation to do so.

At MC12, WTO Members committed to continue the fisheries subsidies negotiations with a view to making recommendations to the Thirteenth WTO Ministerial Conference (MC13) for additional provisions that would achieve comprehensive disciplines on fisheries subsidies, including disciplines on certain forms of fisheries subsidies that contribute to overcapacity and overfishing. After several months of intensive negotiations, Members were ultimately unable to reach consensus on the text. Following MC13, the Chair paused negotiations before Members made another attempt to reach agreement at the July 2024 General Council and then again in lead-up to the December General Council. In both instances, Members were again unable to reach consensus. Throughout 2024, the United States continued to exert leadership at the WTO to advance the negotiations. The United States encouraged other WTO Members to deposit instruments of acceptance to the phase one Agreement and urged Members to support additional disciplines on subsidies that contribute to overcapacity and overfishing, as well as greater transparency with respect to the use of forced labor on fishing vessels, under the second phase of negotiations.

## **2. Monitoring and Enforcement Activities of Existing Agreements**

### **Free Trade Agreements**

The Office of the United States Trade Representative (USTR) secured concrete achievements supporting U.S. trade and environment objectives during 2024. USTR continued to engage with the Trade Policy Staff Committee (TPSC) agencies to monitor actions taken by U.S. FTA partners to implement FTA environment chapter obligations. This monitoring contributed to the U.S. Government's ongoing efforts to ensure that U.S. trading partners comply with their FTA environmental obligations.

*For further discussion of free trade agreements, see Chapter I.C Comprehensive Free Trade Agreements in Force.*

## **Dominican Republic–Central America–United States Free Trade Agreement**

The Parties to the Dominican Republic–Central America–United States Free Trade Agreement (CAFTA–DR) continued efforts to strengthen environmental protection and implement the commitments of the CAFTA–DR Environment Chapter. In 2024, trade and environment officials from the United States and several other CAFTA–DR countries met virtually numerous times to continue to advance the work of monitoring and implementing CAFTA–DR’s Environment Chapter obligations, including to review cooperation activities and share updates on Environment Chapter implementation. In July and August 2024, Costa Rica, the Dominican Republic, El Salvador, Guatemala, Honduras, and other FTA countries participated in a U.S.-organized technical exchange on waste from electronic and electrical equipment (WEEE) and lithium-ion battery management and recycling efforts to promote a more circular economy.

In 2024, the CAFTA–DR Secretariat for Environmental Matters (Secretariat) received three submissions from the public on effective enforcement of environmental laws. Throughout 2024, the Secretariat continued to conduct outreach to inform the public about this monitoring mechanism and promote participation in submissions on enforcement matters.

The United States continued to support environmental cooperation activities in CAFTA–DR countries to strengthen their implementation of the FTA environment obligations. In 2024, the U.S. Department of State funded capacity-building activities to: (1) combat wildlife trafficking; (2) build technical capacity to implement and enforce the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES); (3) support the Central American and Dominican Republic Wildlife Enforcement Network (CAWEN); (4) promote sustainable forest practices; (5) improve local livelihoods through forest monitoring, planning, reforestation, and restoration efforts; (6) combat illegal logging and associated trade; (7) protect and enhance the genetic diversity of native timber species; and (8) strengthen solid waste management.

*For further discussion of the Dominican Republic–Central America–United States Free Trade Agreement, see Chapter I.C.3 Central America and the Dominican Republic.*

## **United States–Mexico–Canada Agreement**

The United States–Mexico–Canada Agreement (USMCA) modernizes the previous framework under the former North American Agreement on Environmental Cooperation by bringing environmental obligations into the core of the USMCA, rather than in a side agreement, and by making the obligations fully enforceable under the USMCA’s dispute resolution provisions. The USMCA Environment Chapter includes the most comprehensive set of enforceable environmental obligations of any previous U.S. free trade agreement. The USMCA includes commitments to implement key multilateral environmental agreements, such as CITES and the Montreal Protocol on Substances that Deplete the Ozone Layer. The USMCA also addresses key environmental challenges such as IUU fishing and harmful fisheries subsidies. The USMCA commits the three Parties to take actions to combat and cooperate to prevent trafficking in timber and fish and other wildlife. For the first time in a U.S. free trade agreement, the USMCA addresses other pressing environmental issues such as air quality and marine litter.

Full implementation of the USMCA Environment Chapter continued to be a key USTR priority throughout 2024. USTR’s Senior Trade Representative at the U.S. Embassy in Mexico City, Mexico, worked closely with the Environment Attaché posted at the Embassy to support and monitor implementation of USMCA Environment Chapter commitments.

In February 2022, USTR requested environment consultations with the Government of Mexico under Article 24.29.2 of the USMCA Environment Chapter, which have since been elevated to Senior Representative consultations under USMCA Article 24.29.3. These consultations concern Mexico's USMCA Environment Chapter obligations relating to the protection of the critically endangered vaquita porpoise (*Phocoena sinus*), prevention of illegal fishing, and trafficking of the totoaba fish (*Totoaba macdonaldi*). As part of the consultations, numerous meetings were held in 2024 between the United States and Mexico to work toward a cooperative solution to enhance Mexico's implementation of its USMCA environment commitments, including with respect to the effective enforcement of its fisheries-related environmental laws.

During 2024, USTR, along with its Mexican and Canadian counterparts, met monthly to discuss efforts to implement and enforce the USMCA environmental obligations. They assessed ongoing efforts in law enforcement collaboration, discussed mechanisms to improve stakeholder engagement, enhanced coordination with the Commission for Environmental Cooperation (CEC), particularly in the area of circular economy approaches, and prepared for the upcoming five-year review of the implementation of the USMCA Environment Chapter.

USTR also continued to advance implementation of the USMCA's environment provisions by convening regular meetings of the Interagency Environment Committee for Monitoring and Enforcement (IECME) to discuss issues related to monitoring and enforcement of Canada's and Mexico's USMCA environmental obligations. In 2024, as part of the IECME's role, USTR, along with its interagency partners, reviewed six Submissions on Enforcement Matters submitted to the CEC. This submission process is established under Articles 24.27 and 24.28 of the USMCA and is a mechanism whereby any organization or person residing or established in Canada, Mexico, or the United States may file a submission with the CEC Secretariat asserting that a Party is failing to effectively enforce its environmental laws.

Throughout 2024, USTR also leveraged its USMCA supplemental appropriations for environment monitoring and enforcement. Appropriations were used to strengthen relevant U.S. Government agencies' ability to deliver on their respective monitoring and enforcement mandates by providing additional resources to enhance U.S. enforcement capacity, promote sustainable forest management, combat illegal logging and associated trade, and improve sustainable fisheries management and conservation of marine species.

*For further discussion of the United States–Mexico–Canada Agreement, see Chapter I.C.9 Mexico and Canada.*

### **United States–Chile Free Trade Agreement**

The United States continued to work closely with Chile in 2024 to monitor implementation of the United States–Chile FTA Environment Chapter and implement trade-related environmental cooperation activities under the 2021–2024 United States–Chile Work Program for Environmental Cooperation, including on fisheries management; combating wildlife trafficking and IUU fishing; improving forest, wetland, and marine conservation; and promoting environmental justice and education. In July and August 2024, Chile participated in a U.S.-organized technical exchange on WEEE and lithium-ion battery management and recycling efforts to promote a more circular economy with other FTA countries. On October 29, 2024, the United States and Chile held the tenth meeting of the EAC, convened jointly with the eighth meeting of the Joint Commission for Environmental Cooperation (JCEC) established pursuant to the United States–Chile Agreement on Environmental Cooperation (ECA). These meetings, hosted in Santiago, Chile, provided an opportunity to review the governments' respective efforts to meet their environment obligations under the United States–Chile FTA, exchange information and best practices on pressing trade and environment issues, and discuss future cooperation activities under the newly approved 2025–2028 Work Program for

Environmental Cooperation. A public session was held on October 30, 2024, as part of these meetings, which provided an opportunity for members of the public to offer comments and questions, both in person and online, on current environmental issues and ideas for future cooperation.

*For further discussion of the United States–Chile Free Trade Agreement, see Chapter I.C.4 Chile.*

### **United States–Colombia Trade Promotion Agreement**

The United States continued to work closely with Colombia to monitor implementation of the United States–Colombia Trade Promotion Agreement (CTPA) Environment Chapter and oversee the operation of the Secretariat for Environmental Enforcement Matters (Secretariat). In 2024, the Secretariat received one new submission concerning the enforcement of export certificate requirements for exports of wood flooring from Colombia to the United States. In July and August 2024, Colombia participated in a U.S.-organized technical exchange on WEEE and lithium-ion battery management and recycling efforts to promote a more circular economy with other FTA countries. In September 2024, trade and environment officials from the United States and Colombia met virtually at the technical level to share Environment Chapter implementation updates and review cooperation activities.

*For further discussion of the United States–Colombia Trade Promotion Agreement, see Chapter I.C.5 Colombia.*

### **United States–Panama Trade Promotion Agreement**

The United States and Panama continued efforts to strengthen environmental protection and monitor implementation of the United States–Panama Trade Promotion Agreement Environment Chapter, including through overseeing the operation of the Secretariat for Environmental Enforcement Matters (Secretariat). In 2024, the Secretariat received two new submissions related to environmental enforcement matters. Trade and environment officials from the United States and Panama reviewed outcomes of ongoing environmental cooperation activities, including efforts to address concerns raised in past submissions on environmental enforcement matters filed with the Secretariat. In July and August 2024, Panama participated in a U.S. organized technical exchange on WEEE and lithium-ion battery management and recycling efforts to promote a more circular economy with other FTA countries.

In support of the United States–Panama Environmental Cooperation Commission’s Work Program for 2023–2026, the United States provided capacity-building assistance to Panama to help implement environmental obligations under the Agreement, including by supporting efforts to combat wildlife trafficking and illegal logging and associated trade; strengthen CITES implementation; improve wetland and solid waste management; and public participation.

*For further discussion of the United States–Panama Trade Promotion Agreement, see Chapter I.C.12 Panama.*

### **United States–Peru Trade Promotion Agreement**

The United States continued to prioritize monitoring and enforcement of environmental commitments in the United States–Peru Trade Promotion Agreement and its landmark Annex on Forest Sector Governance (Forest Annex), including by convening meetings of the Interagency Committee on Trade in Timber Products from Peru (Timber Committee) to discuss and monitor developments in Peru to combat illegal logging and associated trade. The United States also continued to engage closely with Peru to combat illegal logging and associated trade and work toward improving forest sector governance. In July and

August 2024, Peru participated in a U.S. organized technical exchange on WEEE and lithium-ion battery management and recycling efforts to promote a more circular economy with other FTA countries.

In February 2024, the United States and Peru held the ninth meeting of the EAC and the Environmental Cooperation Commission and the eleventh meeting of the Sub-Committee on Forest Sector Governance. The Parties reviewed progress on implementation of Agreement obligations and discussed bilateral priorities, including biodiversity, and circular economy approaches. The United States also conducted ongoing stakeholder engagement on recent amendments to Peru's Forestry and Wildlife Law, including with civil society, environmental defenders, and Indigenous leaders in Peru. The Forest Annex includes a requirement for Peru to conduct audits of timber producers and exporters and, on request from the United States, perform verifications of producers or exporters of timber shipments from Peru to the United States. The audits include a comparative analysis of many annual forest management plans and transport permits, a financial audit of the title holder, an evaluation of the relevant environmental risks and impacts, and review of communications by the concessionaire or third parties relating to operations within the concession, and judicial, administrative, or police decisions from other government authorities related to the concession. In 2024, the United States reviewed the status of the audits with Peru.

With respect to verifications, on September 18, 2024, the United States requested that Peru conduct a verification of five timber shipments from Peru to the United States. The Forest Annex provides that the United States may request that Peru verify, with respect to a particular timber shipment from Peru to the United States, that the producer or exporter has complied with all relevant measures in Peru concerning the harvest of, and trade in, those products. This was the third such verification request under the Agreement, which entered into force in 2009. The timber verification provision is a monitoring tool provided in the Agreement to ensure robust monitoring and enforcement of Peruvian forestry laws throughout the supply chain. USTR has been working closely with Peru to carry out the verification. The Agreement provides that, depending on the results of a verification, the United States may take certain "compliance measures."

In 2024, the Secretariat for Submissions on Environmental Enforcement Matters received three new submissions. These relate to implementation of the wildlife submodule in the Control Module of the National Forestry and Wildlife Information System and Law No. 31973, which amended Law No. 29763, The Forestry and Wildlife Law of 2011.

*For further discussion of the United States–Peru Trade Promotion Agreement, see Chapter I.C.13 Peru.*

### **United States–Korea Free Trade Agreement**

The United States continued to work closely with Korea on implementation efforts of the environment provisions of the United States–Korea Free Trade Agreement (KORUS). In July 2024, the United States and Korea convened the fourth meeting of the EAC under the KORUS and the fourth meeting of the Environmental Cooperation Commission (ECC) under the Agreement between the Government of the United States of America and the Government of the Republic of Korea on Environmental Cooperation (ECA). The Parties also held a widely attended public session for both the EAC and ECC.

The EAC reviewed the progress made by the United States and Korea in ensuring implementation of the obligations in the KORUS Environment Chapter and exchanged views, strategies, and priorities regarding addressing the climate crisis, including through trade policies; tackling IUU fishing; making progress toward entry into force of the WTO Agreement on Fisheries Subsidies and finalizing the continued negotiations; promoting circular economy approaches, including reducing plastic pollution; and addressing air and water pollution.

*For further discussion of the United States–Korea Free Trade Agreement, see Chapter I.C.8 Korea.*

## **United States–Singapore Free Trade Agreement**

On April 19, 2024, the United States and Singapore held meetings in Washington, D.C., to review implementation of the Environment Chapter of the United States–Singapore FTA and to complete the Eighth Biennial Review under the Memorandum of Intent between the United States of America and the Republic of Singapore on Cooperation in Environmental Matters (MOI). The MOI was negotiated in parallel with the United States–Singapore FTA Environment Chapter.

The United States and Singapore reviewed progress in implementing obligations under Chapter 18 by exchanging information regarding recent actions each Party has taken to: establish high levels of environmental protection; effectively enforce environmental laws and regulations; and provide opportunities for public participation with respect to the implementation of the Environment Chapter. They also exchanged information and views regarding respective and global efforts on a variety of topics including: timber trade and related issues; innovation in recycling, marine litter, and circular economy; and solid waste management. During the Biennial Review, the United States and Singapore reviewed accomplishments under the Eighth Plan of Action (POA) for implementation of the MOI that covered 2022 through 2023. Officials discussed and reported on activities carried out under the POA, including collaboration on solid waste management and recycling, under the United States–Singapore Third Country Training Program, and technical exchanges on water management. Government officials also discussed a new POA for 2024 through 2025.

The United States and Singapore also held a joint public session that included civil society and private sector representatives from both countries. The governments updated the public about their respective efforts to implement Chapter 18 and to strengthen environmental cooperation under the MOI. Public participants had the opportunity to engage directly with government officials by offering comments and asking questions about implementation of the FTA Chapter 18 and the MOI.

*For further discussion of the United States–Singapore Free Trade Agreement, see Chapter I.C.14 Singapore.*

## **United States–Oman Free Trade Agreement**

In 2024, the United States continued to strengthen its collaboration with Oman to monitor the implementation of the Environment Chapter under the United States–Oman FTA and support trade-related environmental cooperation efforts. On February 19, 2024, in Muscat, Oman, the United States and Oman convened the inaugural meeting of the Subcommittee on Environmental Affairs under the FTA and the fourth meeting of the Joint Forum on Environmental Cooperation under the United States–Oman Memorandum of Understanding on Environmental Cooperation (MOU).

During these meetings, the United States and Oman exchanged information on key environmental issues, including combating wildlife trafficking and supporting the implementation of CITES, and discussed future environmental cooperation activities under the 2024–2027 Plan of Action. On February 20, 2024, a public session was also held following these meetings, during which members of the public had the opportunity to ask questions and offer perspectives on current environmental issues and ideas for future cooperation.

In support of the United States–Oman Plan of Action 2024–2027, the United States provided capacity-building assistance to Oman to help implement environmental obligations under the FTA, including by supporting efforts to combat wildlife trafficking; strengthen CITES implementation; and improve air quality, coastal erosion, and protected area management. In July and August 2024, Oman participated in a

U.S.-sponsored technical exchange on WEEE and lithium-ion battery management and recycling efforts to promote a more circular economy with other FTA countries.

*For further discussion of the United States–Oman Free Trade Agreement, see Chapter I.C.11 Oman.*

### **Additional Environmental Cooperation Engagement Associated with Free Trade Agreements**

During 2024, the United States continued to engage with interagency partners, foreign counterparts, and stakeholders to monitor compliance and enforcement of the environmental commitments under the Middle East and North Africa (MENA) FTAs. U.S. Government officials met in Washington, D.C., with their counterparts during the United States–Bahrain and United States–Morocco FTA Joint Committee meetings in June and July to discuss their commitment to continue bilateral engagement on environmental issues.

Throughout 2024, the United States provided capacity-building assistance to Jordan, Morocco, and Oman under relevant instruments on environmental cooperation negotiated in parallel to the corresponding FTAs, including by supporting efforts to combat wildlife trafficking; strengthen CITES implementation and enforcement; and support reforestation and restoration efforts, as well as the conservation and sustainable management of natural resources.

As part of ongoing environmental cooperation efforts with the MENA region, in July and August 2024 government officials and experts from the United States, Jordan, Morocco, and Oman participated in a technical exchange on WEEE and lithium-ion battery management along with several other FTA partner countries. This exchange involved virtual meetings and site visits covering government, private sector, and nongovernmental organization efforts to improve WEEE and lithium-ion battery management and recycling to promote circular economy approaches.

*For further discussion of the Bahrain, Jordan, Morocco, and Oman Free Trade Agreements, see Chapters I.C.2, I.C.7, I.C.10, and I.C.11, respectively.*

### **Bilateral Activities**

#### **United States–Vietnam Agreement on Illegal Logging and Timber Trade**

In October 2021, USTR announced an agreement that addresses U.S. concerns pursuant to an investigation under Section 301 of the Trade Act of 1974, as amended, into Vietnam’s acts, policies, and practices related to the import and use of timber that is illegally harvested or traded. The United States–Vietnam Agreement on Illegal Logging and Timber Trade (Timber Agreement) contains a number of commitments by Vietnam that will help keep illegally harvested or traded timber out of the supply chain, including commitments to improve its Timber Legality Assurance System; keep confiscated timber (*i.e.*, timber seized for violating domestic or international law) out of the commercial supply chain; verify the legality of domestically harvested timber regardless of export destination; and work with high-risk source countries to improve customs enforcement at the border and law enforcement collaboration. From March 4 through March 7, 2024, USTR participated in a bilateral timber legality workshop in Hanoi, Vietnam, under the auspices of the Timber Agreement, which provided technical assistance and capacity building to Vietnamese officials to support legal timber trade and share best practices on law enforcement investigations and prosecutions related to timber legality. From May 21 to May 22, 2024, the United States and Vietnam convened the fourth meeting of the Timber Working Group (TWG) in Hanoi. The TWG was established under the Timber Agreement to facilitate coordination between the Parties and oversee the Agreement’s implementation. The fourth meeting of the TWG provided an opportunity for the United States and Vietnam to review further implementation progress of the Timber Agreement, discuss technical assistance

and capacity-building activities, and consider opportunities to engage third parties and high-risk source countries.

*For further discussion of the investigation, see Chapter II.B.8 Section 301, Vietnam’s Acts, Policies, and Practices Related to the Import and Use of Illegal Timber.*

### **United States-Ecuador Trade and Environment Committee**

On April 29, 2024, the United States and Ecuador established the Trade and Environment Committee (Committee) under the framework of the Trade and Investment Council. The Committee is expected to advance trade and environment priorities through information exchange and increased collaboration on matters of mutual interest, such as protection of the marine environment; biodiversity conservation; efforts to combat wildlife trafficking and illegal logging and associated trade; circular economy approaches; responsible business conduct; and implementation of multilateral environmental agreements.

On September 19, 2024, the United States and Ecuador convened the inaugural meeting of the Committee in Quito, Ecuador. During the meeting, the Committee established a work plan for discussions on trade and environment policy priorities. The work plan establishes a series of in-depth discussions on topics such as IUU fishing, circular economy approaches, and critical minerals. During the inaugural meeting, the Committee had an in-depth discussion on experiences on sustainable forest management and trade, including on timber traceability and chain of custody, and the enforcement of environmental laws related to forests.

*For further discussion of the United States–Ecuador Trade and Investment Council, see Chapter I.D.1 The Americas.*

## **3. Regional, Multilateral, and International Organizations Engagement**

### **Regional Engagement**

In the Asia-Pacific Economic Cooperation (APEC) forum, the United States continued to work with other Asia-Pacific economies through the Experts Group on Illegal Logging and Associated Trade to improve the capacity of APEC economies to combat illegal logging and associated trade and promote the trade in legally harvested forest products within the APEC region. Under the APEC Committee on Trade and Investment’s Market Access Group, APEC economies also continued work on a technical update for reference purposes of the Environmental Goods List in terms of Harmonized System (HS) classifications from HS2017 to HS2022. Within the Oceans and Fisheries Working Group, the United States supported implementation of the Port State Measures Agreement, promoted the sustainable use and management of aquaculture, and worked to identify areas of convergence and best practices to combat IUU fishing, including through APEC’s Roadmap on Combating IUU Fishing. In addition, work continued on the U.S.-led Recyclable Materials Policy Program (RMPP), which aims to develop the capacity of APEC economies to identify and frame domestic policies that promote solid waste management and recycling infrastructure. The APEC Group on Services compiled and endorsed the APEC Reference List of Environmental and Environmentally Related Services, a non-exhaustive, nonbinding reference list of such services. This voluntary and evolving reference list is intended to be used as a resource for future discussions on environmental services.

In May and July 2024, the United States hosted two virtual technical workshops with IPEF Partner countries. During these sessions, officials exchanged information and discussed countries’ respective best

practices and policies on sustainable forest management and timber trade, and environmental goods and services.

*For further discussion of the Indo-Pacific Economic Framework, see Chapter I.B.1 Indo-Pacific Economic Framework for Prosperity*

## **International Organizations and Other Multilateral Engagement**

### **World Trade Organization**

The United States has continued to explore and advance innovative approaches to all aspects of the WTO's trade and environment work, beyond the WTO fisheries subsidies negotiations.

The United States strengthened its leadership at the WTO on trade and environment issues. The United States continued to actively engage in deliberations on trade and environment, including through meetings of the Committee on Trade and Environment (CTE) and the Trade and Environmental Sustainability Structured Discussions (TESSD). The United States convened a panel during WTO Trade and Environment Week in October 2024 to consider how trade can support circular approaches for critical minerals, with the example of electric vehicle (EV) batteries, including through design, recycling, and recovery, and to encourage development in critical mineral source countries. As part of the CTE and TESSD, as well as through other WTO channels, the United States continued to actively engage in and lead discussion on issues such as circular economy and circularity, to deepen knowledge and dialogue among WTO Members on emerging issues in trade and environmental policy. Additionally, in 2024 the United States participated actively in the Dialogue on Plastic Pollution and Environmentally Sustainable Plastic Trade (DPP), including in discussions focused on tackling plastics pollution through trade-related measures and strengthening relevant technical assistance for developing economies. The United States was also actively engaged in discussions led by the co-coordinators to develop a DPP MC13 statement.

*For further discussion of the WTO Committee on Trade and Environment, see Chapter V.G.1 WTO Committee on Trade and Environment.*

### **United Nations Environment Program**

In 2024, USTR was actively engaged in relevant discussions with trading partners as well as the interagency process led by the U.S. Department of State to develop a U.S. position in advance of the fourth and fifth sessions of the Intergovernmental Negotiating Committee (INC-4 and INC-5) launched by the United Nations Environment Assembly (UNEA) in spring 2022 to develop an international agreement on plastics pollution.

### **Other Multilateral Engagement**

In 2024, USTR participated in the implementation of a number of multilateral environmental agreements and multilateral initiatives to ensure consistency with international trade obligations, including the Strategic Approach to International Chemicals Management, and the Convention on Biological Diversity.

Additionally, together with the U.S. Environmental Protection Agency, USTR co-led the U.S. delegation to the March 2024 meetings of the Organization for Economic Cooperation and Development's Joint Working Party on Trade and Environment (JWPTE). The JWPTE provides a forum for discussing the effects of environmental policies on trade and the effects of trade policies on the environment, as well as for promoting mutually supportive trade and environmental policies. The March 2024 meeting covered a

range of topics, including policies to promote environmental goods, and circular economy and trade. A USTR official also served on the JWPTE Bureau from January to December 2024.

In 2024, the United States also continued to collaborate with other U.S. Government agencies, international counterparts, and external industry stakeholders to develop policies and approaches to help promote more circular practices in the textile and apparel supply chain. In particular, the United States worked at the Group of Seven (G7), along with other members of the G7 Alliance on Resource Efficiency (ARE), to negotiate and adopt the voluntary G7 Agenda on Circular Textiles and Fashion (ACT). The G7 ACT identifies specific challenges, priorities, and related actions for G7 ARE members to consider, and encourages collaboration, knowledge-sharing, and commitments for collective action towards more transparent, sustainable, and circular global textile and apparel value chains.

## D. INTELLECTUAL PROPERTY AND TRADE

During 2024, the Office of the United States Trade Representative (USTR) continued to urge other countries to provide adequate and effective protection and enforcement of U.S. intellectual property (IP) rights and fair and equitable market access for U.S. persons that rely on protection of IP rights.<sup>2</sup> Toward this end, USTR worked to ensure that U.S. owners of IP have a full and fair opportunity to compete around the globe.

To protect U.S. innovation and employment, the U.S. Government identified laws, policies, and practices in foreign countries that fail to provide adequate and effective IP protection and enforcement for U.S. inventors, creators, brands, manufacturers, and service providers. Challenges included: copyright piracy, which particularly threatens U.S. exports in media and other creative content; various challenges for U.S. innovators related to patents and trade secrets; and counterfeit products, which undermine U.S. trademark rights and can also pose serious threats to consumer health and safety.

Inappropriate protection of geographical indications (GIs), including the lack of transparency and due process in some systems, limits the scope of trademarks and other IP rights held by U.S. producers and imposes barriers on market access for U.S.-made goods and services that rely on the use of common names, such as “feta” cheese. In addition, the theft of trade secrets, often among a company’s core business assets and key to a company’s competitiveness, hurts U.S. businesses, including small and medium-sized businesses. The reach of trade secret theft into critical commercial and defense technologies poses threats to U.S. national security interests as well.

The United States deployed a wide range of bilateral and multilateral trade tools to promote sound IP laws and effective enforcement worldwide, reflecting the relevance of IP to the future growth of the U.S. economy. The United States pressed trading partners on IP issues through bilateral engagement and other means, including with: Argentina, Australia, Bahrain, Bangladesh, Barbados, Bulgaria, Canada, Chile, China, Colombia, Costa Rica, Dominican Republic, Ecuador, Egypt, Guatemala, India, Indonesia, Iraq, Japan, Kazakhstan, Kenya, Korea, Kyrgyz Republic, the Maldives, Mexico, Nepal, Pakistan, Paraguay, Peru, Romania, Saudi Arabia, Singapore, South Africa, Sri Lanka, Taiwan, Tajikistan, Thailand, Trinidad and Tobago, Türkiye, Turkmenistan, Ukraine, Uzbekistan, and Vietnam. The United States also engaged bilaterally and regionally with other countries through the annual “Special 301” review and Notorious Markets report.

*For further information, see Chapter II.F.2 Other Monitoring and Enforcement Activities, Special 301.*

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<sup>2</sup> Intellectual property rights include copyrights, patents, industrial designs, trademarks, and trade secrets.

To elaborate on endemic concerns in just one of these countries, China is home to widespread infringing activity, including trade secret theft, rampant online piracy and counterfeiting, and high-volume manufacturing and export of pirated and counterfeit goods to markets around the globe. Combined, shipments and goods coming from or through China and Hong Kong, China in Fiscal Year 2023 (latest data available) accounted for the overwhelming majority (83 percent of the value measured by manufacturers' suggested retail price) of all U.S. Department of Homeland Security Customs and Border Protection (CBP) border seizures of IP rights infringing merchandise.<sup>3</sup> In 2023, the pace of reforms in China aimed at addressing IP protection and enforcement remained slow. Stakeholders acknowledged some positive developments but continued to raise concerns about implementation of the amended Criminal Law, Copyright Law, and Patent Law, as well as about long-standing issues like forced or pressured technology transfer, trade secrets, counterfeiting, online piracy, copyright law, and patent and related policies. Also, statements by Government of China officials that tie IP rights to China's market dominance continue to raise strong concerns. USTR has been closely monitoring the Government of China's progress in implementing its commitments under the United States–China Economic and Trade Agreement since it was signed in January 2020.

*For further information, see Chapter II.B.2.ii United States–China Economic and Trade Agreement.*

USTR leads multilateral engagement on IP issues in the World Trade Organization (WTO) through the Council for Trade-Related Aspects of Intellectual Property Rights (TRIPS Council). On June 17, 2022, the WTO adopted the Ministerial Decision on the TRIPS Agreement, which sets forth clarifications and a waiver for eligible WTO Members to authorize the use of the subject matter of a patent required for the production and supply of COVID-19 vaccines. At the Thirteenth WTO Ministerial Conference (MC13) from February 26 to March 2, 2024, WTO Members did not extend the Ministerial Decision on the TRIPS Agreement to COVID-19 diagnostics and therapeutics.

*For further information, see Chapter V.E WTO Council for Trade-Related Aspects of Intellectual Property Rights.*

## E. LABOR AND TRADE

In 2024, the United States continued to bring labor issues and topics important to working people to the forefront of trade policy. The Office of the United States Trade Representative (USTR) engaged with governments around the world to seek to ensure that it serves the interests of working people. This included engaging with trade partners through trade agreement mechanisms, trade and investment framework agreements (TIFAs), and regional and multilateral fora, such as the International Labor Organization (ILO), the Asia-Pacific Economic Cooperation (APEC), the Association of Southeast Asian Nations (ASEAN), the Group of Seven (G7), the Organization for Economic Cooperation and Development (OECD), and the World Trade Organization (WTO).

In addition, the United States increased stakeholder consultation to ensure workers' voices were heard and considered throughout the policy-making process. Multistakeholder engagements also took place, bringing together governments, unions, and businesses to discuss shared values in protecting the human dignity of workers in supply chains who produce the tradeable goods.

The United States promoted respect for labor rights in its engagement with trade partners in 2024 through active negotiations on new trade initiatives; formal mechanisms of trade agreements and trade preference programs; as well as through multilateral and plurilateral cooperation, country-specific initiatives, capacity

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<sup>3</sup> U.S. Customs and Border Protection, [Intellectual Property Rights \(IPR\) Seizures Dashboard](#), (as of March 22, 2024, latest data available).

building, and technical assistance. This included discussions with trade partners related to advancing high labor standards and supporting workers' rights.

## **1. Negotiations**

### **Indo-Pacific Economic Framework for Prosperity**

As of December 31, 2024, negotiations on the Trade Pillar of the Indo-Pacific Economic Framework for Prosperity were still ongoing. USTR negotiated labor provisions that will bolster resilience with the U.S partners across the Indo-Pacific region. The Trade Pillar labor text tabled by USTR includes provisions requiring Parties to adopt and maintain internationally recognized labor rights and to promote compliance with labor laws. Other provisions establish cooperative mechanisms that Parties can use to collaborate on labor issues and keep the public engaged in the implementation of labor commitments. The proposed text also establishes mechanisms to address forced labor in supply chains and to encourage corporate accountability in cases where an entity violates local laws.

*For further discussion of the Indo-Pacific Economic Framework for Prosperity (Trade Pillar), see Chapter I.B.1 Indo-Pacific Economic Framework for Prosperity.*

### **United States–Kenya Strategic Trade and Investment Partnership**

In 2024, the United States continued discussions with Kenya under the United States–Kenya Strategic Trade and Investment Partnership, which was launched in July 2022. The United States tabled text related to workers' rights and protections that includes provisions to benefit workers and ensure free and fair trade that promotes growth for both Kenya and the United States.

*For further discussion of the United States–Kenya Strategic Trade and Investment Partnership, see Chapter I.B.3 United States–Kenya Strategic Trade and Investment Partnership.*

### **United States–Taiwan Trade and Investment Framework Agreement**

In 2024, the United States intensified engagement on labor issues with Taiwan through discussions related to the United States–Taiwan Initiative on 21st-Century Trade, particularly regarding the charging of recruitment fees to foreign migrant workers and issues related to workers on distant water fishing vessels.

*For further discussion of the United States–Taiwan Trade and Investment Framework Agreement, see Chapter I.B.2 United States–Taiwan Initiative on 21st-Century Trade.*

## **2. Monitoring and Enforcement Activities of Existing Agreements**

### **Free Trade Agreements**

Since 2007, U.S. trade agreements have included obligations to ensure the consistency of each party's labor laws with fundamental labor rights as stated in the 1998 [ILO Declaration on Fundamental Principles and Rights at Work](#). These agreements also include obligations not to fail to effectively enforce each party's labor laws and not to waive or derogate from those laws in a manner affecting trade or investment.

These agreements also provide for the receipt and consideration of submissions from the public on matters related to the labor chapters, which can be submitted through the U.S. Department of Labor's (DOL) Bureau

of International Labor Affairs (ILAB). For additional information on submissions and the process for filing, see the [DOL/ILAB website](#).

As part of the ongoing effort to monitor and implement existing U.S. trade agreements, the United States has worked with trading partners to advance respect for labor rights through technical cooperation and other efforts, including in Bahrain, Colombia, Honduras, Jordan, Korea, Mexico, and Peru.

*For further discussion of free trade agreements, see Chapter I.C Comprehensive Free Trade Agreements in Force.*

Examples of U.S. Government engagement in 2024 on labor issues under free trade agreements include:

- The United States maintained significant, continual engagement with Mexico related to labor issues covered under the United States–Mexico–Canada Agreement (USMCA), including through the USMCA Rapid Response Labor Mechanism. In 2024, USTR’s Senior Trade Representative at the U.S. Embassy in Mexico City, Mexico, worked closely with the DOL Labor Attachés posted in Mexico to support and monitor implementation of the USMCA and engage on labor issues. (*For further information, see Chapter I.C.9 Mexico and Canada.*)
- U.S. Government officials met throughout 2024 with Colombian Government officials and stakeholders to follow up on the labor commitments related to the United States–Colombia Trade Promotion Agreement, including with respect to efforts by the Government of Colombia to improve labor law enforcement and protect the rights of freedom of association and collective bargaining for workers that are subcontracted or hired under temporary contracts. (*For further information, see Chapter I.C.5 Colombia.*)
- U.S. Government officials, including from USTR and DOL, continued to engage with Korean Government officials on Korea’s compliance with its labor rights obligations under the United States–Korea Free Trade Agreement (KORUS). Throughout 2024, officials from USTR and the DOL held technical meetings with Korean Government officials to discuss concerns raised during the April 2022 Labor Affairs Council meeting. (*For further information, see Chapter I.C.8 Korea.*)
- U.S. Government officials, including from USTR and DOL, met with Peruvian Government officials on February 15, 2024, in Lima, Peru, and discussed the status of the 2015 labor submission under the United States–Peru Trade Promotion Agreement and the issues of concern raised by the submission. Further, throughout 2024, officials from the U.S. Government and the Peruvian Government held technical-level exchanges to explore areas of cooperation under the Agreement. (*For further information, see Chapter I.C.13 Peru.*)
- U.S. Government officials, including from USTR and DOL, continued to engage with Honduran Government officials and stakeholders to discuss outstanding commitments of Honduras under the United States–Honduras Labor Rights Monitoring and Action Plan, with a particular emphasis on fine collection and freedom of association. On July 19, 2024, the United States and Honduras met and decided to continue discussions of ongoing and new labor issues that may arise under a tripartite group, including labor, business, and government representatives. (*For further information, see Chapter I.C.3 Central America and the Dominican Republic.*)
- U.S. Government officials continued to engage with Jordanian Government officials to address labor issues in Jordan and monitor the Implementation Plan Related to Working and Living Conditions of Workers in Jordan under the auspices of the United States–Jordan Free Trade

Agreement. The U.S. Government also continued to engage with the Jordanian Ministry of Labor on systemic concerns related to migrant worker rights and on addressing limitations to freedom of association and democratic worker representation in 2024. (*For further information, see Chapter I.C.7 Jordan.*)

- U.S. Government officials discussed labor issues, including ongoing concerns related to freedom of association and employment discrimination, with Bahraini Government officials during a Free Trade Agreement Joint Committee meeting on June 24, 2024, in Washington, D.C., and during other bilateral meetings held in Manama in 2024. (*For further information, see Chapter I.C.2 Bahrain.*)

### **United States–Mexico–Canada Agreement**

In 2024, USTR continued to work closely with Mexican trade and labor officials to ensure effective implementation of Mexican constitutional and legislative reforms, which mandate the creation of new labor courts and overhaul Mexico’s system of labor justice administration. As of December 31, 2024, USTR has invoked the USMCA Rapid Response Labor Mechanism 31 times, bringing concrete gains to over 43,000 workers (including free and fair union elections), over \$6 million in back wages and benefits, and reinstatement of wrongly dismissed workers. The United States also launched the second dispute settlement panel under the mechanism and worked collaboratively with Mexico to successfully resolve multiple cases. These actions demonstrate the commitment of the United States to enforcing the USMCA and show that the mechanism works, as intended, to bring rapid, significant wins for workers on the ground and promote a race to the top. For additional information on the Rapid Response Labor Mechanism cases, [see USTR’s website](#).

In order to ensure adequate monitoring and enforcement resources for the USCMA labor obligations, the United States–Mexico–Canada Agreement Implementation Act (19 U.S.C. §§ 4501-4732) allocates \$30 million each over four years to both USTR and the DOL for enforcement and provides that the DOL shall post up to five Labor Attachés to the U.S. Embassy and U.S. consulates in Mexico. The Labor Attachés work closely with USTR’s Senior Trade Representative, as well as with U.S. Department of State officials at the U.S. Embassy in Mexico City.

The allocated resources also supported the creation and operation of an Interagency Labor Committee for Monitoring and Enforcement (Labor Committee) to coordinate monitoring and request enforcement of USMCA’s labor provisions, with a particular focus on Mexico’s historic labor reform process. The Labor Committee, co-chaired by the U.S. Trade Representative and the U.S. Secretary of Labor, was established in 2020 and met regularly during 2024 to review labor rights issues in Mexico. Pursuant to the USMCA Implementation Act, the Labor Committee prepared reports every 180 days and transmitted them to the Senate Finance Committee and the House Committee on Ways and Means. In addition, the USMCA Implementation Act allocated \$180 million to the DOL for technical assistance programs to support labor justice system reforms in Mexico, including grants to support worker-focused capacity building, combat forced labor and child labor, and reduce workplace discrimination in Mexico. The DOL has awarded all \$180 million.

In 2024, the United States continued to monitor Mexico’s labor law reform implementation, including issues related to budget resources for the reforms, to ensure that Mexico fulfills its USMCA commitments so that American workers and businesses fully benefit from the Agreement.

*For further discussion of the United States–Mexico–Canada Agreement, see Chapter I.C.9 Mexico and Canada.*

## **Dominican Republic–Central America–United States Free Trade Agreement**

During 2024, the United States continued to monitor and assess progress toward addressing the labor concerns in the Dominican Republic and Honduras outlined in the [2013 DOL report](#) and the [2015 DOL report](#), respectively, in response to submissions from the public under the CAFTA–DR.

The United States engaged in discussions with Dominican Republic officials and stakeholders on the recommendations in the [2013 DOL report](#), and, on September 13, 2022, published its [seventh periodic review](#) of implementation of the report’s recommendations regarding worker rights in the Dominican Republic sugar sector and the need for improving labor inspections. The United States continued to work with the Dominican Republic to make progress on these issues during 2024. On June 10, 2022, the United States and the Dominican Republic announced the formation of a technical working group to help improve labor law enforcement in the Dominican sugar sector. Engagement on the issues covered by the technical working group continued in 2024.

The United States and Honduras signed the United States–Honduras Labor Rights Monitoring and Action Plan (MAP) in December 2015. The MAP includes comprehensive commitments by Honduras to improve legal and regulatory systems that protect labor rights, intensify targeted enforcement efforts, and improve transparency. The Honduran Government continued to engage with the United States in 2024 to resolve ongoing issues, including those related to fine collection and freedom of association in emblematic cases.

*For further discussion of the Dominican Republic–Central America–United States Free Trade Agreement, see Chapter I.C.3 Central America and the Dominican Republic.*

## **United States–Colombia Trade Promotion Agreement**

In 2024, the United States continued to work closely with Colombia on the recommendations included in the [2017 DOL report](#) on a submission under the Labor Chapter of the United States–Colombia Trade Promotion Agreement and to continue implementation of the Colombian Action Plan Related to Labor Rights (Action Plan), which focuses on improving labor law enforcement. In addition, USTR and the DOL organized a technical exchange with the Colombian Attorney General’s Office and the Ministries of Labor and Trade on violence and threats of violence against unions.

*For further discussion of the United States–Colombia Trade Promotion Agreement, see Chapter I.C.5 Colombia.*

## **United States–Peru Trade Promotion Agreement**

The United States continued to engage with the Government of Peru in 2024 on the issues identified in the [2016 DOL report](#) in response to a submission under the United States–Peru Trade Promotion Agreement. The 2016 DOL report recommended that the Government of Peru take steps to address problems with temporary contracts in special government export-promotion regimes (with tax and other benefits for exporters), primarily textiles and agriculture, where concerns that employers use these arrangements to undermine the free exercise of labor rights were ongoing.

*For further discussion of the United States–Peru Trade Promotion Agreement, see Chapter I.C.13 Peru.*

## **Bilateral Activities**

The United States engaged with trade partners through various mechanisms, including bilateral discussions, and has sought to develop new tools to advance internationally recognized labor rights improve the livelihoods of people in the United States and around the world.

### **Trade and Investment Framework Agreement Meetings**

The United States engaged with several countries in 2024 on labor issues in the context of trade and investment framework (TIFA) meetings and other bilateral trade mechanisms, including with Argentina, Armenia, Bangladesh, Cambodia, Central Asia, Ecuador, Egypt, India, Maldives, Moldova, Nepal, Pakistan, Paraguay, the Philippines, Türkiye, Ukraine, and Vietnam. The United States highlighted the importance of ensuring that labor laws fully protect internationally recognized labor rights and that government agencies have the capacity to enforce domestic labor laws. USTR officials also raised worker rights during bilateral meetings with officials from Indonesia, the Philippines, and Thailand.

*For further information on U.S. engagement with Bangladesh, see Chapter I.D.7 South and Central Asia.*

### **United States–European Union Tripartite Trade and Labor Dialogue**

Under the United States–European Union (EU) Trade and Technology Council (TTC) Working Group 10 on Global Trade Challenges, the U.S. Government and European Commission announced the establishment of the tripartite U.S.–EU Trade and Labor Dialogue (TALD) on May 16, 2022. The TALD is co-chaired by USTR and the DOL and their European Commission counterparts from the Directorate General for Trade (DG TRADE) and the Directorate General for Employment (DG EMPLOYMENT). The TALD consists of representatives from governments, labor unions, and businesses and allows the United States and the EU to consult worker organizations and business representatives on transatlantic trade and labor issues, especially in relation to the work of the TTC.

On April 4, 2024, senior leadership from USTR and the European Commission’s DG TRADE led the principals’ meeting of the tripartite TALD. The meeting included key U.S. and EU labor and business representatives and focused on a successful engagement under the TALD.

On September 25, 2024, the United States and the EU held a technical-level meeting of the TALD. Government officials briefed stakeholders, including labor unions and businesses, on the progress made by the United States and the European Commission on the “TALD Social Partner Joint Statement on Transatlantic Forced Labor Trade Strategy” and debriefed on the January 30, 2024 labor stakeholder workshop.

*For further discussion of the U.S.–EU Trade and Technology Council, see Chapter I.D.2 Europe and the Middle East.*

### **United States–Japan Labor Cooperation**

Under the United States–Japan Partnership on Trade, the United States and Japan worked together in 2024 to advance a common agenda, which includes cooperation to use trade policy in support of internationally recognized labor rights. In February 2024, the United States and Japan held virtual sessions of the inaugural meetings of the United States–Japan Task Force to Promote Human Rights and International Labor Standards in Supply Chains (Task Force), consisting of a government-to-government dialogue on February 5 and a government-and-stakeholder dialogue on February 13 that focused on sharing information about efforts to combat violation of labor standards and enhance traceability in the supply chains. On October 7,

2024, the Task Force convened a second government-to-government dialogue virtually that continued the engagement and brought to light various efforts to promote labor rights in the seafood supply chains. On December 17, 2024, the two governments held a virtual industry outreach event where seafood producers and retailers from both countries were briefed on government efforts to promote labor standards in supply chains, including those specific to seafood supply chains; offered their perspectives on these efforts; and shared ideas for the private sector and governments to work together on innovative solutions. Through the Task Force, the United States and Japan aim to exchange information on relevant laws, policies, and guidance; facilitate stakeholder dialogues with businesses and worker organizations; and promote best practices for human rights and internationally recognized labor rights due diligence.

*For further discussion of the U.S.–Japan Partnership on Trade, see Chapter I.D.3 Japan and Korea.*

### **Trade Preference Programs**

U.S. trade preference programs, including the Generalized System of Preferences (GSP), the African Growth and Opportunity Act (AGOA), the Caribbean Basin Initiative (CBI), and trade preferences for Haiti and Nepal, require beneficiaries to meet statutory eligibility criteria pertaining to internationally recognized worker rights, including freedom of association and elimination of child labor and forced labor. To monitor and address eligibility concerns, USTR engages with foreign governments, stakeholders, and international organizations, and looks to the variety of U.S. Government reports on worker rights, including on child labor and forced labor. This section describes labor engagement under these preference programs, as well as other bilateral trade mechanisms.

*For further discussion of the Caribbean Basin Initiative, see Chapter I.A.3 Caribbean Basin Initiative.*

*For further discussion of the Nepal Trade Preference Program, see Chapter I.A.5 Nepal Trade Preference Program and Chapter I.D.7 South and Central Asia.*

### **Generalized System of Preferences**

Authorization for duty-free treatment under GSP lapsed on December 31, 2020. As of December 31, 2024, four country eligibility reviews were pending on countries' compliance with GSP worker rights eligibility criteria: Azerbaijan, Eritrea, Kazakhstan, and Zimbabwe.

The U.S. Government engaged with designated GSP beneficiary countries on labor issues during TIFA and other bilateral meetings, including with Argentina, Armenia, Brazil, Cambodia, Ecuador, Kazakhstan, Maldives, Nepal, Pakistan, Paraguay, the Philippines, Thailand, Ukraine, and Uzbekistan.

*For further discussion of the Generalized System of Preferences program, see Chapter I.A.1 Generalized System of Preferences.*

### **African Growth and Opportunity Act**

The United States continued to engage with sub-Saharan African countries on AGOA worker rights criteria through the AGOA annual eligibility review and bilateral and multilateral fora. On July 25 through July 26, 2024, the 21st AGOA Forum took place in Washington, D.C. The 2024 AGOA Forum placed significant emphasis on the future of AGOA and the importance of improving AGOA to deliver tangible benefits to more working communities.

*For further discussion of the African Growth and Opportunity Act, see Chapter I.A.2 African Growth and Opportunity Act.*

## **Haitian Hemispheric Opportunity through the Partnership Encouragement Act**

Pursuant to requirements of the Haitian Hemispheric Opportunity through the Partnership Encouragement Act of 2008 (HOPE II) (P.L. 109-432, Div. D, Title V), producers eligible for duty-free treatment under HOPE II must comply with internationally recognized worker rights. As part of HOPE II, the U.S. Government works closely with the Government of Haiti and the ILO on the Technical Assistance Improvement and Compliance Needs Assessment and Remediation (TAICNAR) program to monitor factories' compliance with internationally recognized worker rights.

For additional information, see the [2024 USTR Annual Report on the Implementation of the TAICNAR Program and Assessment of Producer Eligibility](#).

*For further discussion of HOPE II, see Chapter I.A.4 Haitian Hemispheric Opportunity through Partnership Encouragement Act.*

## **3. Regional, Multilateral, and International Organization Engagement**

In 2024, the United States continued its efforts to broaden international consensus on the relationship between trade and labor and the benefit of ensuring that trade policy protects labor rights, including through regional and multilateral fora, as well as international organizations.

### **Asia-Pacific Economic Cooperation**

The United States also continued to promote labor rights as one of the topics to strengthen economic integration and build high-quality trade agreements in the Asia-Pacific region. In APEC, the United States continued to support including labor issues in the next generation of trade agreements by the APEC economies. To support this goal, USTR continued to support a project in the Committee on Trade and Investment on labor-related technical assistance and capacity building provisions in regional trade arrangements and free trade agreements.

### **Group of Seven**

The United States also worked through multilateral organizations to make clear that forced labor has no place in the global trading system. In July 2024, G7 Trade Ministers reaffirmed their commitment made in 2021 to take measures to eradicate forced labor and the importance of promoting the respect for human rights and international labor standards in business activities and global supply chains.

*For further discussion of the G7, see Chapter IV.A. Group of Seven.*

### **International Labor Organization**

In 2024, USTR met with International Labor Organization (ILO) experts and participated in ILO-sponsored panels to discuss the implementation of labor standards in trade partner countries and to discuss broader labor themes such as labor inspection, forced labor, global supply chains, and the ILO Better Work program.

## **4. Combating Forced Labor in Global Supply Chains**

Forced labor includes the use of forced, convict, and indentured labor, including forced or indentured child labor. Through new and existing trade tools, the United States continued its leadership role in 2024 by

using trade policy to address forced labor worldwide, including in global supply chains. The actions to combat forced labor mentioned above, and in this section, advanced the [U.S. National Action Plan to Combat Human Trafficking](#), which the President released in December 2021.

- As noted above, through the Task Force on the Promotion of Human Rights and International Labor Standards in Supply Chains established under the United States–Japan Partnership on Trade, the United States and Japan exchanged information on relevant laws, policies, and guidance that the two countries are implementing to enhance labor standards in the supply chains, including efforts to combat forced labor. In addition to holding a government-to-government meeting of the Task Force on February 5, 2024, the United States and Japan held a stakeholder dialogue on February 13, 2024, on methods and tools available to enhance traceability and transparency in the supply chains with respect to labor standards, facilitating dialogue among relevant businesses, worker organizations, and civil society organizations. On October 7, 2024, the United States and Japan held the second round of the government-to-government dialogue under the Task Force focused on efforts to address labor violations in the seafood sector. On December 17, 2024, the two governments held a joint outreach to industry partners in the seafood sector to deepen understanding and partnership to promote best labor practices in the sector.
- In January 2022, USTR announced at the President’s Interagency Task Force to Monitor and Combat Trafficking in Persons that it would develop its first-ever focused trade strategy to combat forced labor. USTR has been undertaking a process to develop the strategy that maximizes input from stakeholders, including labor organizations, civil society, survivors, and the private sector. This process included a request for public comment and a thorough review of information submitted. The strategy will bring attention to the U.S. Government toolkit to combat forced labor, which has been cultivated over the last 25 years to prevent this harmful practice, as well as to protect and provide appropriate remedies for those affected by forced labor, through trade policy and engagement. It will include a thorough interagency review of existing trade policies and tools to combat forced labor, to determine areas that may need strengthening, and to identify gaps that need to be filled.
- Throughout 2024, the United States and other WTO Members continued work with a view to concluding negotiations on additional provisions that would achieve a comprehensive agreement on fisheries subsidies. The United States urged WTO Members to support greater transparency with respect to the use of forced labor on fishing vessels. (*For further discussion on fisheries subsidies see Chapter V.B WTO Negotiations.*)
- In 2024, USTR worked with the DOL and the U.S. Department of Homeland Security (DHS) and U.S. Customs and Border Protection (CBP) to facilitate three sessions of a trilateral workshop under USMCA on enforcing the three USMCA countries’ bans on imports produced with forced labor.
- In 2024, USTR coordinated with DHS, including CBP, to facilitate information sharing with Kenya, the Philippines, Taiwan, Thailand, Uruguay, and Vietnam on CBP’s enforcement of Section 307 of the Tariff Act of 1930, as amended (19 U.S.C. § 1307) and the Uyghur Forced Labor Prevention Act.

### **Forced Labor Enforcement Task Force**

The United States continued to work through the DHS-led Forced Labor Enforcement Task Force (FLETF) in 2024 to coordinate, monitor, and prevent the importation of goods made wholly or in part with forced labor into the United States. The FLETF is composed of the following interagency member partners: DHS

(Chair), USTR, DOL, as well as the U.S. Departments of State, Treasury, Justice, and Commerce. Observer agencies invited to attend by the Chair include the U.S. Agency for International Development, the U.S. Department of Agriculture, the U.S. Department of Energy, the National Security Council, CBP, and the U.S. Immigration and Customs Enforcement's Homeland Security Investigations.

*Withhold Release Orders and Findings:*

By the end of 2024, CBP enforced 51 active withhold release orders (WROs) and 9 Findings across the globe. CBP issues a WRO when the agency has reason to believe that goods (or their inputs) entering the United States were made with forced labor. A WRO allows CBP to detain the products in question at all U.S. ports of entry unless or until importers can prove the absence of forced labor in their product's supply chain. CBP issues a Finding when the agency has conclusive evidence of the use of forced labor in the manufacturing or production of a good or goods entering the U.S. supply chain. A Finding allows CBP to seize the products in question at all U.S. ports of entry.

*Uyghur Forced Labor Prevention Act:*

The Uyghur Forced Labor Prevention Act (UFLPA) was enacted in December 2021 to prevent the systematic use of forced labor in the Xinjiang Uyghur Autonomous Region (XUAR) by strengthening the existing prohibition against the importation of goods made wholly or in part with forced labor into the United States. The UFLPA:

- Establishes a rebuttable presumption that the importation of goods from the XUAR are prohibited under Section 307 of the Tariff Act of 1930, as amended (19 U.S.C. § 1307);
- Charges the FLETF to develop a strategy for supporting the enforcement of Section 307, to prevent the importation into the United States of goods mined, produced, or manufactured wholly or in part with forced labor in the People's Republic of China, including in the XUAR; and
- Requires the FLETF to maintain a UFLPA Entity List comprised of entities that are subject to a rebuttable presumption that the importation of goods from those entities is prohibited under Section 307.

Since the rebuttable presumption went into effect in June 2022, CBP has reviewed more than 10,000 shipments valued at more than \$3.6 billion under the UFLPA. On July 9, 2024, the FLETF published [Updates to the Strategy to Prevent the Importation of Goods Mined, Produced, or Manufactured with Forced Labor in the People's Republic of China](#). The updated strategy identified new high-priority sectors for enforcement—polyvinyl chloride, aluminum, and seafood—to inform the trade community of supply chains that involve a higher risk of forced labor from the XUAR.

In 2024, the FLETF continued to prioritize updating the UFLPA Entity List. As of December 31, 2024, 107 entities have been designated on the UFLPA Entity List.

## **5. Trade Adjustment Assistance**

### **Overview and Assistance for Workers**

The Trade Adjustment Assistance for Workers Program (TAA Program) was authorized under Chapter 2 of Title II of the Trade Act of 1974, as amended (19 U.S.C. § 2251 *et seq.*). On June 30, 2022, the

authorization for the TAA program expired, and the program had not been reauthorized as of December 31, 2024. The program entered a phased termination, effective July 1, 2022.

### **Trade Adjustment Assistance for Farmers**

The Trade Adjustment Assistance for Farmers Program was authorized under Chapter 6 of Title II of the Trade Act of 1974, as amended, and was reauthorized by the Trade Preferences Extension Act of 2015 for FY 2015 through FY 2021. The program lapsed in July 2022 and had not been reauthorized as of December 31, 2024.

### **Trade Adjustment Assistance for Firms**

The U.S. Economic Development Administration (EDA) Trade Adjustment Assistance for Firms Program (TAAF Program), which provides trade adjustment assistance for import impacted U.S. firms, was authorized by Chapters 3 and 5 of Title II of the Trade Act of 1974, as amended. Key portions of the authorization for the TAAF Program expired on June 30, 2022, and had not been reauthorized as of December 31, 2024.

## **F. MANUFACTURING AND TRADE**

### **Manufacturing Is a Key Driver of the U.S. Economy and U.S. Exports**

Manufacturing is a vital sector of the overall U.S. economy, with a gross domestic product (GDP) of \$2.5 trillion in 2022 (latest data available), comprising 10 percent of U.S. GDP. If the U.S. manufacturing sector were a country, it would be the seventh largest country in the world (excluding the United States). U.S. manufacturing sector employment was down 107,000 from December 2023 to December 2024. Average hourly earnings of manufacturing employees were \$34.52 in 2024, up from \$32.21 in 2023.

Manufacturing is a key driver of U.S. exports. U.S. manufacturing exports totaled \$1.64 trillion in 2024, and accounted for 79.3 percent of total U.S. goods exports to the world. Although U.S. exports are a comparatively small percentage of overall GDP—typically between 10 and 12 percent—the United States is nevertheless the second largest country exporter of manufactured goods.

The U.S. Government has relentlessly focused on an industrial strategy to revitalize the U.S. manufacturing base, strengthen critical supply chains, and position U.S. workers and businesses to compete and lead globally in the 21st century. This effort is leading to a historic recovery in domestic manufacturing, and the Office of the United States Trade Representative (USTR) is committed to ensuring that trade policy supports U.S. domestic industrial policy.

### **Supporting U.S. Manufacturing**

The U.S. Government has used a broad range of available trade policy tools to level the playing field and expand markets for U.S. manufactured goods exports in countries around the globe, and USTR is using these trade policy tools to complement domestic policies supporting U.S. manufacturing. In 2024, USTR advanced American manufactured goods trade through active engagement in an array of trade policy initiatives and activities. Key activities to support U.S. manufacturing exports included actions in the following issue areas:

## **Supply Chains**

The disruption of global supply chains due to the impacts of the COVID-19 pandemic highlighted the complexity of global supply chains for inputs and products critical to the United States. More resilient supply chains can protect the United States from shortages of critical products and encourage investments to maintain America's competitive edge, create good-paying jobs, and strengthen U.S. national security. The issue of supply chain resilience has been a key priority for the U.S. Government.

In 2024, USTR launched a public engagement initiative seeking stakeholder input on ways to advance U.S. supply chain resilience in trade negotiations, enforcement, and other initiatives. USTR initiated its request for public comment through a [Federal Register notice](#) published on March 7, 2024. The notice sought information on developing sector-specific policy tools, strengthening domestic manufacturing and services, collaborating with like-minded trading partners and allies, and measuring resilience, among other topics.

Over the course of May 2024, USTR received testimony from 84 witnesses in Washington, D.C.; St. Paul, Minnesota; and New York, New York, as well as virtually. The [comment docket](#) is public and contains nearly 300 submissions from a wide range of stakeholders, including labor unions and labor rights non-governmental organizations (NGOs), think tanks, environmental NGOs, and companies and trade associations, as well as foreign governments.

In addition, USTR continued to work with trading partners to address non-market policies and practices (NMPPs) in trade that contribute to overconcentration of production, non-market excess capacity, and other distortions in the market that can lead to the development of single sources of key strategic products and undermine supply chain diversity, security, and resilience. For example, in 2024, the United States and the European Union (EU) exchanged views and information about NMPPs in the medical devices sector in China and their adverse impact on U.S. and EU workers and businesses and explored possible coordinated actions in response to these policies and practices.

*For further discussion on non-market policies and practices, see Section II.E. Enforcement Activities to Counter Non-Market Policies and Practices and Enhance Economic Security.*

## **Critical Minerals**

To support resilient critical minerals supply chains, USTR engaged with key trading partners to facilitate trade, promote fair competition and market-oriented conditions for trade in critical minerals, advance robust labor and environmental standards, and advance cooperation in this sector. The United States continued negotiations of critical minerals agreements with the EU and the United Kingdom and continued to engage with Japan under the United States–Japan Critical Minerals Agreement concluded on March 28, 2023.

*For further discussion, see Section I.D.2 regarding the United States–United Kingdom Critical Minerals Agreement and United States–European Union Critical Minerals Agreement and see Section I.D.3 United States–Japan Critical Minerals Agreement.*

## **Steel and Aluminum**

Steel and aluminum are important strategic sectors that are severely impacted by non-market excess capacity and other NMPPs. Excess capacity in steel, aluminum, and other industrial sectors is generally caused by the expansion or maintenance of uneconomic production capacity without regard for domestic demand conditions, ultimately producing more product than can be consumed in the home market, fueling massive exports. These massive exports put downward pressure on global prices and displace products in the export markets. Non-market excess capacity—excess capacity driven by other NMPPs—poses an

existential threat to market-oriented steel and aluminum industries. For U.S. steel and aluminum producers, non-market excess capacity is also a significant barrier that precludes meaningful competition for sales in foreign markets. Excess capacity also restrains U.S. exports of steel- and aluminum-intensive downstream products, as countries with substantial excess capacity are attempting to move up the value chain, thereby displacing American manufacturers and downstream products.

In 2024, USTR continued to seek opportunities to work with like-minded trading partners to build international consensus on the challenges of excess capacity, including in the Organization for Economic Cooperation and Development (OECD) Steel Committee, which brings together government, industry, and labor representatives to discuss developments across the global steel sector and approaches to addressing challenges.

In addition, in 2024, USTR worked with like-minded partners in the OECD-facilitated Global Forum on Steel Excess Capacity (GFSEC) to consider new approaches that effectively address the root causes and consequences of excess capacity, taking into account that the situation is worsening and, so far, existing approaches and international trade rules have had limited impact.

The United States continued to strengthen actions to address the national security threat posed by steel and aluminum imports. On July 10, 2024, the United States implemented melt and pour, and smelt and cast requirements, respectively, for certain steel and aluminum imports from Mexico under Section 232 of the Trade Expansion Act of 1962. In order to be eligible for importation free from Section 232 tariffs, steel articles and derivative steel articles that are products of Mexico must be melted and poured in Mexico, Canada, or the United States, and aluminum articles and derivative aluminum articles that are products of Mexico must not contain primary aluminum for which the reported primary country of smelt, secondary country of smelt, or country of most recent cast is China, Russia, Belarus, or Iran. To improve transparency of the origins of its imports, Mexico began requiring its importers to provide more information about the country of origin of steel products. These actions will help jointly prevent tariff evasion on steel and aluminum and strengthen North American steel and aluminum supply chains.

## Semiconductors

USTR engages on a wide range of trade-related issues that impact the semiconductor industry to help promote the resilience and security of the industry's supply chain, support domestic manufacturing, and level the playing field for the U.S. semiconductor industry. USTR, in close collaboration with interagency partners, routinely engages with allies and partners to cooperate on semiconductor supply chains and work to address unfair trade practices. Under the United States–European Union Trade and Technology Council (TTC), the United States and the EU shared concerns about the impact of NMPPs on the global supply of semiconductors, particularly in legacy chips. To avoid negative spillover effects from global non-market excess capacity, the United States and the EU, in cooperation with like-minded partners, continued to exchange information and market intelligence about NMPPs that undermine the well-being of the global semiconductor industry, and explored cooperative measures to address the distortionary effects of these policies and practices. In addition to the engagements in the TTC, over the past two years the United States, the EU, and Japan deepened their trilateral work, focusing on the identification of problems arising from NMPPs, including in sectors such as legacy semiconductor chips. The three trading partners have also sought to identify gaps in existing trade tools and, where further work is needed, to develop new trade tools to address NMPPs, as well as possible cooperation in utilizing existing tools.

The G7, under the Italian Presidency in March 2024, established a semiconductor G7 Point of Contact Group to bolster coordination on issues impacting the critical industry and work to promote resiliency in supply chains. The G7 Point of Contact Group undertook an information exchange on issues impacting the

semiconductor industry, including but not limited to pre-competitive industrial research and development priorities, sustainable manufacturing, the effect of NMPPs, and crisis coordination channels.

On December 23, 2024, the U.S. Trade Representative initiated an investigation under Section 302(b) of the Trade Act (19 U.S.C. § 2412(b)) regarding acts, policies, and practices of the Government of the People's Republic of China related to targeting of the semiconductor industry for dominance. *For further discussion, see Section II.B.1 China's Targeting of the Semiconductor Industry for Dominance.*

### **United States–Mexico–Canada Agreement**

The United States–Mexico–Canada Agreement (USMCA) entered into force on July 1, 2020, updating the provisions of the North American Free Trade Agreement (NAFTA) to reflect 21st century standards. The USMCA provisions ensure that its benefits go to products genuinely made in the United States and elsewhere in North America and incentivize production in North America. These provisions include updated rules of origin for automobiles and automotive parts that require greater North American content, including mandatory purchase requirements for North American steel and aluminum, and requirements to produce certain core parts and components within the region. On July 1, 2024, USTR published the second biennial [Report on the Operation of the United States–Mexico–Canada Agreement \(USMCA\) with Respect to Trade in Automotive Goods](#), pursuant to Section 202A(g)(1) of the United States-Mexico-Canada Agreement Implementation Act (P.L. 116-113).

USMCA also included new provisions in Chapter 12 (Sectoral Annexes) that promote enhanced regulatory compatibility and best regulatory practices in key sectors. In 2023, USTR worked with Canada and Mexico to initiate a review of the implementation of Chapter 12, starting with medical devices. A key outcome was that the Mexican regulator (COFEPRIS) joined the Medical Device Single Audit Program (MDSAP) as an affiliate member in late 2023, which will aid in standardizing the regulatory audit process among USMCA partners and promote greater alignment of regulatory approaches and technical requirements for medical devices based on international standards and best practices. In 2024, COFEPRIS also became an affiliate member of the International Medical Device Regulators Forum (IMDRF), a voluntary group of medical device regulators (including USMCA partners), which aims to accelerate international medical device regulatory harmonization and convergence.

### **U.S.–Switzerland Pharmaceutical Good Manufacturing Practices Mutual Recognition Agreement**

The Agreement on Mutual Recognition Between the Swiss Confederation and United States of America Relating to Pharmaceutical Good Manufacturing Practice (MRA) entered into force on July 27, 2023. The MRA allows U.S. and Swiss regulators to share documents from their routine good manufacturing practice (GMP) inspections of pharmaceutical manufacturing facilities, thereby reducing duplicative efforts. In 2024, the United States and Switzerland worked together to implement the MRA in an effort to make sure their regulators could better exercise their respective regulatory discretion to re-allocate resources to where they would be most needed, thereby helping to ensure that all drugs imported into each country were as safe as possible.

### **Remanufacturing**

Remanufacturing is an important part of the manufacturing sector and allows manufacturers to service the equipment they sell and develop or to expand their customer base through high-quality but lower priced remanufactured products. Remanufacturing extends the life and thus the reach of innovative products, making a wide range of goods more cost-effective and accessible to more consumers. Further, remanufacturing is an essential element of the circular economy. It reuses resources, such as metals, with

less energy and allows critical materials like rare earths to be recycled, reducing emissions and other environmental impacts throughout the production process.

USTR has been promoting remanufacturing with trading partners by demonstrating the differences between remanufactured goods—which are broken down to their basic components, cleaned, tested, rebuilt, and sold with a factory warranty—and used goods. In addition to commitments supporting trade in remanufactured goods in recent trade agreements, including the USMCA, USTR has advanced remanufacturing in a range of venues. In 2024, USTR continued work under the APEC Pathfinder on Facilitating Trade in Remanufactured Goods and led a workshop on remanufactured consumer electronic products at the Third Senior Officials Meeting (SOM3) in Lima, Peru, in August. USTR also continued advocating for and discussing the role of remanufacturing in circular economy approaches to goods at the World Trade Organization (WTO) Trade and Environmental Sustainability Structured Discussions (TESSD). In addition, USTR worked bilaterally with trading partners to develop capacity in supporting remanufacturing through trade policies.

### **Bilateral Market Access Barriers**

Throughout 2024, USTR continued to address a broad range of manufactured goods market access barriers through extensive engagement with trading partners, including through formal trade and investment framework agreement meetings, free trade agreement meetings, and various bilateral trade policy initiatives and activities. Among such activities in 2024 were continued efforts to address barriers resulting from a range of China’s NMPPs, such as targeting industrial sectors for dominance, non-market excess capacity, forced labor and other labor rights violations, and distorting activities of firms that are state-owned or state-sponsored, or whose market power is directly supported by government, thereby undermining U.S. economic security, including economic security for working people. As noted, such policies and practices can potentially lead to non-market excess capacity that has harmful impacts to foreign competitors, similar to what has already occurred in sectors such as steel and aluminum.

Elsewhere, USTR worked to level the playing field for key manufactured exports, such as automotive goods and agricultural equipment, by seeking tariff reductions and addressing technical standards that put U.S. exports at a competitive disadvantage. In addition, USTR has used the WTO Committees such as the Committee on Market Access and the Committee on Technical Barriers to Trade to raise specific issues, often in collaboration with other trading partners. USTR has also used bilateral engagements, including trade and investment framework agreements with certain partners, to raise concerns with barriers to trade in manufactured goods, including tariffs, local testing requirements, and import licensing issues.

### **Strong Enforcement**

Throughout all of these policy activities relating to manufacturing and trade, the U.S. Government aggressively stood up for American interests and protected American economic security for working people by taking tough enforcement action against countries that break the rules, applying the full range of tools available, including WTO rules, negotiations, litigation, and other mechanisms under U.S. law. For example, USTR continues to work with the EU and the United Kingdom to advance discussions under agreements on large civil aircraft that were reached with each partner in 2021, which worked to level the playing field for a major U.S. manufacturing sector and laid the basis to more effectively address the challenges that Chinese industrial policies pose in this sector.

On May 13, 2024, USTR issued a [report on the findings of the Section 301 four-year review](#) of China’s acts, policies, and practices related to technology transfer, intellectual property, and innovation. In connection with the review, and in accordance with the specific direction of the President, the U.S. Trade

Representative determined to add or increase Section 301 duties on certain products of China in strategic manufacturing sectors.

*For further information, see Chapter II.A Trade Enforcement Activities and Chapter II.B Section 301.*

## G. SERVICES AND TRADE

The United States is the largest two-way services trading country in the world. U.S. exports of services account for almost one-third of overall U.S. exports, and on a value-added basis—which accounts for the value of research, information and communication technology (ICT), logistics, and other services as inputs to the production of goods—services account for about half the value of U.S. exports.

*For further information on services trade data, see Annex I U.S. Trade in 2024.*

In 2024, the Office of the United States Trade Representative (USTR) and other U.S. Government agencies advanced U.S. services interests across a range of fora, working to combat problematic trade barriers around the world and increase access to services such as digital finance and digital payments for small and medium-sized enterprises. USTR regularly engages the Labor Advisory Committee to ensure that services negotiations, including digital trade, reflect the interests of American workers.

*For further discussion see Chapter VI.B Transparency and Public Input.*

At the World Trade Organization (WTO), the United States worked in 2024 toward the full implementation of the Joint Initiative on Services Domestic Regulation, aimed at increasing transparency, predictability, and efficiency of authorization procedures for service providers seeking to do business in foreign markets. On February 27, 2024, during the Thirteenth WTO Ministerial Conference (MC13) held in Abu Dhabi, Members held an event to mark the entry into force of the disciplines for the first time. As of December 31, 2024, the disciplines have entered into force for 50 WTO Members.

Also at the WTO, the United States has participated actively in the Joint Statement Initiative on Electronic Commerce. Throughout the first half of 2024, the United States and other participants—totaling 91 WTO Members—continued negotiations on the basis of Members’ proposals. The goal of the negotiations is to achieve a high-standard outcome that will bring meaningful benefits to workers, businesses, governments, and the public, particularly micro-, small, and medium-sized enterprises. On July 26, 2024, the co-conveners of the negotiation, Australia, Japan, and Singapore, circulated a text for consideration by participants. As the published text did not address key U.S. priorities, the United States was unable to support the text and noted that more work is needed to address outstanding issues.

The United States remained actively engaged in the WTO Work Program on Electronic Commerce throughout 2024. The Work Program was reinvigorated at MC13, and continued to examine development-related topics, including digital divides, legal and regulatory frameworks, digital industrialization, and the moratorium on the imposition of customs duties on electronic transmissions.

USTR raised services issues in many bilateral and multilateral engagements throughout 2024, including the Indo-Pacific Economic Framework, the United States–Kenya Strategic Trade and Investment Partnership, consultations with free trade agreement partners, trade and investment framework agreement meetings, the Asia-Pacific Economic Cooperation Forum, the United States–European Union Trade and Technology Council, and the WTO. The chapter on services domestic regulation of the first agreement under the U.S.–Taiwan Initiative on 21st Century Trade also entered into force on December 10, 2024. USTR also

continued to advocate for U.S. services interests in international fora such as the Group of 20, the Group of 7, and the Organization for Economic Cooperation and Development.

In addition to efforts to address services issues affecting U.S. suppliers, including small and medium-sized enterprises, USTR in 2024 also continued to look at the way these issues affect people as both workers and consumers. USTR's approach to digital trade took into account the need to maintain secure and resilient digital infrastructure, thereby ensuring confidence in the digital economy.

## H. TEXTILES AND APPAREL TRADE

In 2024, the textile and apparel trade initiatives focused on identifying and promoting the interests of U.S. textile and apparel workers, businesses, brands, and retailers, and consumers.

From yarn spinning, to fabric formation, through to finished goods and apparel assembly, the production of textile goods, such as yarns and fabrics, and apparel, holds an important role in the U.S. manufacturing base. According to the [U.S. Bureau of Labor Statistics](#), the textile and apparel industry supports 267,300 U.S. manufacturing jobs, which accounts for 2.1 percent of all manufacturing jobs. U.S. total textiles and apparel exports reached \$24.6 billion in 2024.

U.S. total textiles and apparel imports decreased to \$107.7 billion in 2024, with textiles and apparel trade accounting for a significant share of total trade under U.S. free trade agreements (FTA) and U.S. trade preference programs. Overall, 17.3 percent of textiles and apparel imports in 2024 entered the United States duty free under an FTA or trade preference program.

### **Stakeholder Consultations Related to Textiles and Apparel Trade**

In 2024, USTR participated in conferences and meetings organized by industry associations, including the National Council of Textile Organizations (NCTO), the American Apparel and Footwear Association (AAFA), and the U.S. Fashion Industry Association (USFIA), to share information about U.S. trade policy priorities and to obtain views on a range of topics raised by industry stakeholders. These topics included Section 321 *de minimis*, Section 301 tariffs, Uyghur Forced Labor Prevention Act (UFLPA) enforcement, the expiration of trade preference programs (such as the African Growth and Opportunity Act (AGOA) and the Generalized System of Preferences (GSP)), and the Miscellaneous Tariff Bill (MTB), among other issues. USTR senior officials also briefed members of the Industry Trade Advisory Committee on Textiles and Clothing (ITAC 12), which covers textiles and clothing industries, on key trade policy initiatives.

The U.S. Trade Representative and senior USTR officials visited several textile research and manufacturing facilities in the United States and met with experts regarding the challenges businesses and workers face in textiles and apparel trade, such as geopolitical risks and capacity and social compliance challenges that affect sourcing decisions, as well as overall supply chain and distribution challenges.

In response to letters from U.S. textile and apparel stakeholders and from Congress, USTR convened the Trade Policy Staff Committee (TPSC) Subcommittee on Textiles to coordinate ongoing interagency work to identify the economic and trade factors affecting U.S. textile and apparel manufacturers and to develop recommendations to address them. Subsequently, USTR participated in interagency meetings coordinated by the White House, which culminated in actions to address abuse of the *de minimis* exemption, as announced in September 2024. USTR discussed textile trade policy priorities with the Committee for the Implementation of Textile Agreements (CITA), a U.S. interagency group chaired by the U.S. Department of Commerce's Deputy Assistant Secretary for Textiles, Consumer Goods, Materials, and Critical Minerals

and Metals and comprising officials from USTR and the U.S. Departments of State, Labor, and Treasury, among others.

The following highlights some of the important stakeholder consultations related to textiles and apparel conducted by USTR in 2024:

- February: The U.S. Trade Representative met with NCTO and U.S. textile and apparel industry stakeholders on priority issues impacting textile and apparel supply chains.
- March: USTR’s Acting Assistant U.S. Trade Representative for Textiles spoke to the U.S. Industrial and Narrow Fabrics Association (USINFI) and conveyed the importance of working closely with industry stakeholders on concrete actions that will make U.S. supply chains more resilient.
- April: The U.S. Trade Representative delivered remarks during the NCTO’s 20th Annual Meeting in Washington, D.C., and recognized the resilience and innovation of the U.S. textile and apparel industries as drivers of U.S. competitiveness.
- June: USTR’s Chief Textiles and Apparel Negotiator visited the North Carolina manufacturing facilities of several NCTO member companies and met with workers and industry leaders to discuss the impact of trade policies on textiles and apparel supply chains and local communities. The Chief Textiles and Apparel Negotiator also participated in an industry roundtable at Gaston College Textile Technology Center, during which executives discussed the competitiveness of the domestic industry and outlined urgent priority policy issues.
- July: USTR’s Chief Textiles and Apparel Negotiator spoke at USFIA’s Washington Trade Symposium about key issues affecting the fashion industry, including key trade policy priorities and initiatives.
- October: The U.S. Trade Representative hosted a fireside chat at the Alliance for American Manufacturing to explore how worker-centered trade policy supports American manufacturing and how U.S. apparel manufacturers build robust domestic supply chains.
- November: A USTR official attended the USFIA annual conference and board meeting to discuss key issues of importance for apparel importers.

In addition to receiving direct updates on the business interests of U.S. textile and apparel stakeholders, USTR officials met with officials from Canada and Mexico; government officials and private sector delegations from Colombia; government officials, private sector, and labor union representatives from Haiti; and associations representing textile and apparel manufacturers in the Dominican Republic–Central America–United States Free Trade Agreement (CAFTA–DR) region. For U.S. trade agreement partners, these meetings included discussions related to FTA utilization and the importance of the Western Hemisphere supply chain. For Haiti, these meetings focused on the preference program under the Haitian Hemispheric Opportunity through Partnership Encouragement Act of 2006 (HOPE Act) (P.L. 109-432, Div. D, Title V), the HOPE II Act of 2008 (HOPE II Act) (P.L. 110-234, Title XV, Subtitle D, Part I), the Haiti Economic Lift Program Act of 2010 (HELP Act) (P.L. 111-171), and the vital importance of the program to the apparel producers in Haiti and the workers they employ. Apparel producers are Haiti’s largest private sector provider of jobs. Total employment had reached close to 60,000 workers as of the end of 2022, but that number has fallen to approximately 14,000 workers as of the end of 2024.

*For further discussion of the HOPE and HELP programs, see Chapter I.A.4 Haitian Hemispheric Opportunity through Partnership Encouragement Act.*

### **Trade Initiatives to Strengthen Respect for Labor Rights and Advance Sustainability Practices in the Textile and Apparel Industries**

The United States takes a keen interest in promoting labor rights at home and around the world. During 2024, USTR worked in close coordination with other U.S. Government agencies, stakeholders, and trading partners to ensure enforcement of trade agreement labor provisions impacting the textile and apparel industries, to provide best practices for protecting workers' rights in textiles and apparel, and to implement the UFLPA.

In 2024, USTR officials engaged with counterparts of the Government of Bangladesh and domestic and international labor stakeholders on strengthening labor rights protections in Bangladesh's garment sector, including through the introduction of a Labor Action Plan developed in consultation with U.S. Government agencies. Additionally, USTR engaged with textile and apparel brands, retailers, and trade associations on best practices for improving worker safety and promoting worker rights for Bangladeshi garment workers.

*For further discussion of labor-related activities, see Chapter III.E Labor and Trade.*

In 2024, USTR engaged bilaterally with trading partners to promote collaboration, cooperation, and knowledge sharing as part of U.S. efforts to promote sustainable and circular textile practices. For example, under the U.S.–Chile FTA, management of post-consumer textile waste and approaches to encourage reuse, recycling, and responsible disposal of textile goods are included as priority areas under the 2025–2028 U.S.–Chile Work Program for Environmental Cooperation.

Along with other U.S. federal agencies, in 2024 USTR also engaged with international partners, including civil society and private sector stakeholders, at the G7 to develop voluntary policies and approaches to promote more sustainable and circular practices in textile and apparel supply chains, as outlined in the G7 Agenda on Circular Textiles and Fashion (ACT).

### **Bilateral and Regional Activities**

In 2024, USTR led numerous U.S. Government consultations with international partners and domestic stakeholders to help them better understand how they could benefit from provisions in U.S. trade agreements and other programs to improve utilization, qualify for duty-free treatment, and successfully harness the benefits of textile provisions in existing trade agreements. USTR also held bilateral and regional meetings with partners related to the implementation of textile provisions in existing trade agreements.

### **United States–Bangladesh Trade and Investment Cooperation and Facilitation Agreement**

USTR has regularly engaged with the Government of Bangladesh on improving labor rights for its textile and apparel workers since the 2013 Rana Plaza building collapse that claimed over 1,110 lives. In the wake of this event, the United States determined that the Government of Bangladesh did not meet the eligibility requirements of the GSP program to afford Bangladeshi workers internationally recognized worker rights due to insufficient progress to protect worker rights and worker safety, and suspended Bangladesh's trade benefits under the program.

In April 2024, USTR officials traveled to Dhaka, Bangladesh, for an intersessional meeting of the United States–Bangladesh Trade and Investment Cooperation and Facilitation Agreement Council (TICFA). In addition to Government of Bangladesh representatives responsible for trade, textiles, and labor, USTR

officials met with trade union leaders, non-governmental organizations, trade associations, and Bangladeshi apparel manufacturers to discuss labor rights reforms in Bangladesh’s ready-made garment (RMG) sector. Throughout 2024, USTR engaged with U.S. apparel brands and U.S. trade associations representing the textile and apparel industry and key RMG buyers to advocate for a fair and transparent minimum wage review process for garment workers in Bangladesh and promote worker rights related to freedom of association and collective bargaining.

*For further discussion of the United States–Bangladesh Trade and Investment Cooperation and Facilitation Agreement, see Chapter I.D.7 South and Central Asia.*

### **Dominican Republic–Central America–United States Free Trade Agreement**

USTR and other U.S. Government agencies engaged with U.S. textile and apparel stakeholders and associations representing manufacturers in the CAFTA–DR region to identify and develop initiatives to improve utilization of the CAFTA–DR and to strengthen regional supply chains. These efforts were aimed at enhancing job creation, maximizing opportunities for trade in textiles and apparel with the United States and within the region as part of efforts to promote resilient supply chains.

CITA supervises the implementation of certain textile and apparel provisions of trade agreements. In 2024, CITA received four commercial availability petitions to add products in unrestricted quantities to the list in Annex 3.25 of the CAFTA–DR of fabrics, yarns, and fibers not available in commercial quantities in a timely manner in the CAFTA–DR countries. CITA also considered in 2024 two commercial availability petitions submitted at the end of 2023. USTR is a member of CITA and participated in deliberations on whether to approve the addition of these six fabrics to the CAFTA–DR short supply list. CITA approved all six petitions and the following fabrics were added to the list: certain two-way stretch polyester/spandex woven fabric; certain nylon dobby weave fabric; certain double-knit jacquard fabric; certain nylon/polyester dobby weave fabric; 100 percent man-made fiber high pile fleece; and certain two-way stretch woven polyester, rayon, spandex fabric. Products included on the list are treated as originating in the CAFTA–DR region, as provided for under CAFTA–DR.

*For further discussion of the Dominican Republic–Central America–United States Free Trade Agreement, see Chapter I.C.3 Central America and the Dominican Republic.*

### **United States–Korea Free Trade Agreement**

In 2024, the United States continued to engage with Korea with respect to procedural steps for changes requested by Korea to amend the rule of origin for certain woven fabrics to permit the use of specified non-originating yarns given the lack of availability of originating yarns and the lack of objections to the modification from domestic producers. The modification to a rule of origin for a certain textile input took effect on August 1, 2024. A subsequent request for a rule of origin modification under the United States–Korea Free Trade Agreement (KORUS) for certain woven fabrics remained under consideration as of December 31, 2024.

On December 18, 2024, USTR participated in a Textile Committee Meeting under KORUS in Washington, D.C.

*For further discussion of the United States–Korea Free Trade Agreement, see Chapter I.C.8 Korea.*

## **United States–Mexico–Canada Agreement**

The United States engaged with Canada and Mexico to ensure proper implementation of the United States–Mexico–Canada Agreement (USMCA) textile provisions, including administration of tariff preference levels. USTR provided assistance to its Mexican counterparts to review and update Harmonized Tariff Schedule codes as necessary to facilitate programming for the issuance of Tariff Preference Level certificates.

On May 22, 2024, USTR participated in the fourth meeting of the USMCA Free Trade Commission in Phoenix, Arizona. During the meeting, the Textiles Committee discussed ongoing efforts to identify regional suppliers of certain textile inputs for the production of fire hoses.

*For further discussion of the United States–Mexico–Canada Agreement, see Chapter I.C.9 Mexico and Canada.*

## **United States–Morocco Free Trade Agreement**

On July 1, 2024, USTR officials met with Moroccan counterparts in Washington, D.C., to discuss potential collaboration for trade capacity building initiatives to promote increased textiles and apparel trade between the United States and Morocco.

*For further discussion of the United States–Morocco Free Trade Agreement, see Chapter I.C.10 Morocco.*

## **Trade Preference Programs for Textiles and Apparel**

### **African Growth and Opportunity Act**

The AGOA, an expansion of the GSP program, provides duty-free benefits to sub-Saharan African beneficiary countries for qualifying apparel that meets specific rules of origin. AGOA imports of textiles and apparel goods totaled \$1.2 billion in 2024, an increase from \$1.1 billion in 2023. The largest exporters of textiles and apparel products under AGOA in 2023 were Kenya, Madagascar, Lesotho, Tanzania, Mauritius, and South Africa.

*For further discussion of the AGOA, see Chapter I.A.2 African Growth and Opportunity Act.*

### **Haitian Hemispheric Opportunity Through Partnership Encouragement Act**

The HOPE Act amended the Caribbean Basin Economic Recovery Act (CBERA) to establish rules of origin that make Haiti eligible for new trade benefits for apparel imports; the HOPE II Act modified the existing trade preference programs under the HOPE Act; and the HELP Act provided duty-free treatment for additional textiles and apparel products from Haiti. In 2024, \$386 million of textiles and apparel were imported under HOPE/HELP, a decrease from \$558 million for the same period in 2023.

*For further discussion of the HOPE and HELP Acts, see Chapter I.A.4 Haitian Hemispheric Opportunity through Partnership Encouragement Act.*



## IV. MULTILATERAL INITIATIVES

### A. GROUP OF SEVEN

In 2024, the United States enhanced cooperation with other Group of 7 (G7) members—Canada, the European Union, France, Germany, Italy, Japan, and the United Kingdom—on a range of trade-related priorities, including addressing non-market policies and practices (NMPPs), promoting economic security and supply chain resilience, and effectively deterring and responding to economic coercion. In furtherance of this work, the United States and G7 also collaborated with developing countries and emerging markets in pursuit of a more resilient global trade and investment environment, while committing to intensify these engagements in the future. The United States also worked with G7 partners to continue work on eradicating forced labor and making textile and apparel supply chains more sustainable.

Under Italy’s presidency during 2024, the G7 took a number of steps to enhance cooperation in responding effectively to NMPPs, particularly those of the People’s Republic of China. The G7 continued to build a shared understanding of the challenges posed by a wide range of NMPPs, such as those that contribute to strategies to pursue domestic and global market dominance in key sectors, and recommitted to effectively use and develop new trade tools to identify, challenge, and counter these practices.

In a July 17, 2024 joint statement, the U.S. Trade Representative and other G7 Trade Ministers underscored the need to address NMPPs and promote economic resilience and economic security by, among other things, jointly addressing non-market excess capacity and bolstering supply chain resilience, in furtherance of commitments made by G7 leaders. To this end, the United States and its G7 partners began work to jointly address harmful market distortions and non-market excess capacity in key sectors resulting from NMPPs.

*(For further information on Enforcement Activities to Counter Non-Market Policies and Practices and Enhance Economic Security, see Chapter II.E.)*

The G7 also worked to implement resilient and reliable supply chains principles—namely transparency, diversification, security, sustainability, trustworthiness, and reliability—in order to reduce critical dependencies, including in the newly established G7 semiconductor Point of Contact Group.

The G7 continued its work in the G7 Coordination Platform on Economic Coercion. G7 partners had launched this Coordination Platform in 2023 “to increase our collective assessment, preparedness, deterrence, and response to economic coercion, and further promote cooperation with partners beyond the G7.” The United States works with G7 partners within the Coordination Platform to use early warning and rapid information sharing, regularly consult one another, collaboratively assess situations, explore coordinated responses, and deter and, where appropriate, counter economic coercion.

The United States also worked through the G7 to make clear that forced labor has no place in the global trading system. In July 2024, G7 Trade Ministers reaffirmed their commitment made in 2021 to take measures to eradicate forced labor and the importance of promoting respect for human rights and international labor standards in business activities and global supply chains.

In addition, the United States worked with other G7 partners as part of the G7 Alliance on Resource Efficiency to negotiate the voluntary G7 Agenda on Circular Textiles and Fashion (ACT). The ACT outlines challenges, priorities, and related actions for G7 members to consider and fosters collaboration and

information sharing to advance more sustainable and circular practices in the textile and apparel supply chain.

## B. GROUP OF TWENTY

In 2024, the United States continued its engagement in the Group of Twenty (G20) Trade and Investment Working Group (TIWG) under Brazil's presidency.

The G20 is a grouping of 21 of the largest economies, including the following countries or regional bodies: African Union, Argentina, Australia, Brazil, Canada, China, European Union, France, Germany, India, Indonesia, Italy, Japan, Mexico, Russia, Saudi Arabia, South Africa, South Korea, Türkiye, the United Kingdom, and the United States. The G20 operates on two separate “tracks” of discussion, a “Sherpa track” and a “finance track”; the TIWG, which was created in 2016, is part of the Sherpa track. Although finding consensus in the TIWG can be challenging, the United States values the G20 as a forum for constructive dialogue with a diverse set of partners, including several developing countries.

Each year, the G20 presidency sets out its priorities to guide discussions in the TIWG and pursue deliverables to which Ministers can commit at the final meeting of the year, the Trade and Investment Ministerial Meeting (TIMM). Brazil established four priorities for its presidency during 2024: integrating women into international trade; sustainable development provisions in international investment agreements; principles for measures that impact trade and sustainable development; and World Trade Organization (WTO) reform.

The United States noted in the 2024 TIWG discussions that its vision for WTO reform includes seeking greater fairness within the trading system, so that WTO Members across the development spectrum can protect themselves from unfair, predatory practices that damage their workers and undermine their industrial development aspirations.

At the TIMM in October 2024, G20 members endorsed non-binding principles that governments may consider in developing trade measures that impact sustainable development. In addition, the G20 noted a report developed by United Nations Conference on Trade and Development on the sustainable development provisions in international investment agreements.

## C. ASIA-PACIFIC ECONOMIC COOPERATION FORUM

The Asia-Pacific Economic Cooperation (APEC) forum is a voluntary, nonbinding, and consensus-building economic forum of 21 member economies from both sides of the Pacific, with the goal to create “an open, dynamic, resilient, and peaceful Asia-Pacific community by 2040.” APEC has served as an incubator of unique and effective policy ideas, and since its inception in 1989, has substantially contributed to steps that have led to lowering barriers to U.S. goods and services exports across the region.

Following a successful 2023 U.S. host year, the United States worked with 2024 host Peru and other APEC economies to maintain momentum on 2023 outcomes, to ensure the benefits of trade reach all.

*Trade Facilitation:* In 2024, the United States cooperated with Peru on a record number of customs-related workshops and discussions. The United States supported workshops on electronic Bills of Lading, Digitalization of End-to-End Supply Chains, Transparency in Logistics and Transportation, and Green Customs, among others. The United States also led a workshop on risk management and technology solutions for growth in low-value shipments. The United States reconvened the APEC Alliance for Supply

Chain Connectivity, which explored the benefits to customs and to trade from moving businesses from the informal to the formal economy.

*Standards and Conformance:* The United States led a workshop on digitalization that examined issues related to emerging technologies such as blockchain, artificial intelligence, and cloud computing. The workshop focused on how these technologies can be utilized to develop standards that are machine-applicable, readable, and transferrable. The United States also participated as a presenter in workshops on voluntary sustainability standards and standards related to services. These workshops provided opportunities for direct engagement between regulators and stakeholders, which facilitated a full understanding of different concerns.

*Good Regulatory Practices:* The United States contributed to APEC's long-standing emphasis on the importance of good regulatory practices (GRPs) to foster a transparent regulatory environment. It provided speakers in the annual conference on GRP within the APEC Economic Committee and emphasized the importance of public consultation practices when developing regulations and employing technology to facilitate regulatory cooperation. The United States also continued its work on the rollout of the GRP Blueprint to assist economies in their implementation of GRP.

*Services:* The United States continued to facilitate steady progress on implementing APEC's Services Competitiveness Roadmap and advanced a wide range of services initiatives in 2024. As the champion economy for the APEC Index for Measuring the Regulatory Environment for Services Trade in the APEC Region, the United States worked with APEC economies to expand economy and sectoral coverage of the Index and enhance its usability. The United States also published a report and led a workshop on technical standards for services, leveraging APEC's experience in developing principles for services domestic regulation. The United States supported cross-fora cooperation on structural reform in the services sector and related work on services domestic regulation in pursuit of openness, balance, and transparency. In 2024, the United States also led the publication of an APEC report on Digitalization of Licensing and Permitting Measures, which provides recommendations on structured pathways governments may adopt to engage and build partnerships with stakeholders to effectively design, implement, and promote adoption of digital government services.

*Food and Agricultural Trade:* In 2024, the United States worked with other APEC economies within the Food Safety Cooperation Forum (FSCF) to promote transparency with respect to sanitary and phytosanitary measures and acceptance of new technologies and addressed unwarranted non-tariff measures that affect agricultural trade. As vice-chair of the Policy Partnership on Food Security, the United States worked with members on the [Trujillo Principles for Preventing and Reducing Food Loss and Waste in the Asia-Pacific Region](#) (Principles Document), which was welcomed by the APEC Ministers responsible for Food Security. The Principles Document articulates the importance to APEC economies of reducing food loss and waste. It promotes place and scale (*i.e.*, “no-one-size-fits-all”) approaches to sustainable agriculture as well as transparent, predictable, open, and fair markets in support of regional and global food security. The United States additionally supported the efforts of the High-Level Policy Dialogue on Agricultural Biotechnology to promote risk-proportionate regulatory policies to expand trade in products of agricultural biotechnology.

*Intellectual Property:* In 2024, the United States continued to use the Intellectual Property Experts Group (IPEG) to build capacity and share best practices on intellectual property protection and enforcement matters in the Asia-Pacific region. This included continued discussions with APEC economies on effective practices for enforcement against illicit streaming in a U.S.-led initiative. The United States also organized a workshop on the margins of the IPEG meeting on “Enhancing Innovation with More Efficient Patent Systems: Tools, Resources, and Work-sharing.”

*Digital Trade:* The United States continued to advance an ambitious digital trade agenda within APEC in 2024 that recognized the impact of the digital economy on a range of stakeholders, including content creators, through policy dialogues and capacity-building initiatives throughout the year. This effort included holding a workshop to deepen the ability of APEC economies to implement the Pathfinder on Building Blocks for Facilitating Digital Trade, which aims to promote support for a digital economy that benefits workers, consumer, and businesses, as well as to promote greater participation of MSMEs in the digital economy. The United States also worked with Peru to organize a Digital Trade Policy Dialogue on issues of trust in the digital economy and participated as speakers at Peru's Digital Week to discuss topics related to the digital economy.

## **D. ORGANIZATION FOR ECONOMIC COOPERATION AND DEVELOPMENT**

The Organization for Economic Cooperation and Development (OECD) is a grouping of economically significant countries that serves as a policy forum covering a broad spectrum of economic, social, environmental, and scientific areas from macroeconomic analysis to education, biotechnology, and trade. Established in 1961, the OECD currently comprises 38 democracies in Europe, the Americas, the Middle East, and the Pacific Rim and is headquartered in Paris. The OECD provides a setting where both OECD Members and non-Members can compare experiences, seek answers to common challenges, identify good practices, and promote economic growth. Member governments, supported by Secretariat staff, convene committees, expert groups, and working groups to consult on substantive policy areas with emphasis on discussion and peer review rather than negotiation. However, some OECD instruments, such as the [Convention on Combating Bribery of Foreign Public Officials in International Business Transactions](#), are legally binding. Most OECD decisions require consensus among Member governments. The like-mindedness of the OECD's members on the core values of democratic institutions, the rule of law, and open markets uniquely positions the OECD to serve as a valuable policy forum to address real world issues.

The United States has a long-standing interest in trade issues studied by the OECD. On trade and trade policy, the OECD engages in meaningful research and provides a forum in which OECD Members can discuss complex and sometimes difficult issues. The OECD is also active in studying the balance between domestic objectives and international trade.

### **1. Trade Committee Work Program**

In 2024, the OECD Trade Committee, its subsidiary Working Party of the Trade Committee, the Joint Working Party on Trade and Environment, and the Joint Working Party on Trade and Agriculture continued to address a number of significant issues affecting trade. These included the impacts of the COVID-19 pandemic, and supply chain interdependencies. The Trade Committee met in April and October 2024, and its Working Party met in March, June, October, and December 2024. The Trade Committee and its subsidiary groups paid special attention to digital trade, trade facilitation, services trade, trade and sustainability issues, and resilient supply chains. The [OECD website](#) contains up-to-date information on published analytical work and other trade-related activities.

The Trade Committee continued its analysis and work on barriers affecting trade in services. In 2024, the Trade Committee continued work on understanding the effects of services trade at the worker level and initiated research that examines the role of services trade on environmental performance. Among other activities in 2024, the Committee built upon its research on industrial subsidies, state enterprises, and level playing field issues, including analyses on implications of industrial subsidies and government support in the solar and wind value chains that may have market-distorting effects. In addition, the Trade Committee leveraged its core databases (*i.e.*, Trade Facilitation Indicators, Digital Trade Inventory, and Services Trade

Restrictiveness Index) to explore the potential impacts of digitalization of trade documents and processes on trade.

In May 2024, Japan chaired the OECD Ministerial Council Meeting (MCM) under the theme of “Co-Creating the Flow of Change: Leading Global Discussions with Objective and Reliable Approaches Towards Sustainable and Inclusive Growth.” The United States participated in the Trade Session of the MCM on Promoting Free and Fair Trade and Investment for Accelerating Sound Economic Growth – A Rules-Based, Free and Fair International Economic Order.

## **2. Trade Committee Dialogue with Non-OECD Members**

The OECD conducts wide-ranging activities to reach out to non-Member countries and economies, businesses, and civil society, in particular through its series of workshops and “Global Forum” events held around the world each year. Non-Member countries and economies may participate as committee observers when Members believe that participation will be mutually beneficial. Key Partners—Brazil, China, India, Indonesia, and South Africa—participate to varying degrees in OECD activities through the Enhanced Engagement program. The program seeks to establish a more structured and coherent partnership, based on mutual interest, between these five major economies and OECD Members. The regular invitees to the Trade Committee and its Working Party are Argentina; Brazil; Hong Kong, China; and Singapore. The OECD also carries out a number of regional and bilateral cooperation programs with non-Members.

The OECD Trade Committee’s continued support of trade-related discussions in major intergovernmental economic groupings, through the timely use of its evidence-based analysis and policy insights, remained a priority. The intergovernmental economic groupings included Group of 20 (G20), Group of Seven (G7), Asia-Pacific Economic Cooperation (APEC) Forum, and Association of Southeast Asian Nations (ASEAN).

In 2022, Argentina, Brazil, Bulgaria, Croatia, Peru, and Romania were invited to begin discussions to accede to the OECD. In 2024, invitations were extended to Indonesia and Thailand to begin accession discussions. Each of the eight candidate countries has an Accession Roadmap, which sets out the terms, conditions, and process for accessions. Brazil, Bulgaria, Croatia, Peru, and Romania have submitted their Initial Memorandums (IM) (*i.e.*, self-assessment documents that catalogue the alignment of existing legislation, policies, and practices with OECD legal instruments). In 2024, Argentina, Indonesia, and Thailand continued to work on developing their IMs. The Secretariat launched its fact-finding and in-depth analysis process, Market Openness Review (MOR), for each country that submitted an IM. The MOR is used by the Trade Committee to hold detailed discussions with each acceding candidate country. In 2024, the Trade Committee reviewed the MORs for Croatia and Romania.

The OECD Trade Committee also continued to discuss aspects of its work and issues of concern with representatives of the private sector and civil society, including Members of Business at OECD (formerly known as the Business and Industry Advisory Council) and the Trade Union Advisory Council.

## **3. Other OECD Work Related to Trade**

Representatives of the OECD Member countries meet in specialized committees to advance ideas and review progress in specific policy areas, such as economics, trade, regulatory policy, science, employment, education, countering illicit trade, and financial markets. There are about 300 committees, working groups, and expert groups at the OECD.

Examples of U.S. engagement include working with like-minded trading partners to build international consensus on the challenges of excess capacity, including in the OECD Steel Committee, which brings together government, industry, and labor representatives to discuss developments across the global steel sector and approaches to addressing challenges. The United States in 2024 also worked with like-minded partners in the OECD-facilitated Global Forum on Steel Excess Capacity (GFSEC) to consider new approaches that might effectively address the root causes and consequences of excess capacity, taking into account that the situation is worsening and that existing approaches and international trade rules have had, so far, only a limited impact. The United States and GFSEC members tasked the OECD Facilitator to develop new detailed analysis and timely monitoring for members by June 2025 to help assess and address global excess capacity and its impacts.

## **E. TRADE CAPACITY BUILDING**

The United States provides training and technical assistance to help developing countries reap the benefits of international trade. Trade capacity building (TCB) is intended to facilitate effective integration of developing countries into the international trading system and enable them to benefit further from global trade while promoting economic growth. This section reports on these efforts in 2024.

### **1. The Enhanced Integrated Framework**

The Enhanced Integrated Framework (EIF) is a technical assistance, multi-donor trust fund that operates as a coordination mechanism for trade-related assistance exclusively to least-developed countries (LDCs), with the overall objective of integrating trade into national development plans and integrating LDCs into the multilateral trading system. Participating organizations include the World Trade Organization (WTO), the World Bank Group, the International Monetary Fund, the United Nations Conference on Trade Development (UNCTAD), the United Nations Development Program, the United Nations Industrial Development Organization, the United Nations Office for Project Services, the World Tourism Organization, and the International Trade Center as a joint agency of the WTO and UNCTAD. The EIF incorporates a country-specific diagnostic assessment, the Diagnostic Trade Integration Study (DTIS), which aims to identify constraints to competitiveness, supply chain weaknesses, and sectors of greatest growth or export potential. The DTIS includes an action plan, consisting of a list of identified priority reforms, which is offered to multilateral and bilateral donors. Project design and implementation can be accomplished through the resources of the EIF Trust Fund or through multilateral or bilateral donor programs in the field.

Phase Two of the EIF (2016–2022) covered 48 countries with the goal to produce results-driven outcomes that highlight how trade can be better integrated into developing country policy plans and strategies; assist micro-, small, and medium-sized enterprises (MSMEs) to integrate into global trade; and help countries leverage technology to enhance exports. The United States has supported the EIF primarily through complementary bilateral assistance to LDCs by the U.S. Agency for International Development (USAID). In 2023, an external evaluation of Phase Two of the EIF program was carried out by an external consulting firm. Discussions were ongoing during 2024 among current donors about the future of the EIF program.

### **2. U.S. Trade-Related Assistance under the World Trade Organization Framework**

The United States directly supports the WTO's trade-related technical assistance.

## **Global Trust Fund**

The United States has long supported the trade-related assistance activities of the WTO Secretariat through voluntary contributions to the Doha Development Agenda Global Trust Fund. Overall, the United States has contributed more than \$21 million since 2001.

## **Aid-for-Trade Initiative**

The Sixth Ministerial Declaration in 2005 created a WTO framework to discuss and prioritize Aid-for-Trade. In 2006, the Aid-for-Trade Task Force was created to operationalize Aid-for-Trade efforts and offer recommendations to improve the efficacy and efficiency of these efforts among WTO Members and other international organizations. In 2024, the United States remained an active partner in Aid-for-Trade discussions.

## **The Standards and Trade Development Facility**

The Standards and Trade Development Facility (STDF) is a global partnership to promote the increased capacity of developing countries to implement international sanitary and phytosanitary (SPS) standards, guidelines, and recommendations and hence improve their ability to gain and maintain access to markets. The STDF Working Group reviews and approves the STDF's work program and funding requests and oversees operation of the STDF Secretariat. The United States, along with other donor countries and international organizations, participates in the STDF Working Group. Other international organizations include the secretariats of the United Nations Food and Agriculture Organization, the World Organization for Animal Health, the World Bank Group, the World Health Organization (WHO), the WTO, and the Codex Alimentarius and the International Plant Protection Convention. The partnership convenes and connects SPS stakeholders and supports and implements innovative pilot projects in developing countries.

Since its launch in 2004, the STDF has supported more than 250 projects and project preparation grants across Africa, Asia-Pacific, and Latin America and the Caribbean, totaling more than \$100 million. During 2020 through 2024, 62 percent of STDF-funded activities benefited LDCs and other low-income countries. The STDF organized 80 events with participation from approximately 4,700 stakeholders. In 2024, donors' contributions are expected to surpass the \$7 million per year target level. The United States has supported the STDF primarily through the U.S. Department of Agriculture, the Food and Drug Administration of the Department of Health and Human Services, and USAID.

The STDF's SPS capacity building complements broader U.S. Government trade capacity building and SPS technical assistance spanning from training on electronic certification, use of evidence to prioritize SPS investments, and implementation of good regulatory practices. The United States regularly reports SPS capacity-building activities to the WTO through the WTO Committee on Sanitary and Phytosanitary Measures.

*For further discussion on the WTO Sanitary and Phytosanitary Committee, see Chapter V.D.8 WTO Committee on the Application of Sanitary and Phytosanitary Measures.*

## **World Trade Organization and Trade Facilitation**

Since the conclusion of the WTO Agreement on Trade Facilitation (TFA) negotiations in December 2013, the United States has provided substantial assistance in the areas of customs and trade facilitation. The United States remains committed to comprehensive implementation of the TFA.

The Global Alliance for Trade Facilitation (the Alliance) was launched on December 17, 2015, during the Tenth WTO Ministerial Conference in Nairobi, Kenya, as a unique, multi-stakeholder platform that leverages business and development expertise for meaningful reforms. Initiated by the United States, the Alliance is a public-private partnership that includes other donors (Canada, Germany, the European Union, and Sweden) and more than 44 private sector entities that work collaboratively to design and deliver programs to cut trade costs and delays at borders through managing risk, streamlining customs processes, and modernizing trade processes. The focus is on three areas: (1) food security – overcoming border blockages improves food security, cutting spoilage, and boosting export prospects for small farmers; (2) global health – the COVID-19 pandemic showed the need to move crucial medicines and medical supplies around the world as quickly as possible; and (3) transparency and anticorruption – supply chain transparency is essential to combat corruption, fraud, and illegal trade. In this way, trade facilitation can contribute to resilience, economic growth, and poverty reduction.

During 2024, the Alliance was implementing 16 projects and completed an additional 24 projects covering a total of 26 countries across Africa, Asia, Latin America, and the Middle East. In 2024, the Alliance also received in-kind assistance from 44 multinational private sector companies, 400 local chambers, and over 700 local MSMEs. Geographically, 36 percent of these projects were in sub-Saharan Africa, 18 percent in East Asia Pacific, 12 percent in the Middle East and North Africa, 29 percent in Latin America and the Caribbean, and 5 percent in South Asia.

### **World Trade Organization Accessions**

*For a discussion on technical assistance during the WTO accession process, see Chapter V.G.6 Accessions to the World Trade Organization.*

## **3. Trade Capacity Building Initiatives for Africa**

Through bilateral and multilateral channels, the United States has invested or obligated more than \$7 billion in trade-related projects in sub-Saharan Africa since 2001 to spur economic growth and alleviate poverty.

### **The African Continental Free Trade Area**

Numerous U.S. Government agencies have provided targeted technical assistance in support of the African Continental Free Trade Area (AfCFTA).

In 2024, the U.S. Department of Agriculture (USDA) continued supporting an embedded Sanitary and Phytosanitary (SPS) Advisor at the African Union Commission to guide the efforts of the African Union (AU) to implement the SPS Policy Framework, a document intended to guide Member States on the SPS Annex of AfCFTA, reduce barriers to cross-border trade, and better coordinate capacity building and policy harmonization under the AfCFTA. In addition, USDA engaged with the AfCFTA Secretariat and the AU on the margins of the AfCFTA SPS Subcommittee meeting on September 2, 2024 in Nairobi, Kenya, to raise awareness on good regulatory practices. USDA's efforts encourage the use of science- and risk-based policies for the production and trade of food and agricultural products. This work will help improve agricultural trade between the United States and Africa to the benefit of both U.S. and African farmers and food producers.

## **4. Free Trade Agreements**

Throughout 2024, the United States helped U.S. free trade agreement (FTA) partners implement FTA commitments and reap the benefits of such agreements over the long term through TCB working groups

and other FTA-related projects. The TCB working groups also invited non-governmental organizations, representatives from the private sector, and international institutions to join in building the trade capacity of countries in each region. USTR worked closely with USAID, the U.S. Department of State, and other agencies to track and guide the delivery of TCB assistance related to FTA commitments.

*For further discussion, see the individual country sections in Chapter I.C Comprehensive Free Trade Agreements in Force, Chapter III.C.2 Environment and Trade, Monitoring and Enforcement Activities of Existing Agreements, and Chapter III.E.2 Labor and Trade, Monitoring and Enforcement Activities of Existing Agreements.*

## 5. Standards Alliance

The Standards Alliance is a public-private partnership between USAID and the American National Standards Institute (ANSI), which is the official U.S. representative to the International Organization for Standardization. The goal of this partnership is to build capacity among developing countries to implement the WTO Agreement on Technical Barriers to Trade (TBT Agreement).

As the implementing partner of the Standards Alliance, ANSI coordinates private sector subject matter experts from its member organizations to deliver training and other technical exchange with eligible and interested Standards Alliance countries on international standards, best practices, and other subjects supporting implementation of the TBT Agreement. In consultation with the Trade Policy Staff Committee and private sector experts, ANSI requested and reviewed applications for assistance, considering bilateral trade opportunities, available private sector expertise that may be leveraged, demonstrated commitment and readiness for assistance, and potential development impact.

Phase 2 (2019-2026) of the Standards Alliance program commits funds to help increase the capacity of developing countries to implement accepted international best practices to reduce instances of poor quality and unsafe products, services, and infrastructure. Areas of cooperation include: medical devices; and water, sanitation, and hygiene.

As of December 31, 2024, under Phase 2, the Standards Alliance had engaged with more than 6,000 participants from 28 countries to develop national standards regimes, support governments in implementing international trade obligations, and enhance public-private dialogue on standards and technical regulations. In addition to mobilizing more than \$6 million in technical assistance to support countries' response to the COVID-19 pandemic, the Standards Alliance has deployed more than \$4 million in technical assistance during Phase 2 to support standardization for biofuels, water and sanitation systems, water quality improvement, and maternal and child health, benefiting millions of people in Africa, Asia, and Latin America.



# V. THE WORLD TRADE ORGANIZATION

## A. INTRODUCTION

This chapter describes activities in the World Trade Organization (WTO) in 2024, including in the WTO Standing Committees and their subsidiary bodies, WTO negotiating groups, plurilateral initiatives, engagement on implementation and enforcement of WTO Agreements, and progress with accessions of new Members.

At the Thirteenth WTO Ministerial Conference (MC13) in February 2024, Members took stock of progress made on a forward-looking reform agenda. Members made significant progress on dispute settlement reform through a collaborative, interest-based approach. Members adopted Ministerial Decisions on several other important topics. This included agreeing to continue the Work Program on Electronic Commerce and to extend the current practice of not imposing customs duties on electronic transmissions. Members also agreed to extend the moratorium on initiating non-violation and situation complaints under the TRIPS Agreement until the next Ministerial Conference.

Additionally, Members delivered several significant development outcomes at MC13. Members welcomed the accession of two least-developed country (LDC) Members, the Union of the Comoros and Timor-Leste. Members also ensured that Members graduating from the LDC category will have a smooth and sustainable transition; decided to support developing Members' capacity to effectively utilize the Agreement on Technical Barriers to Trade and the Agreement on Sanitary and Phytosanitary Measures; supported a work program for small and vulnerable economies; and instructed the Committee on Trade and Development to hold dedicated sessions on issues important to land-locked developing countries.

While WTO Members were not able to reach consensus on an agricultural deliverable for MC13, the United States played a key role advocating for a reform-oriented outcome, including with respect to export restrictions of food destined for LDCs.

At MC12, WTO Members had committed to continue the fisheries subsidies negotiations with a view to making recommendations to MC13 for additional provisions that would achieve comprehensive disciplines on harmful fisheries subsidies, including disciplines on certain forms of fisheries subsidies that contribute to overcapacity and overfishing. After several months of intensive negotiations in the run up to MC13, Members were ultimately unable to reach consensus on this second phase of negotiations. As of December 31, 2024, the second phase of the WTO fisheries subsidies negotiations was ongoing.

On a day-to-day basis, the WTO operates through its more than 20 standing committees (not including additional working groups, working parties, and negotiating bodies). These groups meet regularly, enabling WTO Members to exchange views, monitor and resolve questions about Members' compliance with commitments, and develop initiatives aimed at systemic improvements. These groups also serve to promote basic transparency in Members' trade policies. Through discussions in these fora, Members can pursue detailed information on individual Members' trade policy actions in light of WTO rules, and collectively consider their impact on individual Members and the trading system as a whole. The discussions enable Members in their domestic policymaking to assess and potentially address concerns raised by other WTO Members. The United States also takes advantage of opportunities in standing committees to consider ways to improve implementation of existing WTO provisions and to discuss areas where future rules could be developed.

The remainder of this chapter contains highlights of work carried out in the WTO Committees, other bodies, and plurilateral configurations, including the:

- Committee on Agriculture, Special Session;
- WTO Fisheries Subsidies;
- Committee on Trade and Development, Special Session;
- Council for Trade in Goods;
- Committee on Agriculture;
- Committee on Antidumping Practices;
- Committee on Customs Valuation;
- Committee on Import Licensing;
- Committee on Market Access;
- Committee on Rules of Origin;
- Committee on Safeguards;
- Committee on Sanitary and Phytosanitary Measures;
- Committee on Subsidies and Countervailing Measures;
- Committee on Technical Barriers to Trade;
- Committee on Trade Facilitation;
- Committee on Trade-Related Investment Measures;
- Working Party on State Trading Enterprises;
- Council for Trade-Related Aspects of Intellectual Property Rights;
- Council for Trade in Services;
- Committee on Trade in Financial Services;
- Working Party on Domestic Regulation;
- Joint Statement Initiative on Services Domestic Regulation;
- Working Party on General Agreement on Trade in Services Rules;
- Committee on Specific Commitments;
- Committee on Trade and Environment;
- Committee on Trade and Development;
- General Council;
- Committee on Balance-of-Payments Restrictions;
- Committee on Budget, Finance, and Administration;
- Committee on Regional Trade Agreements;
- WTO Accessions;
- Working Group on Trade, Debt, and Finance;
- Working Group on Trade and Transfer of Technology;
- Dispute Settlement Understanding;
- Work Program on Electronic Commerce;
- Trade Policy Review Body;
- Plurilaterals (Committee on Trade in Civil Aircraft, Committee on Government Procurement Agreement, and Information Technology Agreement Committee);
- Joint Statement Initiative on Electronic Commerce;
- Joint Statement Initiative on Services Domestic Regulation;
- Informal Working Group on Micro, Small, and Medium-Sized Enterprises;
- Informal Working Group on Trade and Gender; and
- Trade and Environmental Sustainability Structured Discussions.

For more information on the work of these entities, see their annual reports, found on the [WTO website](#).

## B. WTO NEGOTIATIONS

### Committee on Agriculture Special Session

In 2024, the U.S. Government, led by USTR, engaged actively in the Committee on Agriculture Special Session (CoA-SS) to ensure that WTO negotiations took into account the priorities and sensitivities of U.S. agricultural stakeholders, as well as global food security considerations. While WTO Members were not able to reach consensus on an agricultural deliverable for the Thirteenth WTO Ministerial Conference (MC13) in February 2024, the United States played a key role advocating for a reform-oriented outcome and resisting efforts by certain WTO Members to erode WTO rules.

### WTO Fisheries Subsidies

After more than two decades of negotiations, WTO Members achieved a groundbreaking agreement at the Twelfth WTO Ministerial Conference (MC12) in June 2022. The WTO Agreement on Fisheries Subsidies (Agreement) is the first ever multilateral trade agreement at the WTO with environmental sustainability at its core. The Agreement contains several important disciplines, including prohibitions on subsidies to vessels or operators engaged in illegal, unreported, and unregulated fishing (IUU) fishing, subsidies for fishing overfished stocks, and subsidies for fishing on the unregulated high seas. The Agreement also includes robust transparency provisions to strengthen WTO Members' notification of fisheries subsidies and thereby enable effective monitoring of Members' implementation of their obligations. In April 2023, the United States submitted its instrument of acceptance of the Agreement, making it the first major fishing nation to do so.

At MC12, WTO Members committed to continue the fisheries subsidies negotiations with a view to making recommendations to MC13 for additional provisions that would achieve comprehensive disciplines on harmful fisheries subsidies, including disciplines on certain forms of fisheries subsidies that contribute to overcapacity and overfishing. After several months of intensive negotiations in the lead up to MC13, WTO Members were ultimately unable to reach consensus on this second phase of negotiations. Following MC13, WTO Members resumed negotiations at the July 2024 General Council session but were unable to reach consensus.

In addition to taking a lead role in the fisheries subsidies negotiations throughout 2024, the United States also pressed for progress to set up the working procedures and reporting templates to enable full implementation of the Agreement upon its entry into force. The United States continued to encourage other WTO Members to deposit their instruments of acceptance of the Agreement, and in this second phase of negotiations, urged Members to support adoption of additional disciplines on fisheries subsidies that contribute to overcapacity and overfishing as well as greater transparency with respect to the use of forced labor on fishing vessels. As of December 31, 2024, the second phase of the WTO fisheries subsidies negotiations was ongoing.

### Special Session of the Committee on Trade and Development

At the MC13 in 2024, the United States actively negotiated the first ever decision on making special and differential treatment (S&D) more precise, effective, and operational specifically for the Sanitary and Phytosanitary (SPS) and the Technical Barriers to Trade (TBT) Agreements. This decision called for better transparency on decisions by all members to any proposed changes in SPS and TBT requirements, and for the WTO to compile and provide this information to all Members. The decision also called for more targeted training from the WTO for developing members to meet their obligations in these two agreements.

Subsequently, the United States engaged in two formal meetings in the Special Session of the Committee on Trade and Development (CTD-SS) to exchange views on the way forward in addressing S&D after the conclusion of MC13. During these discussions in the CTD-SS and elsewhere in the WTO, the United States continued to underscore the importance of engaging in a broader, constructive conversation on trade and sustainable development predicated on a framework of rules and flexibilities that should be tailored to meet the specific development needs of individual Members. The United States continued to work with individual Members on their specific technical assistance needs to address capacity constraints in meeting their obligations through a myriad of programs.

## C. GENERAL COUNCIL

The World Trade Organization (WTO) General Council is the highest-level decision-making body in the WTO that meets on a regular basis each year. It exercises all of the authority of the Ministerial Conference, which is expected to meet no less than once every two years. Only the Ministerial Conference and the General Council have the authority to adopt authoritative interpretations of the WTO Agreement, submit amendments to the WTO Agreement for consideration by Members, and grant waivers of obligations. The General Council or the Ministerial Conference must approve the terms for all accessions to the WTO. The General Council uses both formal and informal processes to conduct the business of the WTO. Informal groupings, which generally include the United States, play an important role in consensus building.

In 2024, the United States participated in all General Council meetings and consultations to advance U.S. interests at the WTO, including the Thirteenth WTO Ministerial Conference (MC13), where Members recognized progress in reforming the WTO, including on dispute settlement and on trade and development. Preparation for the Director-General appointment process was initiated earlier than the timeline that the General Council had adopted in 2002 under the *Procedures for the Appointment of Directors-General*. The United States expressed its concerns that allowing sufficient time for consideration of all nominations under the process established by WTO Members for selection of the Director-General was important. The United States is committed to an impartial review of the qualifications of any nominated candidate as part of a transparent and predictable selection process. On September 16, 2024, the current Director General expressed her desire to be considered for a second term. The General Council chair set a deadline for any other nominations by November 08, 2024. No other nominations were made. On November 29, 2024, a special General Council meeting was held to provide the incumbent Director General an opportunity to address the members. On November 29, 2024, WTO Members agreed by consensus on the re-appointment of Dr. Ngozi Okonjo-Iwaela to a second four-year term as Director-General of the WTO.

## D. COUNCIL FOR TRADE IN GOODS

The World Trade Organization (WTO) Council for Trade in Goods (CTG) is the central oversight body for all WTO agreements related to trade in goods. It oversees the activities of 12 WTO committees (Agriculture, Antidumping Practices, Customs Valuation, Import Licensing, Information Technology, Market Access, Rules of Origin, Safeguards, Sanitary and Phytosanitary Measures, Subsidies and Countervailing Measures, Technical Barriers to Trade, and Trade-Related Investment Measures) and the Working Party on State Trading Enterprises. The CTG is the forum for discussing issues and decisions that may ultimately require the attention of the WTO General Council for resolution or a higher-level discussion, and for putting issues in a broader context of the rules and disciplines that apply to trade in goods.

In 2024, the CTG held three formal meetings, in April/May, July, and November/December. The CTG also met informally three times, in April, September, and December.

## **1. Committee on Agriculture**

Since its inception, the WTO Committee on Agriculture (CoA) has proven to be a vital instrument for the United States to monitor and seek compliance with the agricultural trade commitments undertaken by WTO Members. Under the Agreement on Agriculture (AoA), Members agree to provide notifications of progress in meeting their commitments in agriculture, and the CoA has met frequently to review the notifications and monitor activities of Members to ensure that trading partners honor their commitments.

In 2024, the CoA held three formal meetings in May, September, and November to review progress on the implementation of commitments of the AoA. In total, 323 notifications were subject to review during 2024, and the United States asked 148 questions (or sets of questions) to other Members. The United States participated actively in the review process and raised issues concerning the operation of Members' agricultural policies. Notably, the United States, along with co-sponsoring WTO Members, jointly submitted two counter-notifications reporting on India's use of domestic support under Article 18.7 of the AoA. The counter-notification raised concerns regarding the methodologies employed by India in its notifications concerning market price support measures for sugarcane, rice, and wheat. In addition, during meetings, U.S. questions to other Members included questions relating to India's public stockholding programs, Canada's and the United Kingdom's tariff-rate quota (TRQ) policies, Brazil's price support mechanisms, various Members' export restrictions, China's export subsidies and cotton policies, and the Philippines' minimum access volumes under TRQs for agricultural products, among other topics. In addition, the United States answered 60 questions from other WTO Members on a range of subjects, including funding for environmental actions, domestic support measures, and U.S. TRQ fill rates for agricultural products. Finally, in 2024, following several sessions of a working group launched in 2022, the CoA adopted a report containing recommendations on how to help least-developed and net-food-importing developing Members respond to acute food insecurity.

## **2. Committee on Antidumping Practices**

The Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994, commonly referred to as the Antidumping Agreement, sets forth detailed rules and disciplines prescribing the manner and basis on which Members may take action to offset the injurious dumping of products imported from another Member. Implementation of the Antidumping Agreement is overseen by the Committee on Antidumping Practices (the Antidumping Committee), which operates in conjunction with two subsidiary bodies: the Working Group on Implementation (the Working Group) and the Informal Group on Anticircumvention (the Informal Group).

In 2024, the Antidumping Committee held two formal meetings, in April and October.

## **3. Committee on Customs Valuation**

The Agreement on Implementation of Article VII of the General Agreement on Tariffs and Trade 1994, commonly referred to as the Customs Valuation Agreement (CVA), ensures that determinations of customs value for the calculation of duties on imported products are made in a fair, neutral, and uniform manner, precluding the use of arbitrary or fictitious values. The CVA prevents market access opportunities achieved through tariff reductions from being negated by unwarranted and unreasonable "uplifts" in the customs value of goods, which would otherwise increase total import duties.

In 2024, the Committee on Customs Valuation (CCV) held two formal meetings, in May and in December. The United States raised concerns on behalf of U.S. exporters across all sectors that have experienced difficulties with foreign customs agencies' application of their customs valuation and preshipment

inspection regimes. The United States also raised awareness about the growing use of preshipment inspection procedures for conformity assessment purposes and encouraged further monitoring of this development through a focus on notification. Finally, the United States highlighted the technical assistance it provides developing countries on implementing the CVA.

As of December 31, 2024, 144 Members had notified their national legislation on customs valuation and 117 Members had provided responses to the “Implementation and Administration of the Agreement on Customs Valuation” checklist of issues. The United States continued to request that all Members fulfill these notification requirements for the proper functioning of the CVA.

## **4. Committee on Import Licensing**

The Committee on Import Licensing was established to administer the Agreement on Import Licensing Procedures ) and to monitor compliance with the mutually agreed rules on import licensing procedures. The Committee on Import Licensing normally meets twice a year to review information on import licensing submitted by WTO Members in accordance with the obligations set out in the Agreement on Import Licensing. The Committee on Import Licensing also serves as a forum for Members to submit questions on the licensing regimes of other Members, whether or not those regimes have been notified to the Committee, and to address specific observations and complaints concerning Members’ licensing systems.

In 2024, the Committee on Import Licensing held two formal committee meetings, in May and November. In May, the United States raised concerns with licensing in Angola, Honduras, India, and Indonesia. In November, the United States continued to raise issues with licensing in Mongolia, India, and Indonesia. Further, the United States continued to stress the importance of timely and complete notifications and Member transparency within the Committee. Additionally, the Committee on Import Licensing held informal meetings in March and September to discuss updates and implementation of the eAgenda online tool for development of the Committee meeting agenda.

## **5. Committee on Market Access**

The Committee on Market Access (MA Committee) is responsible for the implementation of concessions related to tariffs and non-tariff measures that are not explicitly covered by another WTO body. The MA Committee’s work includes the verification of new concessions on market access in the goods area, the monitoring of quantitative restrictions on goods, and the operation of the WTO’s Integrated Data Base (IDB) of tariff and trade data. The MA Committee also provides a forum for Members to address market access issues they find problematic, to exchange information and clarify issues, and to aim to resolve trade concerns.

In 2024, the MA Committee held two formal meetings, in March and November, in which the United States raised specific market access concerns with the members of the Gulf Cooperation Council, Indonesia, and Mexico. The United States also used the formal meetings to promote transparency by stressing the importance of timely and complete notifications of Members’ quantitative restrictions. Additionally, the MA Committee held a thematic discussion for Members to share experiences on enhancing supply chain resilience and a thematic discussion on “greening” the Harmonized System, which is used to classify traded goods.

The MA Committee also held several informal meetings in 2024 to review technical transpositions of Members’ tariff schedules to ensure tariff commitments are maintained as schedules are updated and modernized.

## **6. Committee on Rules of Origin**

The Agreement on Rules of Origin (ROO Agreement) is administered by the Committee on Rules of Origin (ROO Committee), which in 2024 held two meetings, in April and November. The ROO Committee serves as a forum to exchange views on notifications by Members concerning their non-preferential rules of origin along with relevant judicial decisions and administrative rulings of general application.

In 2024, the ROO Committee continued its discussion of trade preferences by least-developed countries.

## **7. Committee on Safeguards**

The Agreement on Safeguards (the Safeguards Agreement) is administered by the Committee on Safeguards (the Safeguards Committee). The Safeguards Agreement establishes rules for the application of safeguard measures as provided in Article XIX of the GATT 1994. The Safeguards Agreement requires Members to notify the Safeguards Committee of their laws, regulations, and administrative procedures relating to safeguard measures. That agreement also requires Members to notify the Safeguards Committee of various safeguards actions, such as: (1) the initiation of an investigatory process; (2) a finding by a Member's investigating authority of serious injury or threat thereof caused by increased imports; (3) the taking of a decision to apply or extend a safeguard measure; and (4) the proposed application of a provisional safeguard measure.

In 2024, the Safeguards Committee held two formal meetings, in April and October, and one informal meeting in September.

## **8. Committee on Sanitary and Phytosanitary Measures**

The Committee on Sanitary and Phytosanitary Measures (the SPS Committee) provides a forum for review of the implementation and operation of the Agreement on the Application of Sanitary and Phytosanitary Measures (the SPS Agreement), consultation on Members' existing and proposed SPS measures, technical assistance, other informational exchanges, and the participation of the international standard setting bodies recognized in the SPS Agreement. These international standard setting bodies are: for food safety, the Codex Alimentarius Commission (Codex); for animal health, the World Organization for Animal Health (WOAH); and for plant health, the International Plant Protection Convention (IPPC).

The SPS Committee also discusses and provides guidelines on specific provisions of the SPS Agreement. These discussions provide an opportunity to assist Members in meeting specific SPS obligations. For example, the SPS Committee has issued procedures or guidelines regarding: notification of SPS measures; the "consistency" provision of Article 5.5 of the SPS Agreement; equivalence; transparency regarding the provisions for Special and Differential Treatment (S&D); and regionalization. Representatives from a number of international organizations attend SPS Committee meetings as observers on an *ad hoc* basis, including: Codex; the United Nations Food and Agriculture Organization; the Inter-American Institute for Cooperation on Agriculture; the International Trade Center; IPPC; WOAH; the World Bank; and the World Health Organization.

In 2024, the SPS Committee held three meetings, in March, June, and November. The United States raised concerns in the SPS Committee regarding the adverse impact on U.S. food and agricultural exports resulting from particular SPS measures of other WTO Members. The United States continued to join a broad coalition of countries raising concerns with the European Union's hazard-based pesticide policies, including the withdrawal of several pesticide maximum residue levels (MRLs) critical to international agricultural trade and measures that appear to restrict the ability of regulators in third countries to regulate based on

local conditions. The United States also raised concerns about the People’s Republic of China’s delays in approving requests for new listing and reinstatement of export establishments.

Following execution of the Work Program of the Sanitary and Phytosanitary Declaration for the Twelfth WTO Ministerial Conference: Responding to Modern SPS Challenges, the United States was instrumental in supporting the successful adoption of the Report to Ministers. Through the report, Members acknowledged the relevance of science, research, and innovation as a means to address SPS issues and sustainably increase production, and recognized that there is no “one-size-fits-all” approach to improving the sustainability of food and agricultural systems across WTO Members. Over the course of 2024, Members of the SPS Committee also engaged in the Sixth Review of the Operation and Implementation of the SPS Agreement, which is set to conclude in 2025.

## **9. Committee on Subsidies and Countervailing Measures**

The Agreement on Subsidies and Countervailing Measures provides rules and disciplines for the use of government subsidies and the application of remedies, through either WTO dispute settlement or countervailing duty action taken by individual WTO Members, to address subsidized trade that causes harmful commercial effects. Subsidies contingent upon export performance or the use of domestic over imported goods are prohibited. All other subsidies are permitted but are actionable (through countervailing duty or WTO dispute settlement actions) if they are: (1) “specific” (*i.e.*, limited to a firm, industry, or group thereof within the territory of a WTO Member); and (2) found to cause adverse trade effects, such as material injury to a domestic industry or serious prejudice to the trade interests of another Member.

In 2024, the Committee on Subsidies and Countervailing Measures held two regular and two special meetings, in April and October. Particularly noteworthy, at both of the two regular meetings, the United States, Canada, the European Union, Japan, and others sponsored an agenda item on the topic of how government subsidies have led to overcapacity. Under this agenda item, Members discussed a synthesis of research on subsidies and overcapacity in key industrial sectors and the impact of that subsidization, particularly from the People’s Republic of China, on developing countries and on least-developed countries. The United States also continued to advocate for initiatives that would enhance the transparency of Members’ subsidy regimes and reform the operations of the Committee.

## **10. Committee on Technical Barriers to Trade**

The Agreement on Technical Barriers to Trade (the TBT Agreement) establishes rules and procedures regarding the development, adoption, and application of standards, technical regulations, and conformity assessment procedures for all products. One of the main objectives of the TBT Agreement is to prevent the use of standards, technical regulations, and conformity assessment procedures as unnecessary barriers to trade, while ensuring that Members retain the right to regulate for legitimate purposes, including for the protection of health, safety, or the environment, at levels they consider appropriate.

The Committee on Technical Barriers to Trade (the TBT Committee) serves as a forum for Members’ consultation on issues associated with implementation and administration of the TBT Agreement. The TBT Committee provides an opportunity for Members to discuss specific trade concerns (STCs) regarding measures a Member proposes or maintains. The TBT Committee also allows Members to discuss systemic issues affecting implementation of the TBT Agreement (*e.g.*, transparency, use of good regulatory practices, regulatory cooperation), and to exchange information on Members’ practices related to implementing the TBT Agreement and updates from observing international organizations.

In 2024, the TBT Committee held three formal meetings, in March, June, and November, and four informal meetings, in February, May, September, and October. The formal meetings focused on raising STCs and planning the TBT Committee's new work plan during the Tenth Triennial Review of the TBT Agreement. The meetings were held in person and via a virtual platform. In total, the United States formally raised 37 STCs and responded to 2 STCs; some of the same concerns were raised in more than one meeting. Informally and on a bilateral basis, the United States raised another 31 STCs and responded to 14 STCs. All of the 2024 informal committee discussions focused on considering the 38 proposals for the Tenth Triennial Review. In March 2024, the TBT Committee adopted a [Guideline on Conformity Assessment Procedures](#). In June 2024, the TBT Committee adopted a new electronic format for its Article 15.2 notification, to report on Member implementation and adoption of the TBT Agreement. The United States was the first to update its [notification](#). The TBT Committee also issued a [Good Practice Guide on Commenting on a TBT Notification](#).

## **11. Committee on Trade Facilitation**

The Agreement on Trade Facilitation (TFA) entered into force on February 22, 2017, in accordance with Article X of the WTO Agreement, upon the ratification by two-thirds (118 Members) of the WTO. As of December 31, 2024, 159 of the 166 WTO Members had ratified the TFA. The TFA establishes transparent and predictable multilateral trade rules under the WTO to reduce opaque customs and border procedures and unwarranted delays at the border. Burdensome red tape and delays can add costs that are the equivalent of significant tariffs and are often cited by U.S. exporters as barriers to trade. The TFA is an important element of broader domestic strategies of many WTO Members to increase economic output and attract greater investment, and it provides new opportunities to address factors holding back increased regional integration and trade among developing countries. Implementation of the TFA is expected to bring particular benefits to small and medium-sized businesses, enabling them to increase participation in the global trading system.

In 2024, the Committee on Trade Facilitation (CTF) held three formal meetings, in March, July, and October, that focused on matters relating to the implementation and administration of the TFA, and included thematic discussions, a dedicated session on transit issues, and a dedicated session on capacity building. The United States submitted to the CTF an updated Article 22 notification, which sets out U.S. technical assistance and capacity building for calendar year 2022 (latest data available) and participated in the dedicated capacity building meeting, in cooperation with trading partners for whom the United States provides capacity building assistance. The United States continued to work within the CTF to address concerns related to Indonesia's imposition of customs duties on intangible products transmitted electronically.

## **12. Committee on Trade-Related Investment Measures**

The Agreement on Trade-Related Investment Measures (TRIMS) prohibits investment measures that are inconsistent with national treatment obligations under Article III:4 of the GATT 1994 and reinforces the prohibitions on quantitative restrictions set out in Article XI:1 of the GATT 1994. The TRIMS Agreement requires the elimination of certain measures imposing requirements on, or linking advantages to, certain actions of foreign investors, such as measures that require, or provide benefits for, the use of local inputs (local content requirements) or measures that restrict a firm's imports to an amount related to the quantity of its exports or foreign exchange earnings (trade balancing requirements). The Committee on Trade-Related Investment Measures (TRIMS Committee) has been a forum to address concerns, gather information, and raise questions about the maintenance, introduction, or modification of trade-related investment measures by Members.

In 2024, the TRIMS Committee held two formal meetings, in March and October, during which the United States and other Members continued to discuss particular Members' measures that are of concern to the United States. Issues discussed included local content requirements in Indonesia and preferential subsidies in Kazakhstan for domestically produced agricultural machinery that disadvantage imported machinery.

### **13. Committee on Participants on the Expansion of Trade in Information Technology Products**

*For information on the Committee on Participants on the Expansion of Trade in Information Technology Products, also known as the ITA Committee, please see Section VI.J Plurilateral Agreements.*

### **14. Working Party on State Trading Enterprises**

Article XVII of the GATT 1994 requires Members to ensure that state-trading enterprises (STEs), as defined in that Article, act in a manner consistent with the general principles of nondiscriminatory treatment, and make purchases or sales solely in accordance with commercial considerations. The Understanding on the Interpretation of Article XVII of the GATT 1994 defines an STE for the purposes of providing a notification. Members are required to submit new and full notifications to the Working Party on State Trading Enterprises (WP-STE) for review every two years.

The WP-STE was established in 1995 to review Member notifications of STEs and the coverage of STEs that are notified, and to develop an illustrative list of relationships between Members and their STEs and activities engaged in by these enterprises.

In 2024, the WP-STE held two formal meetings, in April and November.

## **E. COUNCIL FOR TRADE-RELATED ASPECTS OF INTELLECTUAL PROPERTY RIGHTS**

The World Trade Organization (WTO) Council for Trade-Related Aspects of Intellectual Property Rights (TRIPS) monitors the implementation of the TRIPS Agreement, provides a forum in which WTO Members can consult on intellectual property matters, and carries out the specific responsibilities assigned to the Council in the TRIPS Agreement.

The TRIPS Agreement sets minimum standards of protection for copyrights and related rights, trademarks, geographical indications, industrial designs, patents, integrated circuit layout designs, and undisclosed information. The TRIPS Agreement also establishes minimum standards for the enforcement of intellectual property rights through civil actions for infringement, actions at the border, and, at least with respect to cases of willful trademark counterfeiting and copyright piracy on a commercial scale, criminal actions. The TRIPS Agreement also provides a transition period for least-developed country WTO Members to apply the provisions of the TRIPS Agreement, with the exception of provisions on national treatment and Most-Favored-Nation treatment. This transition period, originally slated to end January 1, 2006, has been extended by the TRIPS Council until July 1, 2034.

In 2024, the TRIPS Council held three formal meetings to consider its regular agenda, in April, July, and November.

## **F. COUNCIL FOR TRADE IN SERVICES**

The Council for Trade in Services (CTS) oversees implementation of the General Agreement on Trade in Services (GATS) and reports to the General Council. This includes a technical review of GATS Article XX:2 provisions; review of waivers from specific commitments pursuant to paragraphs 3 and 4 of Article IX of the Marrakesh Agreement Establishing the World Trade Organization; a periodic review of developments in the air transport sector; the transitional review mechanism under Section 18 of China's Protocol of Accession; implementation of GATS Article VII; a review of Article II exemptions (to Most-Favored Nation treatment); and notifications made to the General Council pursuant to GATS Articles III:3, V:5, V:7, and VII:4. Four subsidiary bodies report to the CTS: (1) Committee on Specific Commitments; (2) Committee on Trade in Financial Services; (3) Working Party on Domestic Regulation; and (4) Working Party on GATS Rules.

In 2024, the CTS held four formal meetings, in March, July, October, and December. In March 2024, members held an experience-sharing session on COVID-19 and Trade in Information and Communication Technology and Digitally Delivered Services.

In addition to technical review of the implementation of various articles of the GATS, the CTS also examines issues under the Work Programme on Electronic Commerce. Members briefed the CTS and shared their experiences on policy developments in this area. As in past years, at the request of the United States and Japan, the CTS continued to discuss cybersecurity measures of the People's Republic of China and Vietnam. Several Members joined the discussion to express concern about such measures and their potentially unreasonable impact on foreign service suppliers, which invite questions about compliance with national treatment obligations.

For more information on the work of the following subsidiary bodies, see their annual reports on the [WTO website](#).

### **1. Committee on Trade in Financial Services**

The Committee on Trade in Financial Services (CTFS) provides a forum for Members to explore financial services market access issues, including implementation of existing trade commitments. In 2024, the CTFS held four formal meetings, in March, July, October, and December. At the March meeting, the CTFS held a thematic seminar on remittance services.

### **2. Working Party on Domestic Regulation; Joint Statement Initiative on Services Domestic Regulation**

GATS Article VI:4 on Domestic Regulation provides for Members to develop any necessary disciplines relating to qualification requirements and procedures, technical standards, and licensing requirements and procedures. In 1999, the CTS established the Working Party on Domestic Regulation (WPDR), which took on the mandate of GATS VI:4. The WPDR did not meet in 2024.

In February 2024, WTO Members announced at the Thirteenth WTO Ministerial Conference the entry into force of new disciplines on services domestic regulation as part of the Joint Statement Initiative on Services Domestic Regulation (DR JSI). The DR JSI focused on increasing transparency, predictability, and efficiency of authorization procedures for service providers hoping to do business in foreign markets. As of December 31, 2024, the new disciplines had entered into force for 50 WTO Members, including the

United States, and over 70 WTO Members had committed to implement the disciplines through their WTO services schedules.

### **3. Working Party on General Agreement on Trade in Services Rules**

The Working Party on GATS Rules (WPGR) provides a forum to discuss the possibility of new disciplines on emergency safeguard measures, government procurement, and subsidies under GATS Articles X, XIII and XV, respectively. The WPGR did not meet during 2024 and has not met since 2016.

### **4. Committee on Specific Commitments**

The Committee on Specific Commitments (CSC) examines ways to improve the technical accuracy of scheduling commitments, primarily in preparation for the GATS negotiations, and oversees the application of the procedures for the modification of schedules under GATS Article XXI. The CSC also oversees implementation of commitments in WTO Members' schedules in sectors for which there is no sectoral committee, which is currently the case for all sectors except financial services.

In 2024, the CSC held three formal meetings, in July, October, and December. In an April 2024 informal session, the United States and New Zealand presented the Asia Pacific Economic Cooperation Model Schedule of Commitments for Environmental and Environmentally Related Services. In October 2024, the CSC held an information session on Recent Developments in the Classification of Services.

## **G. OTHER GENERAL COUNCIL BODIES AND ACTIVITIES**

### **1. Committee on Trade and Environment**

The General Council of the World Trade Organization (WTO) created the Committee on Trade and Environment (CTE) on January 31, 1995, pursuant to the Marrakesh Ministerial Decision on Trade and Environment. Since then, the CTE has discussed a broad range of important trade and environment issues.

In 2024, the CTE held three regular meetings, in April, June, and October. The United States organized and moderated a panel during the 2024 WTO Trade and Environment Week in October 2024 to consider how trade can support circular approaches to critical mineral supply chains, in particular relating to electric vehicle (EV) batteries.

### **2. Committee on Trade and Development**

The Committee on Trade and Development (CTD) has a mandate to review the participation of developing country Members in the multilateral trading system. The CTD-regular session focuses on technical cooperation and training, trade in commodities, market access in products of interest to developing countries, and the special concerns of least-developed countries (LDCs), landlocked developing countries, and small economies.

In 2024, the CTD held three regular meetings, in April, July, and November, and held special workshops, in June. The United States made presentations in each of the CTD meetings that highlighted the innovative and dynamic nature of U.S. development partnerships. As part of the discussions, the United States highlighted efforts to promote innovation and digitization in agriculture in sub-Saharan Africa. The United States also continued to showcase pragmatic examples of economic development initiatives that enabled developing countries' businesses to access the global economy. The CTD workshops held on the margins

of the CTD regular meetings illustrated that the most effective capacity building partnerships are based on domestic development priorities backed by strong political will, combined with a flexible, multi-stakeholder approach to policy development and implementation.

The United States also was actively engaged in a broader conversation in the CTD regular meetings on sharing knowledge and lessons with other Members on how to better integrate developing countries in core WTO agreements. On the margins of the July CTD meeting, the United States organized two seminars under the themes (1) “Crop Diversification and Resiliency: Feed the World and Grow Exports. Heritage Crops and Localized Innovation” and (2) “Growing Exports through the Use of Digital Platforms: MSMEs’ Stories.”

On September 30, 2024, the United States circulated a paper at the WTO which reinforced the positive U.S. agenda on trade and development, based on implementation of WTO disciplines with a focus on pragmatic solutions to trade challenges.

### **3. Committee on Balance-of-Payments Restrictions**

The Uruguay Round Understanding on Balance-of-Payments clarified General Agreement on Tariffs and Trade (GATT) disciplines on balance-of-payments-related trade measures. The Committee on Balance-of-Payments Restrictions works closely with the International Monetary Fund (IMF) in conducting consultations on balance of payments issues. Full consultations involve examining a Member’s trade restrictions and balance-of-payments situation, while simplified consultations provide for more general reviews. Full consultations are held when restrictive measures are introduced or modified, or at the request of a Member in view of improvements in its balance of payments.

In 2024, the Committee held two regular meetings, in May and November. Members did not bring to the Committee’s attention any trade restrictive measures for which the Member that imposed the measure attempted to use balance of payments as a justification for the restriction.

### **4. Committee on Budget, Finance, and Administration**

The Committee on Budget, Finance, and Administration (the Budget Committee) is responsible for providing Member oversight of the utilization of the Director General’s budget for the WTO Secretariat and for making budget and administrative recommendations to the General Council for Members’ approval. The Budget Committee meets throughout the year to address the financial requirements of the WTO. In December 2023, the Budget Committee completed its review of the Director-General’s budget proposal for 2024-2025 and the budget proposal was approved by the General Council. As is the practice in the WTO, decisions on budgetary issues are taken by consensus. The United States is one of the most active participants in the Budget Committee, seeking to ensure that the WTO Secretariat provides sufficient transparency on all budget decisions.

In the WTO, the assessed contribution of each Member is based on the share of that Member’s trade in goods, services, and intellectual property. The United States, as the Member with the largest share of world trade, makes the largest contribution to the WTO budget. For the 2025 budget, the U.S. assessed contribution was 11.37 percent of the total budget assessment, or CHF 23,092,470 (approximately \$26.3 million).

*For further discussion of the details required by Section 124 of the Uruguay Round Agreements Act of 1994 on the WTO’s consolidated budget, see Annex III: Background on the WTO.*

## **5. Committee on Regional Trade Agreements**

The Committee on Regional Trade Agreements (CRTA), a subsidiary body of the General Council, was established in early 1996 as a central body to oversee all regional agreements to which Members are a party. The CRTA is charged with conducting reviews of individual agreements, seeking ways to facilitate and improve the review process, and considering the systemic implications of such agreements and regional initiatives for the multilateral trading system.

GATT Article XXIV is the principal provision governing free trade areas (FTAs), customs unions (CUs), and interim agreements leading to an FTA or CU concerning goods. Additionally, the 1979 Decision on Differential and More Favorable Treatment, Reciprocity and Fuller Participation of Developing Countries, commonly known as the “Enabling Clause,” provides a basis for certain agreements between or among developing country Members, also concerning trade in goods. The Uruguay Round added three more provisions: The Understanding on the Interpretation of Article XXIV, which clarifies and enhances the requirements of Article XXIV of GATT 1994, and Articles V and V *bis* of the GATS, which govern services and labor markets integration agreements. FTAs and CUs are authorized departures from the principle of Most-Favored-Nation (MFN) treatment, if relevant requirements are met.

In 2024, the CRTA held three formal meetings, in April, July, and November, and two informal meetings in September and November. At the formal meetings, the United States urged Members to be more transparent than they have been regarding their regional and bilateral trade agreements and discussed potential functional improvements to the committee’s operations.

## **6. Accessions to the World Trade Organization**

In January 2024, the Working Parties for the accessions of the Union of the Comoros and Timor-Leste concluded their respective negotiations by approving and recommending the formal adoption by Ministers of WTO accession packages for each applicant at the Thirteenth WTO Ministerial Conference. The Union of Comoros and Timor-Leste became WTO Members on August 21 and August 30, 2024, respectively. Accordingly, the number of applicants for WTO Membership decreased from 24 to 22 in 2024. Of the remaining 22 applicants

<sup>1</sup> as of December 31, 2024, five were engaged in the WTO accession process at some point during 2024. The Working Party for the accession of Uzbekistan met twice during the year, and the Working Parties for the accessions of Azerbaijan and Iraq each met once. Uzbekistan made substantial progress in the multilateral rules track and in its bilateral market access negotiations with the United States in 2024. Both Ethiopia and Somalia submitted multilateral inputs to the WTO Secretariat in late 2024.

Of the remaining 17 WTO accession applicants, four (Libya, Sao Tome and Principe, Syria, and Turkmenistan) had not submitted the initial documents describing their respective foreign trade regimes as of December 31, 2024. As a result, negotiations on their accessions had not begun. Equatorial Guinea submitted its initial documents at the end of 2022 but had not responded to questions submitted by Working Party Members as of December 31, 2024. Accession negotiations with 11 applicants (Algeria, Andorra, the Bahamas, Bhutan, Bosnia and Herzegovina, Curaçao, Iran, Lebanese Republic, Serbia, South Sudan, and Sudan) remained dormant in 2024. Finally, no further consideration of Belarus’s accession request was undertaken during 2024.

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<sup>1</sup> Accession Working Parties have been established for Algeria, Andorra, Azerbaijan, the Bahamas, Belarus, Bhutan, Bosnia and Herzegovina, Curaçao, Equatorial Guinea, Ethiopia\*, Iran, Iraq, Lebanon, Libya, Sao Tome and Principe\*, Serbia, Somalia\*, South Sudan\*, Sudan\*, Syria, Turkmenistan, and Uzbekistan. (The five countries marked with an asterisk are LDCs.)

## **U.S. Leadership and Technical Assistance**

The United States has traditionally taken a leadership role in all aspects of the accession negotiations, including in the bilateral, plurilateral, and multilateral aspects of the negotiations. The U.S. objectives are to ensure that the applicant fully implements WTO provisions when it becomes a member, to encourage market-oriented policies in developing and transforming economies, and to use the opportunities provided in these negotiations to expand market access for U.S. exports. The United States also has provided technical assistance to countries seeking accession to the WTO to help them meet the requirements and challenges presented, both by the negotiations and the process of implementing WTO provisions in their trade regimes.

Many current accession applicants, including Algeria, Azerbaijan, Bosnia and Herzegovina, Ethiopia, Iraq, Lebanese Republic, Serbia, Turkmenistan, and Uzbekistan have received U.S. technical assistance in their accession processes. In 2024, Georgia, Kazakhstan, Republic of Moldova, Timor-Leste, Ukraine, and Vietnam continued to receive assistance that supports their implementation of their membership commitments.

## **7. Working Group on Trade, Debt, and Finance**

Ministers at the Fourth WTO Ministerial Conference in Doha, Qatar, in 2001 established the mandate for the Working Group on Trade, Debt, and Finance (WGTDF). Ministers instructed the WGTDF to examine the relationship between trade, debt, and finance and to make recommendations on possible steps, within the mandate and competence of the WTO, to enhance the capacity of the multilateral trading system to contribute to a durable solution to the problem of external indebtedness of developing and LDC Members. Ministers further instructed the WGTDF to consider possible steps to strengthen the coherence of international trade and financial policies, with a view to safeguarding the multilateral trading system from the effects of financial and monetary instability.

The WGTDF held two formal meetings and one informal meeting in 2024. In these meetings, Members discussed a suggestion by Pakistan to examine the relationship between trade policies and debt management and, separately, to examine specific concerns raised by LDCs and net food-importing developing countries (NFIDCs) related to the financing of food imports. The United States continued to discuss with other Members how to improve Member-driven discussion in the Working Group, including exchanges of information and experiences. The United States shared the goal of enabling more substantive and relevant discussions among WTO Members within the competence and mandate of the WTO, while at the same time avoiding duplicating the work being conducted in this area by other international organizations. The United States also continued to call for full transparency from the Secretariat, consistent with the Secretariat's role in a Member-led organization.

## **8. Working Group on Trade and Transfer of Technology**

During the 2001 Doha Ministerial Conference, WTO Ministers agreed to an “examination … of the relationship between trade and transfer of technology, and of any possible recommendations on steps that might be taken within the mandate of the WTO to increase flows of technology to developing countries.” To fulfill that mandate, the Trade Negotiations Committee established the Working Group on Trade and Transfer of Technology (WGTTT), under the auspices of the General Council, and tasked the WGTTT to report on its progress. The timeline for completing this work has been subject to several extensions by Ministers.

The WGTT held three formal meetings in 2024, in May, July, and November. Members continued the analysis of the relationship between trade and transfer of technology, as well as considered any possible recommendations.

## **9. Work Program on Electronic Commerce**

At the Thirteenth Ministerial Conference in March 2024, Ministers agreed to extend the long-standing Work Program on Electronic Commerce and to maintain a moratorium on duties on electronic transmissions. This decision remains effective until the Fourteenth WTO Ministerial Conference or March 31, 2026. In 2024, Members engaged in dedicated discussions on electronic commerce issues, both in the context of the Work Program on Electronic Commerce and informal sessions involving outside experts.

*For further discussion of this initiative, see Chapter III.G Services and Trade.*

## **H. DISPUTE SETTLEMENT UNDERSTANDING**

The Understanding on Rules and Procedures Governing the Settlement of Disputes (Dispute Settlement Understanding or DSU), which is annexed to the World Trade Organization (WTO) Agreement, provides a mechanism to settle disputes under the WTO Agreements.

The DSU is administered by the Dispute Settlement Body (DSB), which consists of representatives of the entire membership of the WTO and is empowered to establish dispute settlement panels, adopt panel and appellate reports, oversee the implementation of panel recommendations adopted by the DSB, and authorize countermeasures. The DSB makes all of its decisions by consensus unless the DSU provides otherwise.

The DSB met 10 times in 2024 to oversee disputes, including through the establishment of new panels, the adoption of panel reports, and the surveillance of implementation and recommendations adopted by the DSB, and to consider proposed additions to the roster of governmental and nongovernmental panelists.

### **Dispute Settlement Reform**

The United States is committed to working towards an improved system that meets the needs of all WTO Members to the greatest extent possible. A functioning dispute settlement system should be transparent, accessible, timely, restrained in its interpretations, and focused on resolving a specific dispute between two parties. Furthermore, the dispute settlement system should preserve the negotiated space for WTO Members to take the necessary domestic measures and provide confidence that the system equitably serves the interests of all Members.

In 2024, the United States actively participated in formal and informal discussions on dispute settlement reform open to all WTO Members. The ongoing facilitator-led discussions build upon the interest-based discussions initiated by the United States in 2022 that served as an innovative approach to discussions with WTO Members of all sizes—including developing country Members—to hear their concerns and solutions for a better system.

The United States remains committed to working towards a fundamentally reformed and improved system.

### **Appellate Body**

Prior to 2024, the United States made a series of statements at DSB meetings explaining that, for more than 18 years and across multiple U.S. Administrations, the United States has been raising serious concerns with

the Appellate Body’s disregard for the rules set by WTO Members and adding to or diminishing rights or obligations under the WTO Agreement.<sup>2</sup> Many WTO Members share these concerns, whether on the mandatory 90-day deadline for appeals, review of panel fact-finding, issuing advisory opinions on issues not necessary to resolve a dispute, the treatment of Appellate Body reports as precedent, or persons serving on appeals after their term has ended. The United States has also explained that when the Appellate Body abused the authority it had been given within the dispute settlement system, it undermined the legitimacy of the system and damaged the interests of all WTO Members who cared about having the agreements respected as they had been negotiated and agreed. A rules-based trading system requires adjudicators to follow the rules as agreed by WTO Members.

For many years, the United States and other WTO Members have raised repeated concerns about appellate reports going far beyond the text setting out WTO rules in areas as varied as subsidies, antidumping and countervailing duties, regulatory measures and standards under the GATT 1994 and Agreement on Technical Barriers to Trade, and safeguards. Such overreach restricts the ability of the United States to regulate in the public interest or protect U.S. workers and businesses against unfair, non-market policies and practices.

As a result, the United States was not prepared to agree to launch the process to fill vacancies on the WTO Appellate Body, thereby allowing the Appellate Body to continue to hear appeals, without WTO Members engaging with and addressing these critical issues. Accordingly, there were no persons serving on the Appellate Body as of December 31, 2024.

### **Roster of Governmental and Non-Governmental Panelists**

Article 8 of the DSU makes it clear that panelists may be drawn from either the public or private sector and must be “well-qualified,” such as persons who have served on or presented a case to a panel, represented a government in the WTO or the General Agreement on Tariffs and Trade (GATT), served with the Secretariat, taught or published in the international trade field, or served as a senior trade policy official. Since 1985, the Secretariat has maintained a roster of nongovernmental experts for GATT 1947 dispute settlement, which has been available for use by parties in selecting panelists. In 1995, the DSB agreed on procedures for renewing and maintaining the roster, and expanding it to include governmental experts. In response to a U.S. proposal, the DSB also adopted standards increasing and systematizing the information submitted by roster candidates. These modifications aid in evaluating candidates’ qualifications and encouraging the appointment of well-qualified candidates who have expertise in the subject matters of the Uruguay Round Agreements. In 2024, the DSB approved by consensus a number of additional names for the roster. The United States scrutinized the credentials of these candidates to assure the quality of the roster.

Pursuant to the requirements of the Uruguay Round Agreements Act of 1994, the WTO panel roster appears in the background information in Annex III. The list in the roster notes the areas of expertise of each roster member (goods, services, or Trade-Related Aspects of Intellectual Property Rights).

*For further information, see Annex III: Background Information on the WTO.*

### **Rules of Conduct for the Dispute Settlement Understanding**

The DSB completed work on a code of ethical conduct for WTO dispute settlement and, on December 3, 1996, adopted the Rules of Conduct for the Understanding on Rules and Procedures Governing the

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<sup>2</sup> See, e.g., Minutes of the DSB meeting held on Oct. 26, 2020 (WT/DSB/M/446).

Settlement of Disputes. A copy of the Rules of Conduct was printed in the Annual Report for 1996 and is available on the [WTO website](#). There were no changes to these Rules in 2024.

The Rules of Conduct elaborate on the ethical standards built into the DSU to maintain the integrity, impartiality, and confidentiality of proceedings conducted under the DSU. The Rules of Conduct require all individuals called upon to participate in dispute settlement proceedings to disclose direct or indirect conflicts of interest prior to their involvement in the proceedings and to conduct themselves during their involvement in the proceedings so as to avoid such conflicts.

The Rules of Conduct also provide parties an opportunity to address potential material violations of these ethical standards. The coverage of the Rules of Conduct exceeds the goals established by the U.S. Congress in section 123(c) of the URAA, which directed USTR to seek conflict of interest rules applicable to persons serving on panels and members of the Appellate Body. The Rules of Conduct cover not only panelists and Appellate Body members, but also: (1) arbitrators; (2) experts participating in the dispute settlement mechanism (e.g., the Permanent Group of Experts under the Agreement on Subsidies and Countervailing Measures); (3) members of the WTO Secretariat assisting a panel or assisting in a formal arbitration proceeding; and (4) members of the Secretariat supporting the Appellate Body.

As noted above, the Rules of Conduct established a disclosure-based system. Examples of the types of information that covered persons must disclose are set forth in Annex II to the Rules, and include: (1) financial interests, business interests, and property interests relevant to the dispute in question; (2) professional interests; (3) other active interests; (4) considered statements of personal opinion on issues relevant to the dispute in question; and (5) employment or family interests.

### **Dispute Settlement Activity in 2024**

During the DSB's 28 years in operation, WTO Members filed 631 requests for consultations (25 in 1995, 39 in 1996, 50 in 1997, 41 in 1998, 30 in 1999, 34 in 2000, 23 in 2001, 37 in 2002, 26 in 2003, 19 in 2004, 12 in 2005, 20 in 2006, 13 in 2007, 19 in 2008, 14 in 2009, 17 in 2010, 8 in 2011, 27 in 2012, 20 in 2013, 14 in 2014, 13 in 2015, 17 in 2016, 17 in 2017, 39 in 2018, 19 in 2019, 5 in 2020, 9 in 2021, 8 in 2022, 6 in 2023, and 10 in 2024). During that period, the United States filed 121 complaints against other Members' measures and received 156 complaints on U.S. measures. The number of complaints includes instances where complaints were filed with respect to the same issues. A number of disputes commenced in earlier years remained active in 2024.

*For a discussion of those disputes in which the United States was a complainant or defendant during 2023, see Chapter II.D WTO and FTA Enforcement.*

## **I. TRADE POLICY REVIEW BODY**

The Trade Policy Review Body (TPRB) is a subsidiary body of the General Council created by the Marrakesh Agreement Establishing the World Trade Organization (WTO) to administer the Trade Policy Review Mechanism (TPRM). The TPRM examines domestic trade policies of each Member on a frequency determined by trade volume. The express purpose of the review process is to strengthen Members' adherence to WTO provisions and to contribute to the smoother functioning of the WTO. Moreover, the review mechanism serves as a valuable resource for improving the transparency of Members' trade and investment regimes. Members continue to value the review process because it informs each government's own trade policy formulation and coordination.

The Member under review provides pertinent information to the WTO Secretariat, which produces a report on the trade policies and practices of the Member under review. Accompanying the Secretariat's report is the Member's own report. Reports cover the range of WTO agreements including those relating to goods, services, and intellectual property, and are available to the public on the WTO's [Documents Online database](#) under the document symbol WT/TPR. In a TPRB session, the WTO Membership under examination lays out its vision of the country's trade regime and trade horizon. Other Members have the opportunity to react to the written reports and pose additional questions.

Trade Policy Reviews (TPRs) of least-developed-country (LDC) Members often perform a technical assistance function, helping them improve their understanding of their trade policy structures in relation to the WTO agreements. The reviews have also enhanced these countries' understanding of the WTO agreements, thereby better enabling them to comply and integrate into the multilateral trading system. In some cases, the reviews have spurred better interaction among government agencies. The wide coverage provided by Secretariat's and Members' reports also enables Members to identify any shortcomings in policy and specific areas where further technical assistance may be appropriate.

While each review highlights the specific issues and measures concerning the individual Member, common themes that typically emerge during the reviews include:

- transparency in policy making and implementation;
- economic environment and trade liberalization;
- implementation of the WTO agreements;
- regional trade agreements and their relationship with the multilateral trading system;
- tariff issues, including the differences between applied and bound rates;
- customs valuation and customs clearance procedures;
- the use of trade remedy measures such as antidumping and countervailing duties;
- technical regulations and standards and their alignment with international standards;
- sanitary and phytosanitary measures;
- intellectual property rights legislation and enforcement;
- government procurement policies and practices;
- trade-related investment policy issues;
- sectoral trade policy issues, particularly liberalization in agriculture and certain services sectors; and
- technical assistance in implementing the WTO agreements and experience with Aid for Trade, and the Enhanced Integrated Framework.

During the 2024 cycle, the TPRB conducted reviews of 14 WTO Members: Angola, Brunei Darussalam, Canada, China, Iceland, Jamaica, Kazakhstan, Malawi, Maldives, Morocco, Mozambique, Nigeria, Paraguay, and the Solomon Islands. The United States participated in all reviews. By December 31, 2024, the TPRB had conducted 594 reviews, covering 161 out of 166 WTO Members, since its inception in 1989.

The WTO Members agreed the eighth appraisal of the operation of the TPRM should take place no later than 2027.

The WTO Secretariat, under the TPRM, prepares reports on behalf of the Director-General on an annual basis on the trade and trade-related developments of Members and Observer Governments. The Secretariat consolidates the information it collects and presents it in the Director-General's Annual Report on Developments in the International Trading Environment. The reports are presented to Members and discussed at informal meetings of the TPRB.

## **J. PLURILATERALS**

### **1. Committee on Trade in Civil Aircraft**

The Agreement on Trade in Civil Aircraft (Aircraft Agreement) is a plurilateral agreement that entered into force on January 1, 1980, and was subsequently included in Annex IV of the WTO Agreement. As such, it is not part of the WTO's single undertaking and its membership is limited to WTO Members that have accepted it.

The Aircraft Agreement requires Signatories to eliminate tariffs on civil aircraft, engines, flight simulators, and related parts and components. It also establishes various obligations aimed at fostering free market forces. For example, signatory governments pledge that they will base their purchasing decisions strictly on technical and commercial factors.

There are currently 33 Signatories to the Aircraft Agreement: Albania; Canada; Egypt; the European Union (EU) (the following 19 EU Member States are also signatories in their own right: Austria, Belgium, Bulgaria, Denmark, Estonia, France, Germany, Greece, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Portugal, Romania, Spain, and Sweden); Georgia; Japan; Macau, China; Montenegro; North Macedonia; Norway; Switzerland; Chinese Taipei; the United Kingdom; and the United States. WTO Members with observer status in the Committee on Trade in Civil Aircraft are: Argentina; Australia; Bangladesh; Brazil; Cameroon; China; Colombia; Gabon; Ghana; India; Indonesia; Republic of Korea; Israel; Mauritius; Nigeria; Oman; the Russian Federation; Saudi Arabia; Singapore; Sri Lanka; Tajikistan; Trinidad and Tobago; Tunisia; Türkiye; and Ukraine. The International Monetary Fund and the United Nations Conference on Trade and Development are also observers.

In 2024, the Committee held one formal meeting in November and one informal meeting in September. At the formal meeting, Signatories discussed the work underway to update the Aircraft Agreement's product coverage to reflect the most recent version of the Harmonized System, and issues related to strengthening transparency. The Committee also continued to prepare for Brazil's accession to the Agreement. On November 17, 2023, the Committee on Trade in Civil Aircraft agreed to Brazil's terms of accession to the Agreement. As of December 31, 2024, Brazil had not yet submitted the Agreement together with Brazil's commitments to its National Congress for approval.

### **2. Committee on Government Procurement**

The WTO Agreement on Government Procurement (GPA) is a plurilateral agreement included in Annex IV of the WTO Agreement. As such, it is not part of the WTO's single undertaking and its membership is limited to WTO Members that specifically signed the GPA in Marrakesh or that have subsequently acceded to it.

Forty-nine WTO Members are parties to the GPA: Armenia; Australia; Canada; the European Union and its 27 Member States; Hong Kong, China; Iceland; Israel; Japan; Republic of Korea; Liechtenstein; Moldova; Montenegro; the Netherlands with respect to Aruba; New Zealand; North Macedonia; Norway; Singapore; Switzerland; Chinese Taipei; Ukraine; the United Kingdom; and the United States (collectively the GPA Parties).

In 2024, the Committee held four formal meetings, in March, June, October, and November, and three informal meetings in March, June, and October. At the formal meetings, Parties adopted a Decision regarding the adoption of the report of the Committee on best practices for promoting and facilitating the participating of Small and Medium-sized Enterprises (SMEs) in government procurement.

The Committee held an information-sharing workshop entitled “How can digital advances support trade and competition in government procurement?” on March 21, 2024 and an event to mark the ten-year anniversary of the entry into force of the Revised GPA which featured two panel discussions on October 9, 2024. Additional work was also done in the Committee’s Work Programs on Sustainable Procurement, the Collection and Reporting of Statistical Data, and Small and Medium-sized Enterprises.

### **3. Information Technology Agreement Committee**

The Information Technology Agreement (ITA)<sup>3</sup> is a plurilateral agreement to eliminate tariffs on certain information and communications technology (ICT) products. The ITA covers a wide range of ICT products, including computers and computer peripheral equipment, electronic components including semiconductors, computer software, telecommunications equipment, semiconductor manufacturing equipment, and computer-based analytical instruments. As of December 31, 2024, 83 WTO Members were ITA participants. Among these 83 ITA participants, however, Morocco had yet to submit the formal documentation to implement its ITA commitments.

In 2024, the Committee of the Participants on the Expansion of Trade in Information Technology Products (ITA Committee) held two formal meetings, in April and November, as well as one informal meeting in September. The formal meetings focused on the status of, and concerns with, implementation, as well as reducing divergences of certain product classifications.

The ITA Committee does not cover the ITA Expansion Agreement<sup>4</sup>; however, participants in the ITA Expansion Agreement met periodically in 2024 and provided regular updates to the ITA Committee on the status of implementation. The majority of participants have submitted, in accordance with the relevant WTO procedures<sup>5</sup>, modifications to their WTO tariff schedules of concessions, which will incorporate these duty-free tariff commitments into their overall WTO tariff commitments.

## **K. OTHER WTO INITIATIVES**

### **1. Joint Statement Initiatives**

#### **Joint Statement Initiative on Electronic Commerce**

Joint Initiative on Electronic Commerce co-conveners, Australia, Japan, and Singapore, led several negotiating sessions with Initiative participants in 2024. On July 26, 2024, the co-convenors released a text for consideration by Initiative participants.

*For further discussion, see Chapter III.G Services and Trade.*

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<sup>3</sup> More formally known as the “WTO Ministerial Declaration on Trade in Information Technology Products” (WT/MIN(96)/16).

<sup>4</sup> A subset of ITA participants concluded negotiations to expand significantly the product coverage of the ITA in 2015. Under the Declaration on the Expansion of Trade in Information Technology Products (ITA Expansion Agreement) (WT/MIN(15)/25), each participant agreed to implement its initial tariff reductions for covered products beginning on July 1, 2016, subject to completion of its domestic procedural requirements.

<sup>5</sup> The relevant procedures are detailed in the “Decision on 26 March 1980 on Procedures for Modification and Rectification of Schedules of Tariff Concessions” (BISD 27S/25).

## **Joint Statement Initiative on Services Domestic Regulation**

In February 2024, WTO Members announced at the Thirteenth WTO Ministerial Conference the entry into force of new disciplines on services domestic regulation as part of the Joint Statement Initiative on Services Domestic Regulation (DR JSI). The DR JSI focused on increasing transparency, predictability, and efficiency of authorization procedures for service providers hoping to do business in foreign markets. As of December 31, 2024, the new disciplines have entered into force for 50 WTO Members, including the United States, and over 70 WTO Members have committed to implement the disciplines through their WTO services schedules.

## **2. Informal Working Groups and Dialogues**

### **Informal Working Group on Micro, Small, and Medium-Sized Enterprises**

The United States has participated in the Informal Working Group on Micro, Small, and Medium-Sized Enterprises (MSMEs IWG) since December 2022. The MSMEs IWG was created in December 2017 to explore ways Members could better support MSMEs' participation in global trade. As of December 31, 2024, 103 WTO Members participate in the MSMEs IWG.

In 2024, the MSMEs IWG was chaired by Barbados and held four regular meetings, in March, July, October, and December, in addition to the IWG's annual meeting with private sector stakeholders in July, which discussed Authorized Economic Operator (AEO) programs, the importance of business support organizations, challenges MSMEs face in raising capital, and the importance of intellectual property protection for MSMEs. The IWG also held a meeting of the Trade4MSMEs network, a partnership of international organizations aimed at improving the capacity of MSMEs to participate in world trade, in October.

On November 18, 2024, the MSMEs IWG jointly hosted a workshop with the WTO Informal Working Group on Trade and Gender focused on "Empowering Women-Led MSMEs: Unlocking Growth Through Intellectual Property." In addition, the two groups launched a compendium on Access to Finance for Women-led MSMEs. The compendium included a section that highlighted the U.S. strategy on Global Women's Economic Security.

### **Informal Working Group on Trade and Gender**

The United States actively participated in the Informal Working Group on Trade and Gender (IWGTG) during 2024. The IWGTG was established in 2020 to advance women's participation in global trade. It currently has over 120 members.

### **Trade and Environmental Sustainability Structured Discussions**

In 2024, the United States participated actively in the plurilateral, informal dialogue known as the Trade and Environmental Sustainability Structured Discussions (TESSD). In the three substantive informal working group meetings and two plenary sessions the United States proactively advanced deliberations on policy priorities on trade-related climate measures and a trade-facilitative approach to a more circular economy. The United States engaged actively in discussions on climate-related goods and services to identify where barriers to trade and supply chain bottlenecks exist for certain goods and services. The United States continued to advocate for the TESSD to look for opportunities to use these discussions to reinvigorate the Committee on Trade and Environment (CTE) as the standing body dedicated to trade and environment at the WTO.

*For further discussion, see Chapter III.C.3 Environment and Trade, Regional, Multilateral, and International Organizations Engagement.*



# **VI. TRADE POLICY DEVELOPMENT PROCESSES**

## **A. POLICY COORDINATION**

The Office of the United States Trade Representative (USTR) has primary responsibility, with the advice of the interagency trade policy organization, for developing and coordinating the implementation of U.S. trade policy, including on commodity matters (e.g., coffee and rubber) and, to the extent they are related to trade, direct investment matters.

Under the Trade Expansion Act of 1962, the U.S. Congress established an interagency trade policy mechanism to assist with the implementation of trade policy. This organization, as it has evolved, consists of tiers of interagency committees that constitute the principal mechanism for advising USTR as it develops and coordinates U.S. Government positions on international trade and trade-related investment issues.

USTR chairs and administers both the Trade Policy Review Group (TPRG) and the Trade Policy Staff Committee (TPSC). The TPRG's membership is at the Deputy/Under Secretary level. The TPSC's membership is at the senior civil servant level. The 21 voting member agencies of the TPRG and TPSC are: USTR, the U.S. Departments of Commerce, Agriculture, State, Treasury, Labor, Justice, Defense, Interior, Transportation, Energy, Health and Human Services, and Homeland Security; the Environmental Protection Agency; the Office of Management and Budget; the Council of Economic Advisers; the Council on Environmental Quality; the U.S. Agency for International Development; the Small Business Administration; the National Economic Council; and the National Security Council. The U.S. International Trade Commission is a non-voting member of the TPSC and an observer at TPRG meetings. USTR may invite representatives of other agencies to attend meetings depending on the specific issues discussed.

Supporting the TPSC are over 100 subcommittees responsible for specialized issues. Through the TPSC process, USTR requests input and analysis from the subject matter experts of the appropriate TPSC subcommittee or task force. The conclusions and recommendations of the subcommittee or task force are presented to the TPSC and serve as the basis for reaching interagency consensus. In cases where the TPSC does not reach consensus on a topic, or if the issue under consideration involves particularly significant policy questions, the issue may be referred to the TPRG or to Cabinet Principals.

The TPSC regularly seeks advice from the public on policy decisions and negotiations through *Federal Register* notices and public hearings.

In 2024, the TPSC held public hearings regarding: the Operation of the USMCA with respect to Trade in Automotive Goods (February); the 2024 Special 301 Review (February); China's Acts, Policies, and Practices Targeting the Maritime, Logistics, and Shipbuilding Sectors for Dominance (May); Russia's Implementation of Its World Trade Organization Commitments (August); China's Compliance with World Trade Organization Commitments (August); and U.S. action following determination of import injury with regard to Fine Denier Polyester Staple Fiber (PSF) (August).

The TPSC also invited written comment from the public on a number of matters, including: Exclusions: China's Acts, Policies, and Practices Related to Technology Transfer, Intellectual Property, and Innovation (January); Initiation of Section 301 Investigation: China's Acts, Policies, and Practices Targeting the Maritime, Logistics, and Shipbuilding Sectors for Dominance (April); Request for Comments and Notice

of Public Hearing Concerning the Annual Review of Country Eligibility for Benefits under the African Growth and Opportunity Act for Calendar Year 2025 (May); Request for Comments on Proposed Modifications and Machinery Exclusion Process in Four-Year Review of Actions Taken in the Section 301 Investigation: China's Acts, Policies, and Practices Related to Technology Transfer, Intellectual Property, and Innovation (May); Notice of Extension of Certain Exclusions: China's Acts, Policies, and Practices Related to Technology Transfer, Intellectual Property, and Innovation (May); Request for Comments on Americas Partnership for Economic Prosperity-Trade Track (June); Request for Comments and Public Hearing About the Administration's Action Following a Determination of Import Injury With Regard to Fine Denier Polyester Staple Fiber (PSF) (August); Request for Comments and Notice of Public Hearing Concerning Russia's Implementation of Its World Trade Organization Commitments (August); Request for Comments and Notice of Public Hearing Concerning China's Compliance With World Trade Organization Commitments (August); 2024 Review of Notorious Markets for Counterfeiting and Piracy: Comment Request (August); Request for Comments on Significant Foreign Trade Barriers for the 2025 National Trade Estimate Report (September); Request for Comments on Proposed Modifications: China's Acts, Policies and Practices Related to Technology Transfer, Intellectual Property and Innovation (September); Request for Comments and Notice of Public Hearing on Nicaragua's Acts, Policies, and Practices Related to Labor Rights, Human Rights, and the Rule Of Law (December); Request for Comments and Notice of Public Hearing on China's Acts, Policies, and Practices Related to Targeting of the Semiconductor Industry for Dominance (December); and Request for Comments and Notice of Public Hearing on the 2025 Special 301 Review (December). All written comments (not containing business confidential information) are posted on <http://www.regulations.gov> to ensure transparency.

## B. TRANSPARENCY AND PUBLIC INPUT

The Office of the United States Trade Representative (USTR) drew on congressional direction and advice from a wide array of diverse stakeholders including business, labor, agriculture, civil society, and the general public and has broadened opportunities for public input and worked to ensure the transparency of trade policy through various initiatives carried out by USTR's Office of Intergovernmental Affairs and Public Engagement (IAPE).

The Office of IAPE works with USTR's Offices of Public and Media Affairs and Congressional Affairs to coordinate with USTR's 13 regional and functional offices, the Office of WTO and Multilateral Affairs, the Office of General Counsel, the Office of Trade Policy Coordination, and the Office of Economic Affairs to ensure that timely trade information is available to the public and disseminated widely to stakeholders. This is accomplished in part via USTR's interactive website, online postings of *Federal Register* notices soliciting public comment and input, participation in public hearings held by the Trade Policy Staff Committee (TPSC), and offering opportunities for public comment and interaction with negotiators during trade negotiations. The Office of the IAPE manages the agency's outreach to and engagement with a diverse set of stakeholder sectors, including: Tribal, State, and local governments; labor unions; environmental organizations; agriculture groups; small and medium-sized businesses; other business and trade associations; consumer advocacy groups; non-governmental organizations; academia; civil society; think tanks; and, others. The Office of IAPE also provides regular updates to help the public understand and evaluate the role of trade; and, participates in discussions of trade policy at major domestic trade events and academic conferences. In addition to public outreach, the Office of IAPE is responsible for administering USTR's statutory advisory committee system, created by the U.S. Congress under the Trade Act of 1974, as amended, as well as facilitating consultations with Tribal, State, and local governments regarding the President's trade priorities and the status of trade negotiations that may affect them or touch upon Tribal, State, and local government policies. Each of these elements is discussed below.

## 1. Transparency

The Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (2015 TPA) set a goal of improving congressional oversight of negotiations and enforcement, encouraging public participation in policymaking, broadening stakeholder access and input, and ensuring senior-level institutional attention to transparency across the range of USTR's work. USTR continues to make strides in accomplishing these goals:

- During 2024, USTR continued to follow the Transparency Principles released in May 2021 by the U.S. Trade Representative to establish the foundation for a high transparency standard for the day-to-day operations of USTR. These Transparency Principles reflect USTR's commitment to comprehensive public engagement, including outreach to underserved communities, as it develops and implements a trade policy that advances the interests of all Americans. In the Transparency Principles, USTR commits to adhere to the Guidelines for Consultation and Engagement adopted in October 2015, among other things.
- The USTR Acting General Counsel serves as the Acting Chief Transparency Officer (CTO) in charge of leading the agency's efforts to put the Transparency Principles into action and identifying further opportunities for improving transparency in the development of U.S. trade policy. The position of the CTO was created by 2015 TPA and charges the official with taking concrete steps to increase transparency in trade negotiations, engage with the public, and consult with Congress on transparency policy.
- To broaden access to negotiating texts and further encourage congressional participation, USTR in 2024 made negotiating texts available to Members of Congress and their appropriately cleared staff, including professional staff with an appropriate security clearance of the Committees on Finance and Ways and Means, professional staff with an appropriate security clearance from other Committees interested in reviewing text relevant to that Committee's jurisdiction, personal office staffers with an appropriate security clearance of any Member of the Committees on Finance and Ways and Means, and personal office staff with an appropriate security clearance accompanying his or her Member of Congress. Any Member of the House or Senate Advisory Group on Negotiations, or any Member designated a congressional advisor on trade policy and negotiations by the Speaker of the House or the President *pro tempore* of the Senate (in both cases after consultation with the Chairman and Ranking Member of the appropriate committees of jurisdiction), and up to three professional staff with an appropriate security clearance from each of the Committees on Finance and Ways and Means is accredited to negotiating rounds. In response to the COVID-19 pandemic, and at the request of Congress, USTR improved access to classified text using a secure website. USTR also worked with the Senate to allow relevant Senate staff to review negotiating text after receiving interim security clearance.
- USTR also provided information to the public and interested stakeholders during 2024 regarding significant trade agreement negotiations and other trade developments by releasing summaries of negotiating text, releasing information on the schedules of negotiating rounds; publishing *Federal Register* notices for significant negotiations; holding public hearings on negotiations and other trade priorities; holding regular public events during negotiations, in which stakeholders and the public met with USTR negotiators directly involved in particular agreements; and, other means.

## **2. Public Outreach**

### **Federal Register Notices Seeking Public Input/Comments and Public Hearings**

In 2024, USTR published approximately 43 *Federal Register* notices to solicit public comment on negotiations and policy decisions on a wide range of issues, including the annual Special 301 review, the Out-of-Cycle Review of Notorious Markets, the China 301 Investigation, digital services taxation, the Section 201 proceeding involving solar products, market opportunities for U.S. producers in overseas airport construction, the U.S.–Kenya Strategic Trade and Investment Partnership, the U.S.–Taiwan Initiative on 21st-Century Trade, promoting supply chain resilience, and other topics. Public comments received in response to *Federal Register* notices are available for inspection at [www.regulations.gov](http://www.regulations.gov).

USTR also held public hearings or invited written comment from the public, as appropriate, regarding a variety of trade policy initiatives, including the U.S.–Taiwan Initiative on 21st-Century Trade, the U.S.–Kenya Strategic Trade and Investment Partnership, and promoting supply chain resilience.

*For a discussion of TPSC public hearings and advice, see Chapter VI.A Policy Coordination.*

### **Open Door Policy**

USTR officials, including the U.S. Trade Representative and staff in the Office of IAPE, conducted outreach with a broad array of stakeholders, including agricultural commodity groups and farm associations, labor unions, environmental organizations, consumer groups, large and small businesses, trade associations, consumer advocacy groups, faith groups, development and poverty relief organizations, other public interest groups, civil and human rights groups, Tribal Nations, State and local governments, non-governmental organizations, think tanks, and academics to discuss specific trade policy issues, subject to negotiator availability and scheduling.

## **3. The Trade Advisory Committee System**

Congress established the trade advisory committee system to ensure that U.S. trade policy and trade negotiating objectives adequately reflect U.S. public and private sector interests. The system is a central means of ensuring that USTR’s senior officials and line negotiators receive ideas, input, and critiques from a wide range of public interests. The system now consists of 27 advisory committees, with a total membership of up to approximately 700 advisors. Advisory committee members represent a wide range of interests, including: manufacturing; agriculture; digital trade; intellectual property; services; small businesses; labor; environment, consumer, and public health organizations; and State and local governments.

USTR manages the Advisory Committee on Trade Policy Negotiations (ACTPN); the Intergovernmental Policy Advisory Committee (IGPAC); the Trade Advisory Committee on Africa (TACA); and the Trade and Environment Policy Advisory Committee (TEPAC). USTR co-manages the Agricultural Policy Advisory Committee (APAC) and the Seasonal and Perishable Agricultural Products Advisory Committee (SPAPAC) with the U.S. Department of Agriculture. USTR co-manages the Labor Advisory Committee (LAC) with the U.S. Department of Labor. USTR also co-manages 20 technical and sectoral advisory committees organized by industry and agriculture in conjunction with the U.S. Department of Commerce and the U.S. Department of Agriculture, respectively.

The trade advisory committees provide information and advice on U.S. negotiating objectives, the operation of trade agreements, and other matters arising in connection with the development, implementation, and administration of U.S. trade policy.

Recommendations for candidates for committee membership are collected from a number of sources, including associations and organizations, publications, other federal agencies, responses to *Federal Register* notices, and self-nominated individuals who have demonstrated an interest in, and knowledge of, U.S. trade policy. Membership selection is based on qualifications, diversity of sectors and geography represented, and the needs of the specific committee to maintain a balance of the perspectives represented. Committee members are required to have a security clearance in order to serve and have access to confidential trade documents on a secure encrypted website. Committees meet regularly in Washington, D.C., as well as in conference call meetings and videoconference meetings, to provide input and advice to USTR and other agencies. Members pay for their own travel and related expenses.

For additional information on the advisory committees, see the [USTR website](#).

### **Tier I: President's Advisory Committee on Trade Policy and Negotiations**

As the highest-level committee in the system, the President's Advisory Committee on Trade Policy and Negotiations (ACTPN) examines U.S. trade policy and agreements from the broad context of the overall national interest. The ACTPN consists of no more than 45 members, who are broadly representative of the key economic sectors of the economy affected by trade, including non-federal governments, labor, industry, agriculture, small business, service industries, retailers, and consumer interests. The President appoints ACTPN members to four-year terms not to exceed the duration of the charter.

A list of all the ACTPN members and the diverse interests they represent is available on the [USTR website](#).

### **Tier II: Policy Advisory Committees**

Members of the five policy advisory committees are appointed by the U.S. Trade Representative or in conjunction with other Cabinet officers. The Agricultural Policy Advisory Committee (APAC) and the Seasonal and Perishable Agricultural Products Advisory Committee (SPAPAC) are managed jointly with the U.S. Department of Agriculture. The Labor Advisory Committee for Trade Negotiations and Trade Policy (LAC) is managed jointly with the U.S. Department of Labor. The Intergovernmental Policy Advisory Committee on Trade (IGPAC), the Trade and Environment Policy Advisory Committee (TEPAC), and the Trade Advisory Committee on Africa (TACA) are appointed and managed solely by USTR. Each committee provides advice based upon the perspective of its specific area, and its members are chosen to represent the diversity of interests in those areas.

A list of all the members of the Committees and the diverse interests they represent is available on the [USTR website](#).

#### **Agricultural Policy Advisory Committee**

The Agricultural Policy Advisory Committee (APAC) is designed to represent a broad spectrum of agricultural interests, including the interests of farmers, ranchers, processors, renderers, and public advocates, for the range of food and agricultural products grown and produced in the United States. Members serve at the discretion of the U.S. Secretary of Agriculture and the U.S. Trade Representative. The Secretary of Agriculture and the U.S. Trade Representative jointly appoint a maximum of 40 members to four-year terms.

### **Seasonal and Perishable Agricultural Products Advisory Committee**

The Seasonal and Perishable Agricultural Products Advisory Committee (SPAPAC) was established in 2024 to provide advice and recommendations to the U.S. Trade Representative and the U.S. Secretary of Agriculture in connection with U.S. trade policy that concerns administrative actions and legislation that would promote the competitiveness of southeastern U.S. producers of seasonal and perishable agricultural products. The SPAPAC consists of members who have expertise in general trade, investment, and development issues, and represent the views and interests of southeastern U.S. producers of seasonal and perishable agricultural products. The U.S. Secretary of Agriculture and the U.S. Trade Representative jointly appoint a maximum of 25 members to four-year terms not to exceed the duration of the charter.

### **Labor Advisory Committee**

The Labor Advisory Committee (LAC) consists of not more than 30 members from the U.S. labor community appointed by the U.S. Trade Representative and the U.S. Secretary of Labor, acting jointly. Members represent unions from all sectors of the economy including steel, automotive, aerospace, farmworkers, teachers, pilots, artists, machinists, service workers, and food and commercial workers. Members are appointed by, and serve at the discretion of, the U.S. Secretary of Labor and the U.S. Trade Representative.

### **Intergovernmental Policy Advisory Committee on Trade**

The Intergovernmental Policy Advisory Committee on Trade (IGPAC) consists of not more than 35 members appointed from, and representative of, the various States and other non-federal governmental entities within the jurisdiction of the United States. These entities include, but are not limited to, the executive and legislative branches of Tribal, State, county, and municipal governments. Members may hold elective or appointive office. Members are appointed by, and serve at the discretion of, the U.S. Trade Representative.

### **Trade and Environment Policy Advisory Committee**

The Trade and Environment Policy Advisory Committee (TEPAC) consists of not more than 35 members, including, but not limited to, representatives from environmental interest groups, industry, services, academia, and non-federal governments. The Committee is designed to be broadly representative of key sectors and groups of the economy with an interest in trade and environmental policy issues. Members of the Committee are appointed by, and serve at the discretion of, the U.S. Trade Representative.

### **Trade Advisory Committee on Africa**

The Trade Advisory Committee on Africa (TACA) consists of not more than 30 members, including, but not limited to, representatives from industry, labor, investment, agriculture, services, academia, and non-profit development organizations. The members of the Committee are appointed to be broadly representative of key sectors and groups with an interest in trade and development in sub-Saharan Africa, including non-profit organizations, producers, and retailers. Members of the committee are appointed by, and serve at the discretion of, the U.S. Trade Representative.

### **Tier III: Technical and Sectoral Committees**

The 20 technical and sectoral advisory committees are organized into the two areas of agriculture and industry. Representatives are appointed jointly by the U.S. Trade Representative and the U.S. Secretaries of Agriculture or Commerce, respectively. Each sectoral or technical committee represents a specific

sector, commodity group, or functional area and provides specific technical advice concerning the effect that trade policy decisions may have on its sector or issue.

### **Agricultural Technical Advisory Committees**

There are six Agricultural Technical Advisory Committees (ATACs) focusing on the following products: (1) Animals and Animal Products; (2) Fruits and Vegetables; (3) Grains, Feed, Oilseeds, and Planting Seeds; (4) Processed Foods; (5) Sweeteners and Sweetener Products; and (6) Tobacco, Cotton, Peanuts, and Hemp. Members of each committee are appointed by, and serve at the discretion of, the U.S. Secretary of Agriculture and the U.S. Trade Representative. Members must represent a U.S. entity with an interest in agricultural trade and should have expertise and knowledge of agricultural trade as it relates to policy and commodity-specific products. In appointing members to the committees, balance is achieved and maintained by assuring that the members appointed represent entities across the range of agricultural interests that will be directly affected by the trade policies of concern to the committee (*e.g.*, farm producers, farm and commodity organizations, processors, traders, and consumers). Geographical balance on each committee is also sought.

A list of all the members of the committees and the diverse interests they represent is available on the [U.S. Department of Agriculture](#) website.

### **Industry Trade Advisory Committees**

There are 15 industry trade advisory committees (ITACs). As of December 31, 2024, those committees are: Aerospace Equipment (ITAC 1); Automotive Equipment and Capital Goods (ITAC 2); Chemicals, Pharmaceuticals, Health/Science Products and Services (ITAC 3); Consumer Goods (ITAC 4); Critical minerals and Nonferrous Metals (ITAC 5); Digital Economy (ITAC 6); Energy and Energy Services (ITAC 7); Forest Products and Building Materials (ITAC 8); Small, Minority, and Woman-led Business (ITAC 9); Services (ITAC 10); Steel (ITAC 11); Textiles and Clothing (ITAC 12); Customs Matters and Trade Facilitation (ITAC 13); Intellectual Property Rights (ITAC 14); and, Standards and Technical Trade Barriers (ITAC 15). Additionally, there is a Committee of Chairs of the Industry Trade Advisory Committees, which is comprised of the Chairs of the 15 ITACs.

Members of the ITACs are appointed jointly by the U.S. Secretary of Commerce and the U.S. Trade Representative and serve at their discretion. Membership on the Committee of Chairs is automatically conferred by virtue of being elected Chair of an ITAC. Each of the committees consists of not more than 50 members representing diverse interests and perspectives, which may include, but are not limited to, labor unions, manufacturers, exporters, importers, service suppliers, producers, and representatives of small and large business. Committee members should have knowledge and experience in their industry or interest area and represent a U.S. entity that has an interest in trade matters related to the sectors or subject matters of concern to the individual committees. In appointing members to the committees, balance is ensured in terms of points of view, demographics, geography, and entity or organization size.

A list of all the members of the committees and the diverse interests the committees and their respective memberships represent is available on the [U.S. Department of Commerce](#) website.

## **4. Tribal, State, and Local Government Relations**

USTR maintains consultative procedures between federal trade officials and Tribal, state, and local governments. USTR informs the states, on an ongoing basis, of trade-related matters that directly relate to, or that may have a direct effect on, them. U.S. territories may also participate in this process. USTR also

serves as a liaison point in the Executive Branch for state and local government and federal agencies to transmit information to interested state and local governments, and relay advice and information from the states on trade-related matters. This is accomplished through a number of mechanisms, detailed below.

### **State Single Point of Contact System and IGPAC**

#### **State Single Point of Contact System**

For day-to-day communications, USTR operates a State Single Point of Contact (SPOC) system. The Governor's office in each state and territory designates a single contact point to disseminate information received from USTR to relevant state and local offices and assist in relaying specific information and advice from the states to USTR on trade-related matters. Through the SPOC network, state governments are promptly informed of U.S. trade initiatives so that they can provide companies and workers with information in order to take full advantage of increased foreign market access and reduced trade barriers. It also enables USTR to consult with states and localities directly on trade matters that may affect them.

#### **Intergovernmental Policy Advisory Committee on Trade**

USTR works closely with the Intergovernmental Policy Advisory Committee on Trade (IGPAC) made up of various state and local officials. The IGPAC makes recommendations to USTR and the Administration on trade policy matters from the perspective of Tribal, state and local governments. IGPAC members are also invited to participate in periodic teleconference briefings, similar to teleconference calls held for SPOC and chairs of the advisory committees.

#### **Meetings of Tribal, State, and Local Associations, and Business and Trade Associations**

USTR officials participate frequently in meetings of state and local government associations and local business and trade associations to apprise them of relevant trade policy issues and solicit their views. USTR senior officials have met with the National Governors' Association, the U.S. Conference of Mayors, and other Tribal, state, and local commissions and organizations.

#### **Consultations Regarding Specific Trade Issues**

USTR consults with Tribal leaders, states, and localities on issues arising under the WTO and other U.S. trade agreements and frequently responds to requests for information from State and local governments. The U.S. Trade Representative also hosts Tribal consultation meetings with Tribal leaders and their designees.

### **5. Freedom of Information Act**

USTR is subject to the Freedom of Information Act (FOIA), a law that provides the public with a right of access to federal agency records except to the extent those records are protected from disclosure under particular FOIA exemptions or exceptions. Detailed information about the USTR FOIA program is available on the [USTR website](#). The number of FOIA requests USTR received in fiscal year 2024 doubled to 135 requests. Over the course of the fiscal year USTR processed 113 FOIA requests. The USTR FOIA Office demonstrated its ongoing commitment to transparency by, among other things, maintaining an average processing time below the U.S. Government-wide average despite the increase in number of large and multifaceted FOIA requests. In addition, the USTR FOIA Office proactively added links to certain materials in anticipation of high public interest, such as the confidentiality arrangements with trade

negotiating partners. The USTR FOIA Office also updated frequently requested records including USTR's FOIA logs on a quarterly basis. Proactively disclosed information is available in the [USTR FOIA Library](#).

## C. CONGRESSIONAL CONSULTATIONS

The Office of the United States Trade Representative (USTR) continued robust consultations with the U.S. Congress in 2024. USTR consulted with congressional committees and the leadership of both parties in the U.S. Senate and U.S. House of Representatives, held numerous meetings and calls with Members of Congress and their staff, participated in congressional hearings, and supported congressional delegations overseas to meet with trading partners and multilateral organizations. The U.S. Trade Representative also engaged with Members of Congress in their districts and States, and, the U.S. Trade Representative and USTR officials traveled to all 50 States, meeting with constituents, including workers, farmers, businesses, and community-based organizations.

To ensure congressional participation, USTR held extensive consultations with Members of Congress and their staff. It also made negotiating text available to Members of Congress and appropriately cleared staff, including professional staff with an appropriate security clearance of the Committees on Finance and Ways and Means, professional staff with an appropriate security clearance from other committees interested in reviewing text relevant to that committee's jurisdiction, personal office staff with an appropriate security clearance of a Member of the Committees on Finance and Ways and Means, and personal office staff with an appropriate security clearance accompanying his or her Member of Congress.

In addition, bipartisan congressional staff delegations attended USTR trade negotiations, including the U.S.–Kenya Strategic Trade and Investment Partnership (STIP) in Kenya, and the U.S.–Taiwan Initiative on 21st-Century Trade in Taiwan. During these engagements, congressional staff received daily updates and provided input on the negotiations. Members of Congress also attended the annual African Growth and Opportunity Act (AGOA) Forum where they participated in trade discussions with trade delegations from African nations.

These engagements and consultations kept Congress abreast of USTR activities and ensured Congress had ample opportunities to inform U.S. trade policy.



## **ANNEX I**



# U.S. TRADE IN 2024

## I. 2024 OVERVIEW

During 2024, the global economy expanded at an estimated 3.2 percent in real terms, while trade of goods and services grew at 3.1 percent. This modest growth in world output and total trade during 2024 represented a continued slowdown from sharp increases in both measures in 2021, when recovery from the worst of the pandemic was beginning, and during 2022, when output and trade began to moderate at 3.6 percent and 5.7 percent, respectively. Normalization of output and trade growth during 2024 coincided with moderation in consumer prices, especially in advanced economies.<sup>1</sup> Lingering effects from the pandemic in certain economies and ongoing impacts from conflict in Ukraine nonetheless continue to generate headwinds to achieving a complete recovery from shocks experienced at the start of this decade.

U.S. trade in 2024 stabilized after volatility starting in 2020. Total U.S. trade (exports and imports of goods and services) increased 5.4 percent (\$373.1 billion) to \$7.3 trillion in 2024,<sup>2</sup> following a decrease of 1.4 percent in 2023 (*Figure 1*). U.S. exports of goods and services increased 3.9 percent (\$119.8 billion) in 2024, making for a marked slowdown in 2024 from the 18.8 percent and 17.6 percent increases in 2021 and 2022, respectively. Goods exports increased 1.9 percent (\$38.6 billion) in 2024 and services exports increased 7.9 percent (\$81.2 billion). U.S. imports of goods and services increased 6.6 percent (\$253.3 billion) in 2024 (*i.e.*, U.S. imports of goods increased 6.0 percent (\$187.1 billion) and U.S. imports of services increased 8.9 percent (\$66.2 billion)).

Total U.S. trade as a share of GDP increased slightly in 2024, representing 25.0 percent of GDP, up from 24.8 percent in 2023 but down from 26.3 percent in 2019, and well below the 30-percent levels reached during the 2011-2013 period (*Figure 2*). In 2024, U.S. exports represented 10.9 percent of U.S. GDP, down slightly from 11.0 percent in 2023. U.S. imports represented 14.1 percent of U.S. GDP in 2024, up from 13.8 percent in 2023.<sup>3</sup>

In real terms, U.S. trade was up 0.5 percent in 2024, equal to the 0.5 percent increase in 2023.<sup>4</sup> Real U.S. exports of goods and services were up 3.2 percent in 2024, compared to an increase of 2.8 percent in 2023, while real U.S. imports of goods and services were up 5.4 percent, compared to a decrease of 1.2 percent in 2023. U.S. exports of goods and services contributed 0.35 percentage points to U.S. GDP growth of 2.8 percent in 2024.

The U.S. deficit in goods and services trade increased by \$133.5 billion (17.0 percent) in 2024 to \$918.4 billion. As a share of GDP, the U.S. deficit increased from 2.8 percent in 2023 to 3.1 percent in 2024, and remained below its high of 5.5 percent in 2006.

The U.S. deficit in goods trade alone increased 14.0 percent (\$148.5 billion) to \$1.2 trillion in 2024. The U.S. services trade surplus increased, up 5.4 percent (\$14.9 billion) to \$293.3 billion in 2024. As a share of GDP, the U.S. goods deficit rose from 3.9 percent in 2023 to 4.2 percent in 2024, and the U.S. services surplus decreased slightly from 1.1 percent in 2023 to 1.0 percent in 2024.

<sup>1</sup> IMF, World Economic Outlook Update, January 2025.

<sup>2</sup> On a balance of payments (BOP) basis.

<sup>3</sup> The broadest measure of commercial trade is from the U.S. Current Account and includes goods and services as well as earnings/payments on foreign investment and current transfers. Earnings are considered trade because they are the payment made/received to foreign/U.S. residents for the service rendered by the use of foreign/U.S. capital. Based on the Current Account, trade increased by 5.6 percent in the first three quarters of 2024 (latest data available) and represented an annualized estimate of 36.9 percent of GDP (based on the first 3 quarters of 2024), up from 36.6 percent in full year 2023.

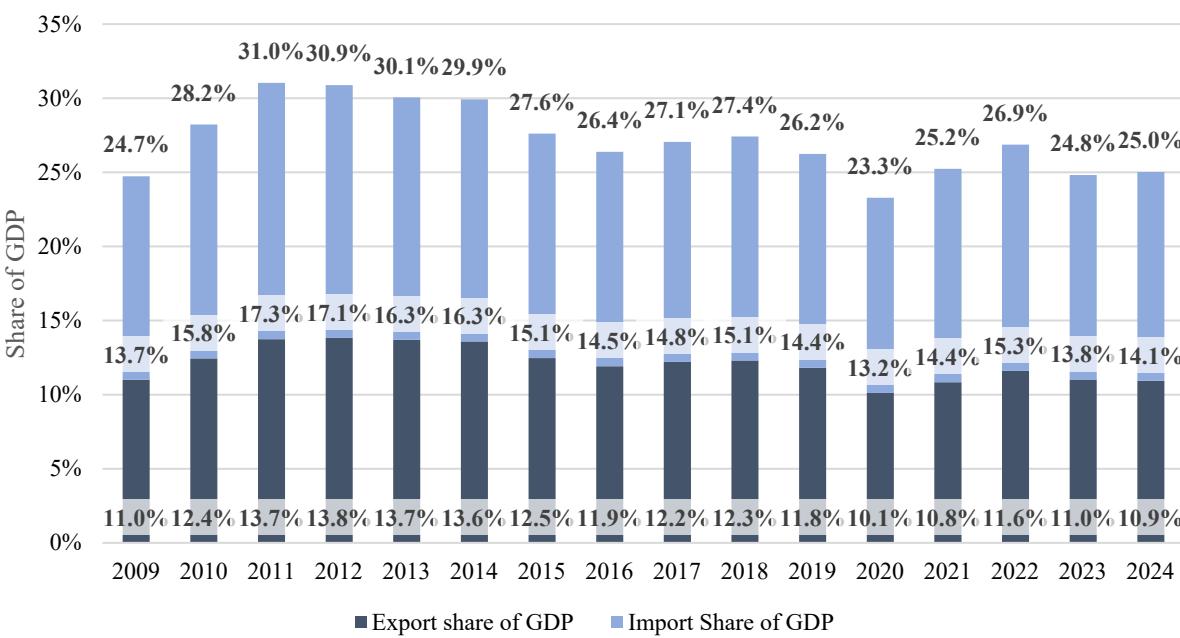
<sup>4</sup> On a National Income Products Account basis.

**Figure 1 - Value of Goods and Services Trade, Exports, Imports and Total**



Source: U.S. Department of Commerce

**Figure 2 - Goods and Services Trade as a Share of GDP, Exports, Imports and Total Trade**



Source: U.S. Department of Commerce

## II. THE U.S. TRADE BALANCE

The total U.S. deficit in goods and services trade<sup>5</sup> increased 17.0 percent (\$133.5 billion) in 2024 to \$918.4 billion. The U.S. deficit increased as a share of GDP, from 2.8 percent of GDP in 2023 to 3.1 percent of GDP in 2024, but remained substantially lower than the record high of 5.5 percent in 2006.

The U.S. deficit in goods trade alone increased 14.0 percent (\$148.5 billion) from \$1.1 trillion in 2023 (3.9 percent of GDP) to a \$1.2 trillion in 2024 (4.2 percent of GDP). The U.S. surplus in services trade increased 5.4 percent (\$14.9 billion), from \$278.4 billion in 2023 (1.1 percent of GDP) to \$293.3 billion in 2024 (1.0 percent of GDP), and was the highest since 2019 (\$297.9 billion).

Table 1 - U.S. Trade Balances						
	2019	2020	2021	2022	2023	2024
U.S. Trade Balances as a share of GDP						
<b>Goods and Services</b>	<b>-2.6%</b>	<b>-3.1%</b>	<b>-3.6%</b>	<b>-3.7%</b>	<b>-2.8%</b>	<b>-3.1%</b>
Goods	-4.0%	-4.3%	-4.6%	-4.6%	-3.9%	-4.2%
Services	1.4%	1.2%	1.0%	0.9%	1.1%	1.0%
U.S. Trade Balances with the World (\$Billions)						
<b>Goods and Services</b>	<b>-559.4</b>	<b>-652.9</b>	<b>-841.6</b>	<b>-951.2</b>	<b>-773.4</b>	<b>-918.4</b>
Goods	-857.3	-912.9	-1,083.5	-1,183.0	-1,063.3	-1,211.7
Services	297.9	260.0	241.9	231.8	278.4	293.3

Source: U.S. Department of Commerce

## III. Exports

U.S. exports of goods and services increased 3.9 percent (\$119.8 billion) in 2024 to a record \$3.2 trillion, and were up 25.3 percent since 2019 (*Table 2*). U.S. goods exports increased 1.9 percent (\$38.6 billion) to \$2.1 trillion, while U.S. services exports increased 7.9 percent (\$81.2 billion) to a record \$1.0 trillion.

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<sup>5</sup> On a balance of payments basis.

**Table 2 - U.S. Exports**

	Value (\$Billions)			% Change	
	2019	2023	2024	19-24	23-24
<b>Total Goods and Services</b>	<b>2,546.3</b>	<b>3,071.8</b>	<b>3,191.6</b>	<b>25.3%</b>	<b>3.9%</b>
<b>Goods on a BOP Basis</b>	<b>1,655.1</b>	<b>2,045.2</b>	<b>2,083.8</b>	<b>25.9%</b>	<b>1.9%</b>
Foods, Feeds, Beverages	131.0	161.9	165.3	26.1%	2.1%
Industrial Supplies	529.5	729.7	727.0	37.3%	-0.4%
Capital Goods	550.5	602.2	642.4	16.7%	6.7%
Autos and Auto Parts	163.1	180.0	169.2	3.8%	-6.0%
Consumer Goods	205.6	259.5	258.7	25.8%	-0.3%
Other Goods	66.3	84.8	102.7	54.9%	21.1%
Petroleum	179.3	275.4	280.7	56.6%	1.9%
Manufacturing	1,368.6	1,602.0	1,638.1	19.7%	2.3%
Agriculture	147.1	180.7	183.7	24.9%	1.6%
<b>Services</b>	<b>891.2</b>	<b>1,026.6</b>	<b>1,107.8</b>	<b>24.3%</b>	<b>7.9%</b>
Maintenance and repair services	27.7	15.9	19.5	-29.6%	22.1%
Transport	91.1	97.8	103.3	13.4%	5.6%
Travel	199.0	189.1	215.4	8.3%	13.9%
Construction	3.2	1.5	2.4	-25.7%	53.7%
Insurance services	18.6	25.0	27.4	47.2%	9.5%
Financial services	142.5	175.5	187.1	31.3%	6.6%
Charges for the use of intellectual property	122.5	134.4	142.7	16.5%	6.1%
Telecom, computer, and information services	55.7	70.6	82.6	48.1%	16.9%
Other business services	186.2	253.2	269.2	44.6%	6.3%
Personal, cultural, and recreational services	22.2	30.7	26.6	19.8%	-13.5%
Government goods and services	22.5	32.8	31.8	41.0%	-3.0%

Source: U.S. Department of Commerce, Balance of Payments basis for total, Census basis for goods sectors.

## A. U.S. Goods Exports

U.S. goods exports increased 1.9 percent (\$38.6 billion) in 2024 to \$2.1 trillion (*Table 2*). Goods exports accounted for 65.3 percent of total goods and services exports in 2024. U.S. manufacturing exports, which accounted for 78.6 percent of total goods exports, increased 2.3 percent (\$36.1 billion) in 2024 to \$1.6 trillion, and agricultural exports, which accounted for 8.8 percent of total goods exports, increased 1.6 percent (\$3.0 billion) to \$183.7 billion.

Of the major end-use goods sectors, U.S. export growth in 2024 ranged from a 2.1 percent increase for foods, feeds, beverages to a 21.1 percent increase for “Other Goods.” Exports of capital goods and other

goods reached record highs in 2024, with most other product groups declining from record highs reached in 2022.

Over the last five years (2019 to 2024), U.S. goods exports have increased 25.9 percent (\$428.7 billion). Over the same period, U.S. agricultural exports increased 24.9 percent (\$36.6 billion), while U.S. manufacturing exports increased 19.7 percent (\$269.5 billion). Of the major end-use categories, industrial supplies had the largest increase in value, up 37.3 percent (\$197.5 billion) while foods, feeds, beverages increased by 26.1 percent (\$34.3 billion) and consumer goods increased by 25.8 percent (\$53.1 billion). Goods sectors with the lowest export growth value included autos and auto parts, up just 3.8 percent (\$6.1 billion).

In 2024, U.S. goods exports increased in three of the top five export markets: U.S. goods exports increased to Mexico (up 3.5 percent), Japan (up 5.0 percent), and the European Union<sup>6</sup> (up 0.7 percent) (*Table 3*), while U.S. goods exports decreased to Canada (down 1.4 percent) and China (down 2.9 percent). U.S. goods exports to the 20 U.S. free trade agreement (FTA countries)<sup>7</sup> increased 1.7 percent.<sup>8</sup> U.S. goods exports to advanced economies, accounting for 54.6 percent of U.S. total goods exports, increased 1.0 percent, while U.S. goods exports to emerging markets and developing economies increased 3.7 percent, accounting for 45.4 percent of U.S. total goods exports.

**Table 3 - U.S. Goods Exports to Selected Countries/Regions**

	Value (\$Billions)			% Change	
	2019	2023	2024	19-24	24-23
Canada	292.8	354.4	349.4	19.3%	-1.4%
Mexico	256.7	322.7	334.0	30.1%	3.5%
China	106.5	147.8	143.5	34.7%	-2.9%
Japan	74.5	75.9	79.7	7.0%	5.0%
European Union	268.2	367.6	370.2	38.0%	0.7%
Latin America (excluding Mexico)	161.7	199.7	206.1	27.5%	3.2%
Pacific Rim (excluding Japan and China)	210.1	252.4	268.6	27.8%	6.4%
FTA Countries	768.1	945.6	961.4	25.2%	1.7%
Advanced Economies	913.4	1,115.8	1,126.9	23.4%	1.0%
Emerging Markets and Developing Economies	732.5	903.7	937.5	28.0%	3.7%

Source: U.S. Department of Commerce, Census basis

Advanced Economies and Emerging Markets as defined by the IMF

<sup>6</sup> The European Union is comprised of 27 Member countries: Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, and Sweden.

<sup>7</sup> The United States has entered into FTAs with 20 countries: Australia, Bahrain, Canada, Chile, Colombia, Costa Rica, Dominican Republic, El Salvador, Guatemala, Honduras, Israel, Jordan, Korea, Mexico, Morocco, Nicaragua, Oman, Panama, Peru, and Singapore.

<sup>8</sup> The 20 countries with which the United States currently has FTAs accounted for 46.6 percent of total U.S. goods exports in 2024.

## **B. U.S. Services Exports**

U.S. exports of services increased 7.9 percent (\$81.2 billion) to a record \$1.1 trillion in 2024 (*Table 2*). U.S. services exports accounted for 34.7 percent of the level of U.S. goods and services exports in 2024, up from 33.4 percent in 2023.

Of the eleven major services sectors, nine showed export gains in 2024 ranging from 5.6 percent (\$5.5 billion) for travel to 53.7 percent (\$821 million) for construction. The two services sectors that showed export declines are personal, cultural, and recreational services, down 13.5 percent (\$4.1 billion), and government goods and services, down 3.0 percent (\$985 million).

Over the last five years (2019 to 2024), U.S. services exports increased 24.3 percent (\$216.6 billion). U.S. service sectors with the largest export gains (by percent) included telecom, computer, and information services, up 48.1 percent (\$26.8 billion); insurance services, up 47.2 percent (\$8.8 billion); other business services, up 44.6 percent (\$83.0 billion); and government goods and services, up 41.0 percent (\$9.2 billion). Partially offsetting these export gains were declines in maintenance and repair services, down 29.6 percent (\$11.0 billion), and construction, down 25.7 percent (\$811 million).

The United Kingdom was the largest purchaser of U.S. services exports in 2023 (latest available full year data), accounting for 8.8 percent (\$90.8 billion) of total U.S. services exports. The next four largest purchasers of services exports in 2023 were Canada (\$86.0 billion), Ireland (\$84.3 billion), Switzerland (\$49.7 billion), and China (\$46.7 billion). Regionally, in 2023, the United States exported \$261.7 billion in services to the European Union, \$265.0 billion to the Asia and Pacific region (\$174.6 billion excluding Japan and China), \$144.7 billion to Latin America (excluding Mexico), and \$130.0 billion to Canada and Mexico (the USMCA countries).

## **IV. IMPORTS**

U.S. imports of goods and services increased 6.6 percent (\$253.3 billion) in 2024 to \$4.1 trillion. U.S. goods imports increased 6.0 percent (\$187.1 billion) to \$3.3 trillion, while U.S. services imports increased 8.9 percent (\$66.2 billion) to \$814.4 billion (*Table 4*).

### **A. U.S. Goods Imports**

U.S. goods imports increased 6.0 percent (\$187.1 billion) in 2024 to \$3.3 trillion, accounting for 80.2 percent of total imports (*Table 4*). U.S. manufacturing imports, which accounted for 86.5 percent of total goods imports, increased 6.8 percent (\$181.6 billion) in 2024. U.S. agriculture imports, accounting for 6.5 percent of total goods imports, increased 8.6 percent (\$16.9 billion).

Of the major end-use goods sectors, all but industrial supplies (which was unchanged) showed import increases in 2024, ranging from 12.0 percent (\$103.3 billion) for capital goods to 2.6 percent (\$3.4 billion) for “Other Goods.” Four categories (foods, feeds, beverages; capital goods; autos and auto parts; and “Other Goods”) showed record imports.

**Table 4 - U.S. Imports**

	Value (\$Billions)			% Change	
	2019	2023	2024	19-24	23-24
<b>Total Goods and Services</b>	<b>3,105.7</b>	<b>3,856.7</b>	<b>4,110.0</b>	<b>32.3%</b>	<b>6.6%</b>
<b>Goods on a BOP Basis</b>	<b>2,512.4</b>	<b>3,108.5</b>	<b>3,295.6</b>	<b>31.2%</b>	<b>6.0%</b>
Foods, Feeds, Beverages	150.5	200.2	216.1	43.6%	7.9%
Industrial Supplies	520.6	675.4	675.5	29.8%	0.0%
Capital Goods	674.8	859.1	962.4	42.6%	12.0%
Autos and Auto Parts	374.5	458.2	474.3	26.7%	3.5%
Consumer Goods	653.0	757.7	806.1	23.5%	6.4%
Other Goods	118.4	129.6	133.0	12.3%	2.6%
Petroleum	193.7	242.4	235.8	21.7%	-2.7%
Manufacturing	2,152.9	2,667.7	2,849.3	32.3%	6.8%
Agriculture	142.4	195.9	214.1	50.4%	9.3%
<b>Services</b>	<b>593.6</b>	<b>748.2</b>	<b>814.4</b>	<b>37.2%</b>	<b>8.9%</b>
Maintenance and repair services	8.7	6.5	6.6	-24.7%	1.4%
Transport	112.8	142.9	154.6	37.0%	8.2%
Travel	132.3	158.7	177.9	34.5%	12.1%
Construction	1.4	1.6	1.8	31.8%	12.5%
Insurance services	51.2	64.6	76.2	48.7%	17.9%
Financial services	44.4	62.7	61.6	38.9%	-1.7%
Charges for the use of intellectual property	42.3	47.5	59.8	41.4%	25.7%
Telecom, computer, and information services	42.8	60.1	61.0	42.7%	1.5%
Other business services	112.5	145.1	154.9	37.7%	6.8%
Personal, cultural, and recreational services	21.3	33.0	34.6	62.3%	4.8%
Government goods and services	24.0	25.5	25.6	6.7%	0.3%

Source: U.S. Department of Commerce, Balance of Payments basis, Census basis for goods sectors.

Over the last five years (2019 to 2024), U.S. goods imports increased 31.2 percent (\$783.2 billion). Over this same period, U.S. manufacturing imports increased 32.3 percent (\$696.4 billion), while agricultural imports increased 50.4 percent (\$71.8 billion). All end-use goods sectors showed import gains, ranging from 12.3 percent (\$14.6 billion) for “Other Goods” to 43.6 percent (\$65.6 billion) for foods, feeds, beverages.

In 2024, U.S. goods imports increased for three of the top U.S. five import suppliers: Mexico (up 6.5 percent), the European Union (up 5.1 percent), and Japan (up 0.7 percent) (*Table 5*). Imports from China decreased 2.9 percent (\$4.3 billion) and imports from Canada decreased 1.4 percent (\$5.9 billion). U.S. goods imports from the 20 U.S. FTA countries increased 4.2 percent in 2024. U.S. goods imports from advanced economies, accounting for 49.4 percent of U.S. total goods imports, increased 5.6 percent to \$1.6

trillion, while goods imports from emerging markets and developing economies increased 6.3 percent, accounting for 50.6 percent of U.S. total goods imports.

**Table 5 - U.S. Goods Imports from Selected Countries/Regions**

	Value (\$Billions)			% Change	
	2019	2023	2024	19-24	23-24
Canada	318.6	418.6	412.7	29.5%	-1.4%
Mexico	356.1	475.2	505.9	42.1%	6.5%
China	106.5	147.8	143.5	34.7%	-2.9%
Japan	143.6	147.2	148.2	3.2%	0.7%
European Union	451.7	576.3	605.8	34.1%	5.1%
Latin America (excluding Mexico)	108.8	145.3	158.8	46.0%	9.3%
Pacific Rim (excluding Japan and China)	251.3	357.1	414.5	64.9%	16.1%
FTA Countries	872.0	1,171.2	1,220.7	40.0%	4.2%
Advanced Economies	1,208.7	1,529.2	1,614.7	33.6%	5.6%
Emerging Markets and Developing Economies	1,283.0	1,554.9	1,652.7	28.8%	6.3%

Source: U.S. Department of Commerce, Census basis

Advanced Economies and Emerging Markets as defined by the IMF

## B. U.S. Services Imports

U.S. services imports increased 8.9 percent (\$66.2 billion) to a record \$814.4 billion in 2024 (*Table 4*). U.S. services imports accounted for 19.8 percent of U.S. goods and services imports in 2024.

U.S. services imports increased for ten of the eleven major services sectors in 2024, led by charges for the use of intellectual property at 25.7 percent (\$12.2 billion), insurance services at 17.9 percent (\$11.5 billion), construction at 12.5 percent (\$0.2 billion), and travel at 12.1 percent (\$19.2 billion). The only decline in imports occurred in financial services at 1.7 percent (\$1.1 billion). Travel (\$177.9 billion), telecommunication, computer, and information services (\$61.0 billion), other business services (\$154.9 billion), and personal, cultural, and recreational services (\$34.6 billion), reached record levels.

Over the last five years (2019 to 2024), U.S. services imports increased 31.2 percent (\$187.1 billion). Services imports increased for ten of the eleven sectors, with the largest import growth being personal, cultural, and recreational services, up 62.3 percent (\$13.3 billion), and insurance services, up 48.7 percent (\$24.9 billion). Services imports declined in one sector, maintenance and repair services, down 24.7 percent (\$2.2 billion).

The United Kingdom remained the largest supplier of services to the United States, accounting for 11.5 percent (\$86.0 billion) of total U.S. services imports in 2023 (latest available full year data). The next four largest suppliers of U.S. services imports in 2023 were Canada (\$54.3 billion), Germany (\$45.8 billion), Mexico (\$44.8 billion), and Japan (\$37.9 billion). Regionally, in 2023 the United States imported \$185.1 billion of services from the European Union, \$179.6 billion from the Asia/Pacific Rim region (\$121.6 billion, excluding Japan and China), \$115.1 billion from Latin America (excluding Mexico), and \$99.1 billion from Canada and Mexico (the USMCA countries).

## **ANNEX II**



# **U.S. TRADE-RELATED AGREEMENTS AND DECLARATIONS**

## **I. Agreements That Have Entered Into Force**

Following is a list of trade agreements entered into by the United States since 1984 and monitored by the Office of the United States Trade Representative for compliance.

### **Multilateral and Plurilateral Agreements**

- Marrakesh Agreement Establishing the World Trade Organization (WTO) (signed April 15, 1994), the Ministerial Decisions and Declarations adopted by the Uruguay Round Trade Negotiations Committee on December 15, 1993, and subsequent WTO agreements.
  - a. Multilateral Agreements on Trade in Goods
    - i. General Agreement on Tariffs and Trade 1994
    - ii. Agreement on Agriculture
    - iii. Agreement on the Application of Sanitary and Phyto-sanitary Measures
    - iv. Agreement on Technical Barriers to Trade
    - v. Agreement on Trade-Related Investment Measures
    - vi. Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994
    - vii. Agreement on Implementation of Article VII of the General Agreement on Tariffs and Trade 1994
    - viii. Agreement on Preshipment Inspection
    - ix. Agreement on Rules of Origin
    - x. Agreement on Import Licensing Procedures
    - xi. Agreement on Subsidies and Countervailing Measures
    - xii. Agreement on Safeguards
    - xiii. Agreement on Trade Facilitation (entered into force on February 22, 2017 for those Members that had accepted it by then (two-thirds of the WTO Members); thereafter to take effect for other Members upon acceptance)
  - b. General Agreement on Trade in Services (GATS)
    - i. Fourth Protocol to the GATS (Basic Telecommunication Services) (February 5, 1998)
    - ii. Fifth Protocol to the GATS (Financial Services) (March 1, 1999)
  - c. Agreement on Trade-Related Aspects of Intellectual Property Rights (amended in 2017)
  - d. Plurilateral Trade Agreements
    - i. Agreement on Trade in Civil Aircraft (April 12, 1979; amended in 1986)
    - ii. Agreement on Government Procurement (April 15, 1994; amended in 2014)

- WTO Ministerial Declaration on Trade in Information Technology Products (Information Technology Agreement (ITA)) (March 26, 1997)
- Declaration on the Expansion of Trade in Information Technology Products (July 28, 2015)
- International Tropical Timber Agreement (successor to the 1994 International Tropical Timber Agreement, December 7, 2011)
- Agreement between the United States of America, the United Mexican States, and Canada (July 1, 2020)
  - i. Decision No. 3 of the Free Trade Commission of the CUSMA, T-MEC, USMCA (“Agreement”) (Signed December 8, 2021, January 2, 2022, and January 24, 2022; retroactively effective July 1, 2020)
  - ii. Decision No. 2 of the Free Trade Commission of the CUSMA, T-MEC, USMCA (“Agreement”) (May 18, 2021)
  - iii. Decision No. 1 of the Free Trade Commission of the CUSMA, T-MEC, USMCA (“Agreement”) (Signed July 2, 2020; retroactively effective July 1, 2020)
- Agreement on Environmental Cooperation between the Governments of the United States of America, the United Mexican States, and Canada (July 1, 2020)
- Environment Cooperation and Customs Verification Agreement between the United States and Mexico (July 1, 2020)
- Statement Concerning Semiconductors by the European Commission and the Governments of the United States, Japan, and Korea (June 10, 1999)
- Agreement on Mutual Acceptance of Oenological Practices (December 18, 2001)
- The Dominican Republic–Central America–United States Free Trade Agreement (Costa Rica (January 1, 2009); the Dominican Republic (March 1, 2007); El Salvador (March 1, 2006); Guatemala (July 1, 2006); Honduras (April 1, 2006); and Nicaragua (April 1, 2006))
  - i. Amendment to the Dominican Republic–Central America–United States Free Trade Agreement relating to Article 22.5 (March 29, 2006)
  - ii. Amendment to the Dominican Republic–Central America–United States Free Trade Agreement relating to Textiles Matters (August 15, 2008)
  - iii. Amendment to the Dominican Republic–Central America–United States Free Trade Agreement relating to Guatemala Tariffs on Beer (February 4, 2009)
  - iv. Decision Regarding the Rules of Origin for Textile and Apparel Goods (Feb. 23, 2011)
  - v. Decision Regarding Appendix 4.1-B (Feb. 23, 2011)
  - vi. Decision Regarding Annex 9.1.2(b)(i) (Feb. 23, 2011)
  - vii. Decision Regarding Common Guidelines for the Interpretation, Application and Administration of Chapter Four (October 27, 2012)
  - viii. Decision Regarding the Specific Rules of Origin of Annex 4.1 (March 26, 2015)
  - ix. Decision Regarding the Special Rules of Origin of Appendix 3.3.6 (March 26, 2015)
  - x. Decision Regarding The Tariff Elimination for Lines 15071000, 15121100 and 15152100 of Annex 3.3 (Tariff Schedule of Costa Rica) (March 26, 2015)
  - xi. Decision Concerning the Tariff Elimination for Tariff Lines 0207 13 99B and 0207 14 99B (Tariff Schedule of Guatemala to Annex 3.3) (April 11, 2017)

- xii. Decision Regarding the Specific Rules of Origin of Annex 4.1 (July 7, 2017)
  - xiii. Decision Regarding The Determination Of The Chicken Tariff Rate Quota Volumes For Years 13 To 17 As Provided For In Appendix I Of The General Notes To The Tariff Schedule To Annex 3.3 Of El Salvador, Honduras And Nicaragua (September 17, 2017)
  - xiv. Exchange of Letters between the United States and Guatemala Regarding Tariff Elimination for Tariff Lines 0207 13 99B and 0207 14 99B (Tariff Schedule of Guatemala) (January 1, 2018)
  - xv. Exchange of Letters between the United States and Nicaragua Regarding Tariff Rate Quotas for Tariff Lines 0207139920, 0207149920 and 16023200A (Tariff Schedule of Nicaragua to Annex 3.3) (January 1, 2018)
  - xvi. Exchange of Letters between the United States and Honduras Regarding Tariff Rate Quotas for Tariff Lines 02071399B, 02071499B and 16023200A (Tariff Schedule of Honduras to Annex 3.3) (January 1, 2018)
  - xvii. Exchange of Letters between the United States and El Salvador Regarding Tariff Rate Quotas for Tariff Lines 02071399B, 02071499B and 16023200A (Tariff Schedule of El Salvador to Annex 3.3) (January 1, 2018)
  - xviii. Exchange of letters between the United States and Costa Rica regarding Costa Rica's conformity assessment procedures for new pneumatic tires (July 31, 2020)
- Agreement Establishing a Secretariat for Environmental Matters Under the Dominican Republic–Central America–United States Free Trade Agreement (August 25, 2006)
  - Agreement on Duty-Free Treatment of Multi-Chips Integrated Circuits (MCPs) (January 18, 2006) (Korea, Taiwan, Japan, European Union, and the United States)
  - Agreement on Requirements for Wine Labeling (January 23, 2007) (Australia, Argentina, Canada, Chile, New Zealand, and the United States)
  - Agreement Between the Governments of Australia, the People’s Republic of China, the Republic of Korea, the Kingdom of Thailand, the United States of America, and the Socialist Republic of Viet Nam concerning the importation by Korea of rice (December 30, 2019)
  - WTO Joint Statement Initiative on Services Domestic Regulation (February 27, 2024)
  - Agreement on the Indo-Pacific Economic Framework for Prosperity (October 11, 2024)
  - Indo-Pacific Economic Framework for Prosperity Agreement Relating to a Fair Economy (October 12, 2024)

## **Bilateral Agreements**

### **Albania**

- Agreement on Bilateral Trade Relations (May 14, 1992)
- Treaty Between the United States of America and the Government of the Republic of Albania Concerning the Encouragement and Reciprocal Protection of Investment (January 4, 1998)

### **Argentina**

- Private Courier Mail Agreement (May 25, 1989)
- Treaty Between the United States of America and the Argentine Republic Concerning the Reciprocal Encouragement and Protection of Investment (October 20, 1994)

### **Armenia**

- Agreement on Bilateral Trade Relations (April 7, 1992)
- Treaty Between the United States of America and the Republic of Armenia Concerning the Reciprocal Encouragement and Protection of Investment (March 29, 1996)

### **Australia**

- Settlement on Leather Products Trade (November 25, 1996)
- Understanding on Automotive Leather Subsidies (June 20, 2000)
- Agreement to Implement Phase I of the Asia Pacific Economic Cooperation (APEC) Mutual Recognition Arrangement for Conformity Assessment of Telecommunications Equipment (October 19, 2002)
- United States–Australia Free Trade Agreement (January 1, 2005)

### **Azerbaijan**

- Agreement on Bilateral Trade Relations (April 21, 1995)
- Treaty Between the Government of the United States of America and the Government of the Republic of Azerbaijan Concerning the Encouragement and Reciprocal Protection of Investment (August 2, 2001)

### **Bahrain**

- Treaty Between the Government of the United States of America and the Government of the State of Bahrain Concerning the Encouragement and Reciprocal Protection of Investment (May 30, 2001)
- Agreement between the Government of the United States of America and the Government of the Kingdom of Bahrain on the Establishment of a Free Trade Area (August 1, 2006)

- Memorandum of Understanding Between the United States of America and the Kingdom of Bahrain on Trade in Food and Agricultural Products (March 30, 2018)

### **Bangladesh**

- Treaty Between the United States of America and the People's Republic of Bangladesh Concerning the Reciprocal Encouragement and Protection of Investment (July 25, 1989)

### **Belarus**

- Agreement on Bilateral Trade Relations (February 16, 1993)

### **Bolivia**

- Treaty Between the Government of the United States of America and the Government of the Republic of Bolivia Concerning the Encouragement and Reciprocal Protection of Investment (June 6, 2001) (Bolivia terminated the treaty in June 2012; investments established or acquired before the termination will continue to be protected under the treaty for 10 years following the date of termination.)
- Exchange of Letters between the United States and Bolivia Regarding Certain Distinctive Products (January 6, 2020)

### **Brazil**

- Memorandum of Understanding Between the Government of Brazil and the Government of the United States Concerning Trade Measures in the Automotive Sector (March 16, 1998)
- Agreement on Trade and Economic Cooperation Between the Government of the Federative Republic of Brazil and the Government of the United States of America (March 19, 2011)
- Exchange of Letters between the United States and Brazil Regarding Certain Distinctive Products (April 9, 2012)
- Memorandum of Understanding Between the Government of the United States and the Government of the Federative Republic of Brazil Related to the Cotton Dispute (WT/DS267) (October 1, 2014)
- Protocol to the Agreement on Trade and Economic Cooperation Between the Government of the United States of America and the Federative Republic of Brazil Relating to Trade Rules and Transparency (February 2, 2022)

### **Bulgaria**

- Agreement on Trade Relations (November 22, 1991)
- Treaty Between the United States of America and the Republic of Bulgaria Concerning the Encouragement and Reciprocal Protection of Investment (June 2, 1994; amended January 1, 2007)
- Agreement Concerning Intellectual Property Rights (July 6, 1994)

### **Cambodia**

- Agreement between the United States of America and the Kingdom of Cambodia on Trade Relations and Intellectual Property Rights Protection (October 8, 1996)

## **Cameroon**

- Treaty Between the United States of America and the Republic of Cameroon Concerning the Reciprocal Encouragement and Protection of Investment (April 6, 1989)

## **Canada**

- Agreement on Salmon & Herring (May 11, 1993)
- Agreement Regarding Tires (May 25, 1993)
- Memorandum of Understanding on Provincial Beer Marketing Practices (August 5, 1993)
- Agreement on Ultra-High Temperature Milk (September 1993)
- Agreement on Beer Market Access in Quebec and British Columbia Beer Antidumping Cases (April 4, 1994)
- Agreement on Salmon & Herring (April 1994)
- Agreement on Barley Tariff-Rate Quota (September 8, 1997)
- Record of Understanding on Agriculture (December 1998)
- Agreement on Magazines (Periodicals) (May 1999)
- Agreement on Implementation of the WTO Decision on Canada's Dairy Support Programs (December 1999)
- Agreement to Implement Phase I of the Asia Pacific Economic Cooperation (APEC) Mutual Recognition Arrangement for Conformity Assessment of Telecommunications Equipment (January 17, 2002)
- Agreement to Implement Phase II of the Asia Pacific Economic Cooperation (APEC) Mutual Recognition Arrangement for Conformity Assessment of Telecommunications Equipment (January 28, 2003)
- United States–Canada Understanding on Implementation of the Decision of the WTO General Council of August 30, 2003, on “Implementation of Paragraph 6 of the Doha Declaration on the TRIPS Agreement and Public Health” as Interpreted by the Accompanying Statement of the Chairman of the General Council of the Same Date (July 16, 2004)
- Technical Arrangement between the United States and Canada concerning Trade in Potatoes (November 1, 2007)
- Agreement Between the Government of the United States and the Government of Canada on Government Procurement (February 16, 2010)
- United States–Canada Exchange of Letters on Milk Equivalence (February 4, 2016)
- United States–Canada Exchange of Letters on the Sale of Wine (November 30, 2018)
- United States–Canada Exchange of Letters on Trade in Automotive Goods (November 30, 2018)

- United States–Canada Exchange of Letters on Research and Development Expenditures (November 30, 2018)
- United States–Canada Exchange of Letters on Measures Taken Under Section 232 of the Trade Expansion Act of 1962 (November 30, 2018)
- United States–Canada Exchange of Letters on Energy (July 1, 2020)
- United States–Canada Exchange of Letters on Natural Water Resources (July 1, 2020)

### **Caribbean Community (CARICOM)**

- Trade and Investment Council Agreement (July 22, 1991)

### **Chile**

- United States–Chile Free Trade Agreement (January 1, 2004)
- United States–Chile Agreement on Accelerated Tariff Elimination (November 14, 2008)
- United States–Chile Agreement on Trade in Table Grapes (November 21, 2008)
- United States–Chile Agreement on Beef Grade Labeling (March 26, 2009)
- United States–Chile Exchange of Letters on Chapter 17 of United States–Chile Free Trade Agreement (March 17, 2011)
- United States–Chile Exchange of Letters on Salmonid Eggs (February 4, 2016)
- Exchange of Letters Between the Government of the United States of America and the Government of the Republic of Chile Regarding the Use of Certain Terms for Cheese and Meat Products (December 29, 2024)

### **China**

- Accord on Industrial and Technological Cooperation (January 12, 1984)
- Memorandum of Understanding on the Protection of Intellectual Property Rights (January 17, 1992)
- Memorandum of Understanding on Prohibiting Import and Export in Prison Labor Products (June 18, 1992)
- Memorandum of Understanding Concerning Market Access (October 10, 1992)
- Agreement on Trade Relations between the United States of America and the People’s Republic of China (February 1, 1980)
- Agreement on Providing Intellectual Property Rights Protection (February 26, 1995)
- Report on China’s Measures to Enforce Intellectual Property Protections and Other Measures (June 17, 1996)
- Interim Agreement on Market Access for Foreign Financial Information Companies (Xinhua) (October 24, 1997)

- Agreement on U.S.–China Agricultural Cooperation (April 10, 1999)
- Memorandum of Understanding between China and the United States Regarding China’s Value-Added Tax on Integrated Circuits (July 14, 2004)
- Memorandum of Understanding between the Governments of the United States of America and the People’s Republic of China Concerning Trade in Textile and Apparel Products (November 8, 2005)
- Memorandum of Understanding between the United States of America and the People’s Republic of China Regarding Certain Measures Granting Refunds, Reductions, or Exemptions from Taxes or Other Payments (November 29, 2007)
- Memorandum of Understanding between the United States of America and the People’s Republic of China Regarding Certain Measures Affecting Foreign Suppliers of Financial Information Services (November 13, 2008)
- Memorandum of Understanding between the People’s Republic of China and the United States of America Regarding Films for Theatrical Release (April 25, 2012)
- Economic and Trade Agreement between the Government of the United States of America and the Government of the People’s Republic of China (February 14, 2020)

### **Colombia**

- Memorandum of Understanding on Trade in Bananas (January 9, 1996)
- Exchange of Letters between the United States and Colombia on Sanitary and Phyto-sanitary Measures and Technical Barriers to Trade Issues (February 27, 2006)
- Exchange of Letters between the United States and Colombia on Beef Sanitary and Phyto-sanitary Issues (August 21, 2006)
- Exchange of Letters between United States and Colombia on Control Measures on Avian Influenza (April 15, 2012)
- Exchange of Letters between United States and Colombia on Control Measures on Salmonella in Poultry and Poultry Products (April 15, 2012)
- Exchange of Letters between United States and Colombia on Phyto-sanitary Measures for Paddy Rice (April 15, 2012)
- Exchange of Letters between United States and Colombia related to Constitutional Court Review of Certain IPR Treaties (April 15, 2012)
- United States–Colombia Trade Promotion Agreement (May 15, 2012)
  - i. Decision of the Free Trade Commission of the United States–Colombia Trade Promotion Agreement Regarding Clarification of the Definition of Poultry in the Context of Appendix I, Paragraph 6, of Colombia’s Tariff Schedule (September 25, 2012)
  - ii. Decision No. 2 of Free Trade Commission of the United States–Colombia Trade Promotion Agreement by which ECOPETROL Qualifies as a Special Covered Entity Under Section D of Annex 9.1 (November 19, 2012)

- iii. Decision No. 3 of the Free Trade Commission of the United States–Colombia Trade Promotion Agreement; Decision on Tariff-Rate Quotas Covering Yellow Corn (November 2017)
  - iv. Decision No. 4 of the Free Trade Commission of the United States – Colombia Trade Promotion Agreement; Decision on Tariff-Rate Quotas Covering Variety Meats (December 2017)
  - v. Decision No. 5 of the Free Trade Commission of the United States – Colombia Trade Promotion Agreement; Decision to Establish the Remuneration of Panelists, Assistants, and Experts, and the Payment of Expenses in Dispute Settlement Proceedings Under Chapter Twenty-One (Dispute Settlement) (July 2018)
  - vi. Decision No. 6 of the Free Trade Commission of the United States – Colombia Trade Promotion Agreement; Decision Establishing the Model Rules of Procedure (July 2018)
  - vii. Decision No. 7 of the Free Trade Commission of the United States – Colombia Trade Promotion Agreement; Decision Establishing a Code of Conduct (July 2018)
  - viii. Decision No. 8 of the Free Trade Commission of the United States – Colombia Trade Promotion Agreement; Decision to Modify Annex 3-A, Annex 3-B, Annex 3-C, and Annex 4.1 (February 2020)
- Exchange of Letters between the United States and Colombia Establishing the Committee of Sanitary and Phyto-Sanitary (SPS) and SPS Committee Terms of Reference (June 14, 2012)
  - Exchange of Letters between the United States and Colombia Rescinding the 2012 SPS Letter Exchange on Paddy Rice (August 2017)
  - Exchange of Letters between the United States and Colombia Regarding Chapter 16 of the United States – Colombia Trade Promotion Agreement and Truck Scrappage Program (April 2018)
  - Agreement Establishing a Secretariat for Environmental Matters (April 2019)
  - Exchange of Letters Regarding Preferential Treatment for U.S. Corn (July 15, 2021)

#### **Congo, Democratic Republic of the (formerly Zaire)**

- Treaty Between the United States of America and the Republic of Zaire Concerning the Reciprocal Encouragement and Protection of Investment (July 28, 1989)

#### **Congo, Republic of the**

- Treaty Between the Government of the United States of America and the Government of the People's Republic of the Congo Concerning the Reciprocal Encouragement and Protection of Investment (August 13, 1994)

#### **Costa Rica**

- Memorandum of Understanding on Trade in Bananas (January 9, 1996)
- Exchange of Letters on Trade in Textile and Apparel Goods (May 31, 2007)

**Croatia**

- Memorandum of Understanding on Intellectual Property Rights (May 26, 1998)
- Treaty Between the Government of the United States of America and the Government of the Republic of Croatia Concerning the Encouragement and Reciprocal Protection of Investment (June 20, 2001)

**Czech Republic**

- Treaty Between the United States of America and the Czech and Slovak Federal Republic Concerning the Reciprocal Encouragement and Protection of Investment (December 19, 1992; amended May 1, 2004)

**Dominican Republic**

- Exchange of Letters on Trade in Textile and Apparel Goods (October 21, 2006)

**Ecuador**

- Trade and Investment Council Agreement (July 23, 1990)
- Agreement on Intellectual Property Rights Protection (October 15, 1993) (Ecuador notified the United States on January 19, 2017 of its intent to withdraw from this treaty).
- Treaty Between the United States of America and the Republic of Ecuador Concerning the Encouragement and Reciprocal Protection of Investment (May 11, 1997) (Ecuador had notified the United States that it would terminate the treaty effective May 18, 2018; investments established or acquired before the termination will continue to be protected under the treaty for 10 years following the date of termination).
- Protocol to the Trade and Investment Council Agreement Between the Government of the United States and the Government of the Republic of Ecuador Relating to Trade Rules and Transparency (December 8, 2020)

**Egypt**

- Treaty Between the United States of America and the Arab Republic of Egypt Concerning the Reciprocal Encouragement and Protection of Investments (June 27, 1992)

**El Salvador**

- Exchange of Letters on Trade in Textile and Apparel Goods (January 27, 2006)

**Estonia**

- Treaty Between the Government of the United States of America and the Government of the Republic of Estonia Concerning the Encouragement and Reciprocal Protection of Investment (February 16, 1997; amended May 1, 2004)

**European Economic Area – European Free Trade Association (EEA EFTA States – Norway, Iceland, and Liechtenstein)**

- Agreement on Mutual Recognition between the United States of America and the EEA EFTA States Regarding Telecommunications Equipment, Electromagnetic Compatibility and Recreational Craft (March 1, 2006)
- Agreement between the United States of America and the EEA EFTA States on the Mutual Recognition of Certificates of Conformity for Marine Equipment (March 1, 2006)

**European Union**

- Wine Accord (July 1983)
- Agreement for the Conclusion of Negotiations between the United States and the European Community under GATT Article XXIV:6 (January 30, 1987)
- Agreement on Exports of Pasta with Settlement, Annex and Related Letter (September 15, 1987)
- Agreement on Canned Fruit (updated) (April 14, 1992)
- Agreement on Meat Inspection Standards (November 13, 1992)
- Corn Gluten Feed Exchange of Letters (December 4 and 8, 1992)
- Malt-Barley Sprouts Exchange of Letters (December 4 and 8, 1992)
- Oilseeds Agreement (December 4 and 8, 1992)
- Agreement on Recognition of Bourbon Whiskey and Tennessee Whiskey as Distinctive U.S. Products (March 28, 1994)
- Memorandum of Understanding on Government Procurement (April 15, 1994)
- Letter on Financial Services Confirming Assurances to Provide Full MFN and National Treatment (July 14, 1995)
- Agreement on EU Grains Margin of Preference (signed July 22, 1996; retroactively effective December 30, 1995)
- Exchange of Letters Concerning Implementation of the Marrakesh Agreement Establishing the World Trade Organization and Related Matters (June 26, 1996)
- Exchange of Letters between the United States of America and the European Community on a Settlement for Cereals and Rice, and Accompanying Exchange of Letters on Rice Prices (July 22, 1996)
- Agreement for the Conclusion of Negotiations between the United States of America and the European Community under GATT Article XXIV:6, and Accompanying Exchange of Letters (signed July 22, 1996; retroactively effective December 30, 1995)
- Tariff Initiative on Distilled Spirits (February 28, 1997)
- Agreement on Global Electronic Commerce (December 9, 1997)

- Agreed Minute on Humane Trapping Standards (December 18, 1997)
- Agreement on Mutual Recognition between the United States of America and the European Community (December 1, 1998) and United States – European Union Amended Sectoral Annex for Pharmaceutical Good Manufacturing Practices (March 1, 2017)
- Agreement between the United States and the European Community on Sanitary Measures to Protect Public and Animal Health in Trade in Live Animals and Animal Products (July 20, 1999)
- Understanding on Bananas (April 11, 2001)
- Agreement between the United States of America and the European Community on the Mutual Recognition of Certificates of Conformity for Marine Equipment (July 1, 2004)
- Agreement in the Form of an Exchange of Letters between the United States and the European Community Relating to the Method of Calculation of Applied Duties for Husked Rice (June 30, 2005; retroactively effective March 1, 2005)
- Agreement between the United States and European Community on Trade in Wine (March 10, 2006)
- Agreement in the Form of an Exchange of Letters between the United States and the European Union pursuant to Article XXIV:6 and Article XXVIII of the GATT 1994 Relating to the Modification of Concessions in the Schedules of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic in the Course of their Accession to the European Union (March 22, 2006)
- Joint Letter from the United States and the European Communities on implementation of GATS Article XXI procedures relating to the accession to the European Communities of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Austria, Poland, Slovenia, the Slovak Republic, Finland, and Sweden (August 7, 2006)
- Memorandum of Understanding Between the United States and European Commission Regarding the Importation of Beef from Animals Not Treated with Certain Growth-Promoting Hormones and Increased Duties Applied to Certain Products of the European Communities (May 13, 2009)
- Agreement on Trade in Bananas Between the United States of America and the European Union (January 24, 2013)
- Agreement in the Form of an Exchange of Letters Between the United States of America and the European Union Pursuant to Articles XXIV:6 and XXVIII of the GATT 1994 (July 1, 2013)
- Bilateral Agreement Between the European Union and the United States of America on Prudential Measures Regarding Insurance and Reinsurance (April 4, 2018)
- Agreement Related to the Revised Memorandum of Understanding between the United States of America and the European Commission in Connection with the *EC – Hormones* Dispute (December 14, 2019)
- Agreement between the United States of America and the European Union regarding tariffs on certain products (November 20, 2020)
- Agreement between the European Union and the United States of America Pursuant to Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 Relating to the Modifications of

Concessions on All the Tariff-Rate Quotas Included in the EU Schedule CLXXV as a Consequence of the United Kingdom's Withdrawal from the European Union (April 27, 2023)

### **Georgia**

- Agreement on Bilateral Trade Relations (August 13, 1993)
- Treaty Between the Government of the United States of America and the Government of the Republic of Georgia Concerning the Encouragement and Reciprocal Protection of Investment (August 17, 1997)

### **Grenada**

- Treaty Between the United States of America and Grenada Concerning the Reciprocal Encouragement and Protection of Investment (March 3, 1989)

### **Guatemala**

- Exchange of Letters on Trade in Textile and Apparel Goods (June 23, 2006)

### **Haiti**

- Exchange of Letters on Trade in Textile and Apparel Goods (September 18, 2008)

### **Hong Kong**

- Agreement to Implement Phase I and Phase II of the Asia Pacific Economic Cooperation (APEC) Mutual Recognition Arrangement for Conformity Assessment of Telecommunications Equipment (April 4, 2005)
- Memorandum of Understanding between the United States of America and the Hong Kong Special Administrative Region Concerning Cooperation in Trade in Textile and Apparel Goods (August 1, 2005)

### **Honduras**

- Memorandum of Understanding on Worker Rights (November 15, 1995)
- Treaty Between the Government of the United States of America and the Government of the Republic of Honduras Concerning the Encouragement and Reciprocal Protection of Investment (July 11, 2001)
- Exchange of Letters on Trade in Textile and Apparel Goods (March 7, 2006)

### **Hungary**

- Agreement on Trade Relations (July 7, 1978)
- Agreement on Intellectual Property Rights Protection (September 29, 1993)

### **India**

- Agreement Regarding Indian Import Policy for Motion Pictures (February 5, 1992)
- Reduction of Tariffs on In-Shell Almonds (May 27, 1992)

- Agreement on Intellectual Property Rights Protections (March 1993)
- Agreement on Import Restrictions (December 28, 1999)
- Agreement on Textile Tariff Bindings (September 15, 2000)
- Exchange of Letters Between the Government of the United States of America and the Government of the Republic of India Related to Market Access for Certain Products (June 22, 2023)
- Exchange of Letters Between the Government of the United States of America and the Government of the Republic of India Related to Market Access for Certain Products (September 9, 2023)

### **Indonesia**

- Conditions for Market Access for Films and Videos into Indonesia (April 19, 1992)
- Memorandum of Understanding with Indonesia Concerning Cooperation in Trade in Textile and Apparel Goods (September 26, 2006)

### **Israel**

- Agreement on the Establishment of a Free Trade Area between the Government of Israel and the Government of the United States of America (August 19, 1985)
- United States–Israel Agreement Concerning Certain Aspects of Trade in Agricultural Products (July 27, 2004; extended by Exchange of Letters (This agreement has been extended on a yearly basis since December 2008)
- Mutual Recognition Agreement between the Government of the United States of America and the Government of the State of Israel for Conformity Assessment of Telecommunications Equipment (December 12, 2013)

### **Jamaica**

- Agreement on Intellectual Property (February 1994)
- Treaty Between the United States of America and Jamaica Concerning the Reciprocal Encouragement and Protection of Investment (March 7, 1997)

### **Japan**

- Market-Oriented Sector-Selective (MOSS) Agreement on Medical Equipment and Pharmaceuticals (January 9, 1986)
- Exchange of Letters Regarding Tobacco (October 6, 1986)
- Foreign Lawyers Agreement (February 27, 1987)
- Science and Technology Agreement (June 20, 1988; extended June 16, 1993)
- Exchange of Letters on Procedures to Introduce Supercomputers (August 7, 1987)
- Measures Relating to Wood Products (June 15, 1990)

- Policies and Procedures Regarding Satellite Research and Development/Procurement (June 15, 1990)
- Policies and Procedures Regarding International Value-Added Network Services and Network Channel Terminating Equipment (July 31, 1990)
- Joint Announcement on Amorphous Metals (September 21, 1990)
- Measures Further to 1990 Policies and Procedures regarding International Value-Added Network Services (April 27, 1991)
- Measures Regarding International Value-Added Network Services Investigation Mechanisms (June 25, 1991)
- United States–Japan Major Projects Arrangement (July 31, 1991; originally negotiated 1988)
- Measures Related to Japanese Public Sector Procurement of Computer Products and Services (January 22, 1992)
- United States–Japan Framework for a New Economic Partnership (July 10, 1993)
- Exchange of Letters Regarding Apples (September 13, 1993)
- United States–Japan Public Works Agreement (January 18, 1994)
- Mutual Understanding on Intellectual Property Rights between the Japanese Patent Office and the U.S. Patent and Trademark Office (January 20, 1994)
- Rice (April 15, 1994)
- Harmonized Chemical Tariffs (April 15, 1994)
- Copper (April 15, 1994)
- Market Access (April 15, 1994)
- Actions to be Taken by the Japanese Patent Office and the U.S. Patents and Trademark Office pursuant to the January 20, 1994, Mutual Understanding on Intellectual Property Rights (August 16, 1994)
- Measures by the Government of the United States and the Government of Japan Regarding Insurance (October 11, 1994)
- Measures on Japanese Public Sector Procurement of Telecommunications Products and Services (November 1, 1994)
- Measures Related to Japanese Public Sector Procurement of Medical Technology Products and Services (November 1, 1994)
- Measures Regarding Financial Services (February 13, 1995)
- Policies and Measures Regarding Inward Direct Investment and Buyer-Supplier Relationships (June 20, 1995)
- Exchange of Letters on Financial Services (July 26 and 27, 1995)

- Interim Understanding for the Continuation of Japan–United States Insurance Talks (September 30, 1996)
- United States–Japan Insurance Agreement (December 24, 1996)
- Japan’s Recognition of United States-Grade Marked Lumber (January 13, 1997)
- Resolution of WTO dispute with Japan on Sound Recordings (January 13, 1997)
- National Policy Agency Procurement of VHF Radio Communications System (March 31, 1997)
- United States–Japan Enhanced Initiative on Deregulation and Competition Policy (June 19, 1997)
- United States–Japan Agreement on Distilled Spirits (December 17, 1997)
- First Joint Status Report on Deregulation and Competition Policy (May 29, 1998)
- United States–Japan Joint Report on Investment (April 28, 1999)
- Second Joint Status Report on Deregulation and Competition Policy (May 3, 1999)
- United States–Japan Agreement on NTT Procurement Procedures (July 1, 1999)
- Third Joint Status Report on Deregulation and Competition Policy (July 19, 2000)
- Fourth Joint Status Report on Deregulation and Competition Policy (June 30, 2001)
- United States–Japan Economic Partnership for Growth (June 30, 2001)
- First Report to the Leaders on the United States–Japan Regulatory Reform and Competition Policy Initiative (June 25, 2002)
- Second Report to the Leaders on the United States–Japan Regulatory Reform and Competition Policy Initiative (May 23, 2003)
- Third Report to the Leaders on the United States–Japan Regulatory Reform and Competition Policy Initiative (June 8, 2004)
- Fourth Report to the Leaders on the United States–Japan Regulatory Reform and Competition Policy Initiative (November 2, 2005)
- Fifth Report to the Leaders on the United States–Japan Regulatory Reform and Competition Policy Initiative (June 29, 2006)
- Sixth Report to the Leaders on the United States–Japan Regulatory Reform and Competition Policy Initiative (June 6, 2007)
- Agreement on Mutual Recognition of Results of Conformity Assessment Procedures between the United States of America and Japan (United States–Japan Telecom MRA) (January 1, 2008)
- Seventh Report to the Leaders on the United States–Japan Regulatory Reform and Competition Policy Initiative (July 5, 2008)
- Eighth Report to the Leaders on the United States–Japan Regulatory Reform and Competition Policy Initiative (July 6, 2009)

- Memorandum Between the Relevant Authorities of the United States and the Ministry of Health, Labour and Welfare of Japan Concerning Enforcement of Japan's Pesticide Maximum Residue Levels (July 28, 2009)
- Record of Discussion, United States–Japan Economic Harmonization Initiative (January 27, 2012)
- United States–Japan Exchange of Letters on certain distilled spirits and wine (February 4, 2016)
- United States–Japan Exchange of Letters on copyright term (April 13, 2018)
- Trade Agreement between the United States of America and Japan (January 1, 2020)
- United States–Japan Exchange of Letters regarding alcoholic beverages (January 1, 2020)
- United States–Japan Exchange of Letters regarding beef (January 1, 2020)
- United States–Japan Exchange of Letters regarding rice (January 1, 2020)
- United States–Japan Exchange of Letters regarding agricultural safeguard measures (January 1, 2020)
- United States–Japan Exchange of Letters regarding skimmed milk powder (January 1, 2020)
- United States–Japan Exchange of Letters regarding whey (January 1, 2020)
- Agreement between the United States of America and Japan concerning Digital Trade (January 1, 2020)
- United States–Japan Exchange of Letters regarding Interactive Computer Services (January 1, 2020)
- Protocol Amending the Trade Agreement between the United States of America and Japan (January 1, 2023)
- Agreement Between the Government of Japan and the Government of the United States of America on Strengthening Critical Minerals Supply Chains (March 28, 2023)

#### **Jordan**

- Agreement between the United States and Hashemite Kingdom of Jordan on the Establishment of a Free Trade Area (December 17, 2001)
- Treaty Between the Government of the United States of America and the Hashemite Kingdom of Jordan Concerning the Encouragement and Reciprocal Protection of Investment (June 12, 2003)

#### **Kazakhstan**

- Agreement on Bilateral Trade Relations (February 18, 1993)
- Treaty Between the United States of America and the Republic of Kazakhstan Concerning the Reciprocal Encouragement and Protection of Investment (January 12, 1994)

#### **Korea**

- Record of Understanding on Intellectual Property Rights (August 28, 1986)
- Agreement on Access of U.S. Firms to Korea's Insurance Markets (August 28, 1986)

- Record of Understanding Concerning Market Access for Cigarettes (May 27, 1988; amended October 16, 1989)
- Agreement Concerning the Korean Capital Market Promotion Law (September 1, 1988)
- Agreement on the Importation and Distribution of Foreign Motion Pictures (December 30, 1988)
- Agreement on Market Access for Wine and Wine Products (January 18, 1989)
- Investment Agreement (May 19, 1989)
- Agreement on Liberalization of Agricultural Imports (May 25, 1989)
- Record of Understanding on Telecommunications (January 23, 1990)
- Record of Understanding on Telecommunications (February 15, 1990)
- Exchange of Letters Regarding the 1986 Intellectual Property Rights Agreement: Product Pipeline Protection (February 22, 1990)
- Record of Understanding on Beef (March 21, 1990)
- Exchange of Letters on Beef (April 26 and 27, 1990)
- Agreement on Wine Access (December 19, 1990)
- Record of Understanding on Telecommunications (February 7, 1991)
- Agreement on International Value-Added Services (June 20, 1991)
- Understanding on Telecommunications (February 17, 1992)
- Exchange of Letters Relating to Korea Telecom Company's Procurement of AT&T Switches (March 31, 1993)
- Beef Agreements (June 26, 1993; December 29, 1993)
- Record of Understanding on Agricultural Market Access in the Uruguay Round (December 13, 1993)
- Exchange of Letters on Telecommunications Issues Relating to Equipment Authorization and Korea Telecom Company's Procurement (March 29, 1995)
- Agreement on Steel (July 14, 1995)
- Shelf-Life Agreement (July 20, 1995)
- Revised Cigarette Agreement (August 25, 1995)
- Memorandum of Understanding to Increase Market Access for Foreign Passenger Vehicles in Korea (September 28, 1995)
- Exchange of Letters on Implementation of the 1992 Telecommunications Agreement (April 12, 1996)
- Korean Commitments on Trade in Telecommunications Goods and Services (July 23, 1997)
- Agreement on Korean Motor Vehicle Market (October 20, 1998)

- Exchange of Letters Regarding Tobacco Sector Related Issues (June 14, 2001)
- Exchange of Letters on Data Protection (March 12, 2002)
- Record of Understanding between the Governments of the United States and the Republic of Korea Regarding the Extension of Special Treatment for Rice (February 2005)
- Agreement to Implement Phase I of the Asia Pacific Economic Cooperation (APEC) Mutual Recognition Arrangement for Conformity Assessment of Telecommunications Equipment (May 10, 2005)
- Agreed Minutes on Fuel Economy and Greenhouse Gas Emissions Regulations (February 10, 2011)
- Agreed Minutes on Visa Validity Period (February 10, 2011)
- Exchange of Letters between the United States and Korea related to the United States-Korea Free Trade Agreement (February 10, 2011)
- United States–Korea Free Trade Agreement (March 15, 2012)
- Agreed Minutes on Korea Certification Mark and Korea’s Motor Vehicle Fuel Economy and Greenhouse Gas Emissions Regulations (September 24, 2018)
- Interpretation by the Joint Committee of the Free Trade Agreement between the United States of America and the Republic of Korea Regarding the June 30, 2007 Exchange of Letters (September 24, 2018)
- Exchange of Letters between the United States and Korea Regarding Entry Into Force of the Protocol between the Government of the United States of America and the Government of the Republic of Korea Amending the Free Trade Agreement between the United States of America and the Republic of Korea (September 24, 2018)
- Exchange of Letters between the United States and Korea Regarding the Confirmation of Customs Principles and the Establishment of the Rules of Origin Verification Working Group under the Free Trade Agreement between the United States of America and the Republic of Korea (September 24, 2018)
- Exchange of Letters between the United States and Korea Regarding Amendments to Korea’s Premium Pricing Policy for Global Innovative New Drugs (September 24, 2018)
- Exchange of Letters between the United States and Korea Regarding Korea’s Request to Modify the Rules of Origin under the Free Trade Agreement between the United States of America and the Republic of Korea (September 24, 2018)
- Protocol between the Government of the United States of America and the Government of the Republic of Korea Amending the February 10, 2011 Exchange of Letters (January 1, 2019)
- Protocol between the Government of the United States of America and the Government of the Republic of Korea Amending the Free Trade Agreement between the United States of America and the Republic of Korea (January 1, 2019)

- Exchange of Letters concerning Korea's World Trade Organization tariff-rate quota for rice and the country-specific quota for the United States established within that tariff-rate quota (December 30, 2019)
- Exchange of Letters Between the Government of the United States of America and the Government of the Republic of Korea Related to Modifying the Rules of Origin for Certain Fabrics under HTS heading 5408 (August 1, 2024)

### **Kyrgyzstan**

- Agreement on Bilateral Trade Relations (May 8, 1992)
- Treaty Between the United States of America and the Republic of Kyrgyzstan Concerning the Encouragement and Reciprocal Protection of Investment (January 12, 1994)

### **Latvia**

- Agreement on Bilateral Trade Relations (August 21, 1992)
- Treaty Between the Government of the United States of America and the Government of the Republic of Latvia Concerning the Encouragement and Reciprocal Protection of Investment (November 26, 1996; amended May 1, 2004)
- Agreement on Trade & Intellectual Property Rights Protection (January 20, 1995)

### **Lithuania**

- Treaty Between the Government of the United States of America and the Government of the Republic of Lithuania Concerning the Encouragement and Reciprocal Protection of Investment (November 22, 2001; amended May 1, 2004)

### **Laos**

- Bilateral Trade Agreement (February 4, 2005)

### **Macao**

- Memorandum of Understanding with Macao Concerning Cooperation in Trade in Textile and Apparel Goods (August 8, 2005)

### **Marshall Islands**

- Compact of Free Association Agreement Between the United States of America and the Marshall Islands (June 25, 1983)

### **Mexico**

- Agreement with Mexico on Tire Certification (March 8, 1996)
- Memorandum of Understanding between the United States and Mexico Regarding Areas of Food and Agriculture Trade (April 4, 2002)
- United States–Mexico Exchange of Letters Regarding Mexico's NAFTA Safeguard on Certain Poultry Products (July 24-25, 2003)

- Understanding Regarding the Implementation of the WTO Decision on Mexico's Telecommunications Services (June 1, 2004)
- Agreement between the U.S. Trade Representative and Secretaria de Economia of the United Mexican State on Trade in Tequila (January 17, 2006)
- Agreement between the U.S. Trade Representative and Secretaria de Economia of the United Mexican State on Trade in Cement (April 3, 2006)
- United States–Mexico Exchange of Letters Regarding Trade in Sweetener Goods (July 27, 2006)
- Bilateral Agreement on Customs Cooperation regarding Claims of Origin Under FTA Cumulation Provisions (January 26, 2007)
- Customs Cooperation Agreement with Mexico relating to Textiles Matters (August 15, 2008)
- Mutual Recognition Agreement between the Government of the United States of America and the Government of the United Mexican States for Conformity Assessment of Telecommunications Equipment (June 10, 2011)
- United States–Mexico Exchange of Letters on Measures Taken Under Section 232 of the Trade Expansion Act of 1962 (November 30, 2018)
- United States–Mexico Exchange of Letters on Trade in Automotive Goods (November 30, 2018)
- United States–Mexico Exchange of Letters on Dispute Settlement Regarding Trade in Automotive Goods Exchange (November 30, 2018)
- United States–Mexico Exchange of Letters on the Ramsar Convention (December 10, 2019)
- United States–Mexico Exchange of Letters on Safety Standards in the Automotive Sector (July 1, 2020)
- United States–Mexico Exchange of Letters on Prior Users (July 1, 2020)
- United States–Mexico Exchange of Letters on Distilled Spirits (July 1, 2020)
- United States–Mexico Exchange of Letters on Cheeses (July 1, 2020)

#### **Micronesia**

- Compact of Free Association with the Federated States of Micronesia (November 3, 1986)

#### **Moldova**

- Agreement on Bilateral Trade Relations (July 2, 1992)
- Treaty Between the United States of America and the Republic of Moldova Concerning the Encouragement and Reciprocal Protection of Investment (November 25, 1994)

**Mongolia**

- Agreement on Bilateral Trade Relations (January 23, 1991)
- Treaty Between the United States of America and Mongolia Concerning the Encouragement and Reciprocal Protection of Investment (January 1, 1997)
- Agreement on Transparency in Matters Related to International Trade and Investment between the United States of America and Mongolia (March 20, 2017)

**Morocco**

- Treaty Between the United States of America and the Kingdom of Morocco Concerning the Encouragement and Reciprocal Protection of Investments (May 29, 1991)
- United States–Morocco Free Trade Agreement (January 1, 2006)
- Agreement between the Government of the United States of America and the Government of the Kingdom of Morocco Concerning Customs Administration and Trade Facilitation (November 21, 2013)

**Mozambique**

- Treaty Between the Government of the United States of America and the Government of Mozambique Concerning the Encouragement and Reciprocal Protection of Investment (March 2, 2005)

**Nicaragua**

- Bilateral Intellectual Property Rights Agreement with Nicaragua (December 22, 1997)
- Exchange of Letters on Trade in Textile and Apparel Goods (March 24, 2006)

**Norway**

- Agreement on Procurement of Toll Equipment (April 26, 1990)

**Oman**

- Agreement between the Government of the United States of America and the Government of the Sultanate of Oman on the Establishment of a Free Trade Area (January 1, 2009)

**Palau**

- Compact of Free Association with the Republic of Palau (October 1, 1994)

**Panama**

- Treaty Between the United States of America and the Republic of Panama Concerning the Treatment and Protection of Investments (May 30, 1991)
- Agreement on Bilateral Trade Relations (1994)
- Agreement on Cooperation in Agricultural Trade (December 20, 2006)

- Agreement regarding Certain Sanitary and Phyto-sanitary Measures and Technical Standards Affecting Agricultural Products (December 20, 2006)
- Exchange of Letters Regarding Autos (June 28, 2007)
- Confirmation Letter Regarding Ship Repairs (June 28, 2007)
- Confirmation Letter Regarding Panama Joining the ITA (June 28, 2007)
- Exchange of Letters Regarding Free Trade Zones (June 28, 2007)
- Exchange of Letters Regarding Article 9.15 (June 28, 2007)
- Exchange of Letters Regarding Investment in Specified Sectors (June 28, 2007)
- Exchange of Letters Regarding Retail Sales (June 28, 2007)
- Exchange of Letters Regarding Cross Border Financial Service (June 28, 2007)
- Exchange of Letters Regarding Insurance (June 28, 2007)
- Exchange of Letters Regarding Pensions (June 28, 2007)
- Exchange of Letters Regarding Traditional Knowledge (June 28, 2007)
- Exchange of Letters Regarding Taxation (June 28, 2007)
- United States–Panama Trade Promotion Agreement (October 31, 2012)
  - i. Decision of the Free Trade Commission Regarding Article 3.20 and Article 6.3 (March 19, 2013)
  - ii. Decision No. 2 of the Free Trade Commission Establishing a Code of Conduct (May 28, 2014)
  - iii. Decision No. 3 of the Free Trade Commission to Establish the Remuneration of Panelists, Assistants, and Experts, and the Payment of Expenses in Dispute Settlement Proceedings under Chapter 20 (Dispute Settlement) (May 28, 2014)
  - iv. Decision No. 4 of the Free Trade Commission Establishing Model Rules of Procedure (May 28, 2014)
  - v. Decision No. 5 of the Free Trade Commission to Amend Annex 4.1 (December 6, 2016)
- Exchange of Letters Regarding Multiple Services Businesses (October 31, 2012)
- Exchange of Letters Regarding Beef and Beef Product Imports (March 27, 2013)
- Exchange of Letters on Free Trade Zones (October 2, 2013)
- Exchange of Letters Regarding Pet Food Containing Animal Origin Ingredients Imports (June 24, 2014)
- Agreement Establishing a Secretariat for Environmental Enforcement Matters Under the United States – Panama Trade Promotion Agreement (December 21, 2015)

## **Peru**

- Memorandum of Understanding on Intellectual Property Rights (May 23, 1997)
- Exchange of Letters on Sanitary and Phyto-sanitary Measures and Technical Barriers to Trade Issues (January 5, 2006)
- Additional Letter Exchange on Sanitary and Phyto-sanitary Measures and Technical Barriers to Trade Issues (April 10, 2006)
- United States–Peru Trade Promotion Agreement (February 1, 2009)
- Understanding for Implementing Article 18.8 of the United States–Peru Trade Promotion Agreement (March 20, 2016)
- Memorandum of Understanding (MOU) between the Government of the United States of America, the Government of the Republic of Peru, and the General Secretariat of the Organization of American States regarding a Secretariat for Submissions on Environmental Enforcement Matters under the United States–Peru Trade Promotion Agreement (March 23, 2016)

## **Philippines**

- Protection and Enforcement of Intellectual Property Rights (April 6, 1993)
- Agreement regarding Pork and Poultry Meat (February 13, 1998)
- Memorandum of Understanding with the Philippines Concerning Cooperation in Trade in Textile and Apparel Goods (August 23, 2006)
- Exchange of Letters on Special Treatment for Rice and Related Agricultural Concessions (June 5, 2014)

## **Poland**

- Treaty Between the United States of America and the Republic of Poland Concerning Business and Economic Relations (August 6, 1994; amended May 1, 2004)

## **Romania**

- Agreement on Bilateral Trade Relations (April 3, 1992)
- Treaty Between the Government of the United States of America and the Government of Romania Concerning the Reciprocal Encouragement and Protection of Investment (January 15, 1994; amended January 1, 2007)

## **Russia**

- Trade Agreement Concerning Most Favored Nation and Nondiscriminatory Treatment (June 17, 1992)
- Joint Memorandum of Understanding on Market Access for Aircraft (January 30, 1996)
- Agreed Minutes regarding exports of poultry products from the United States to Russia (March 15, March 25, and March 29, 1996)
- Agreement on Russian Firearms & Ammunition (April 3, 1996; amended 2003)

- Protocol of the Negotiations between the Experts of Russia and the United States of America on the Issue of U.S. Poultry Meat Imports into the Russian Federation (March 31, 2002)
- Agreement between the Government of the United States of America and the Government of the Russian Federation on Trade in Certain Types of Poultry, Beef and Pork (June 15, 2005; amended December 29, 2008)
- Agreement between the Government of the United States of America and the Government of the Russian Federation on Protection and Enforcement of Intellectual Property Rights (November 19, 2006)
- Agreement between the Government of the United States of America and the Government of the Russian Federation on Market Access for Beef and Beef By-Products (November 19, 2006)
- Agreement between the Government of the United States of America and the Government of the Russian Federation on Importation of Pork and Pork By-Products into the Russian Federation (November 19, 2006)
- Agreement between the Government of the United States of America and the Government of the Russian Federation on Inspection of Facilities for Exporting Pork and Poultry to the Russian Federation (November 19, 2006)
- Agreement between the Government of the United States of America and the Government of the Russian Federation on Agricultural Biotechnology (November 19, 2006)
- Agreement between the Government of the United States of America and the Government of the Russian Federation on Establishment of Import licensing Procedures for Imports of Goods Containing Encryption Technology (November 19, 2006)
- Exchange of Letters between the Government of the United States of America and the Government of the Russian Federation on Tariff Treatment of Certain Aircraft Imported Under Operational Lease (November 19, 2006)
- Exchange of Letters between the Ministry of Economic Development and Trade of the Russian Federation and the Office of the United States Trade Representative on Tariff Treatment of Certain Combine Harvester-Threshers and Self-Propelled Forage Harvesters (November 19, 2006)
- Letter on Market Access between the United States and the Russian Federation for Service Suppliers in Certain Energy Related Sectors (November 19, 2006)
- Letter on Market Access between the United States and the Russian Federation for Certain Insurance Firms (November 19, 2006)
- Bilateral Agreement on Verification of Pathogen Reduction Treatments and Resumption of Trade in Poultry (July 14, 2010)
- Bilateral Agreement on Pre-Notification Requirements Applied to Certain Imports of Meat Products from the United States (applied provisionally as of December 14, 2011)
- Agreement between the Government of the United States of America and the Government of the Russian Federation on Trade in Parts and Components of Motor Vehicles between the United States of America and the Russian Federation (July 12, 2013)

**Rwanda**

- Treaty Between the Government of the United States and the Government of the Republic of Rwanda Concerning the Encouragement and Reciprocal Protection of Investment (January 1, 2012)

**Senegal**

- Treaty Between the United States of America and the Republic of Senegal Concerning the Reciprocal Encouragement and Protection of Investment (October 25, 1990)

**Singapore**

- Agreement on Intellectual Property Rights Protection (April 27, 1987)
- Agreement to Implement Phase I and Phase II of the Asia Pacific Economic Cooperation (APEC) Mutual Recognition Arrangement for Conformity Assessment of Telecommunications Equipment (October 8, 2003)
- United States–Singapore Free Trade Agreement (January 1, 2004)

**Slovakia**

- Treaty Between the United States of America and the Czech and Slovak Federal Republic Concerning the Reciprocal Encouragement and Protection of Investment (December 19, 1992; amended May 1, 2004)

**Sri Lanka**

- Agreement on the Protection and Enforcement of Intellectual Property Rights (September 20, 1991)
- Treaty Between the United States of America and the Democratic Socialist Republic of Sri Lanka Concerning the Encouragement and Reciprocal Protection of Investment (May 1, 1993)

**Suriname**

- Agreement on Bilateral Trade Relations (1993)

**Switzerland**

- Exchange of Letters on Financial Services (November 9 and 27, 1995)
- Agreement on Mutual Recognition Between the Swiss Confederation and the United States of America Relating to Pharmaceutical Good Manufacturing Practice (July 27, 2023)

**Taiwan**

- Agreement on Customs Valuation (August 22, 1986)
- Agreement on Export Performance Requirements (August 1986)
- Agreement Concerning Beer, Wine, and Cigarettes (1987)
- Agreement on Turkeys and Turkey Parts (March 16, 1989)
- Agreement on Beef (June 18, 1990)

- Agreement on Intellectual Property Protection (June 5, 1992)
- Agreement on Intellectual Property Protection (Trademark) (April 1993)
- Agreement on Intellectual Property Protection (Copyright) (July 16, 1993)
- Agreement on Market Access (April 27, 1994)
- Telecommunications Liberalization by Taiwan (July 19, 1996)
- United States–Taiwan Medical Device Issue: List of Principles (September 30, 1996)
- Agreement on Market Access (February 20, 1998)
- Agreement to Implement Phase I of the Asia Pacific Economic Cooperation (APEC) Mutual Recognition Arrangement for Conformity Assessment of Telecommunications Equipment (March 16, 1999)
- Understanding on Government Procurement (August 23, 2001)
- Protocol of Bovine Spongiform Encephalopathy (BSE)-Related Measures for the Importation of Beef and Beef Products for Human Consumption from the Territory of the Authorities Represented by the American Institute in Taiwan (November 2, 2009)
- Agreement Between the American Institute in Taiwan and the Taipei Economic and Cultural Representative Office in the United States Regarding Trade Between the United States of America and Taiwan (December 10, 2023)

### **Tajikistan**

- Agreement on Bilateral Trade Relations (November 24, 1993)

### **Thailand**

- Agreement on Cigarette Imports (November 23, 1990)
- Agreement on Intellectual Property Protection and Enforcement (December 19, 1991)

### **Trinidad and Tobago**

- Agreement on Intellectual Property Protection and Enforcement (September 26, 1994)
- Treaty Between the United States of America and the Government of the Republic of Trinidad and Tobago Concerning the Encouragement and Reciprocal Protection of Investment (December 26, 1996)

### **Tunisia**

- Treaty Between the United States of America and the Republic of Tunisia Concerning Reciprocal Encouragement and Protection of Investment (February 7, 1993)

### **Turkey**

- Treaty Between the United States of America and the Republic of Turkey Concerning the Reciprocal Encouragement and Protection of Investments (May 18, 1990)
- WTO Settlement Concerning Taxation of Foreign Film Revenues (July 14, 1997)

## **Turkmenistan**

- Agreement on Bilateral Trade Relations (October 25, 1993)

## **Ukraine**

- Agreement on Bilateral Trade Relations (June 23, 1992)
- Treaty Between the United States of America and Ukraine Concerning the Encouragement and Reciprocal Protection of Investment (November 16, 1996)
- Agreement between the Government of the United States of America and the Government of the Republic of Ukraine on Sanitary and Phyto-sanitary Measures (February 21, 2007)
- Agreement between the United States and the Ukraine on Export Duties on Ferrous and Non-Ferrous Scrap Metal (February 22, 2007)

## **United Kingdom**

- Agreement on Trade in Wine (December 31, 2020)
- Agreement on Mutual Recognition of Certain Distilled Spirits/Spirits Drinks (December 31, 2020)
- Agreement on Mutual Recognition (including sectoral annexes on Telecommunications Equipment, Electromagnetic Compatibility, and Pharmaceutical Good Manufacturing Practices) (December 31, 2020)
- Agreement on the Mutual Recognition of Certificates of Conformity for Marine Equipment (December 31, 2020)
- Bilateral Agreement on Prudential Measures Regarding Insurance and Reinsurance (December 31, 2020)
- Memorandum of Understanding in the form of an Exchange of Letters between the Government of the United States and the Government of the United Kingdom with respect to the Obligations of the United Kingdom concerning Tariff Rate Quotas (TRQs) under Article XXVII of the GATT 1994 (May 9, 2022)

## **Uruguay**

- Treaty Between the United States of America and the Oriental Republic of Uruguay Concerning the Encouragement and Reciprocal Protection of Investment (November 1, 2006)

## **Uzbekistan**

- Agreement on Bilateral Trade Relations (January 13, 1994)
- Exchange of Letters between the United States and Uzbekistan on Imports of U.S. Meat, Poultry, and Egg Products (December 19, 2024)

## **Vietnam**

- Agreement between the United States and Vietnam on Trade Relations (December 10, 2001)
- Copyright Agreement (June 27, 1997)

- Exchange of Letters on Equivalence of Food Safety Inspection Systems (May 31, 2006)
- Exchange of Letters on Beef (May 31, 2006)
- Exchange of Letters on Biotechnology (May 31, 2006)
- Exchange of Letters on Energy Services (May 31, 2006)
- Exchange of Letters on Elimination of Prohibited Subsidies to Textile and Garment Sector (May 31, 2006)
- Bilateral Agreement on Export Duties on Ferrous and Nonferrous Scrap Metals (May 31, 2006)
- Exchange of Letters on Shelf Life (May 31, 2006)
- Acceptance of U.S. Certificates for Exports of Poultry Meat and Meat Products (May 31, 2006)
- Agreement to Implement Phase I of the Asia Pacific Economic Cooperation (APEC) Mutual Recognition Arrangement for Conformity Assessment of Telecommunications Equipment (June 19, 2008)
- Agreement between the Government of the Socialist Republic of Viet Nam and the Government of the United States of America on Illegal Logging and Timber Trade (October 1, 2021)

## **II. Agreements That Have Been Negotiated, But Have Not Yet Entered Into Force**

Following is a list of trade agreements concluded by the United States since 1984 that have not yet entered into force.

### **Multilateral and Plurilateral Agreements**

- OECD Agreement on Shipbuilding (December 21, 1994; interested parties evaluating implementing legislation)
- Anti-Counterfeiting Trade Agreement (signed by the United States on October 1, 2011)
- The Dominican Republic–Central America–United States Free Trade Agreement Decision Regarding the Specific Rules of Origin of Annex 4.1 (signed by the United States on July 6, 2017)
- WTO Agreement on Fisheries Subsidies (signed June 17, 2022)

### **Bilateral Agreements**

#### **Belarus**

- Treaty Between the United States of America and the Republic of Belarus Concerning the Encouragement and Reciprocal Protection of Investment (signed January 15, 1994)

#### **El Salvador**

- Treaty Between the Government of the United States of America and the Government of the Republic of El Salvador Concerning the Encouragement and Reciprocal Protection of Investment In (signed March 10, 1999)

#### **Estonia**

- Trade and Intellectual Property Rights Agreement (April 19, 1994; requires approval by Estonian legislature)

#### **Israel**

- Decision of the Joint Committee of the Agreement on the Establishment of a Free Trade Area Between the Government of Israel and the Government of the United States of America on Annex III (Rules of Origin) (2020)

#### **Kazakhstan**

- Exchange of Letters on Sanitary and Phyto-sanitary Measures of Kazakhstan (signed July 2, 2015)

#### **Lithuania**

- Trade and Intellectual Property Rights Agreement (April 26, 1994; requires approval by Lithuanian legislature)

**Nicaragua**

- Treaty Between the Government of the United States of America and the Government of the Republic of Nicaragua Concerning the Encouragement and Reciprocal Protection of Investment (signed July 1, 1995)

**Russia**

- Treaty Between the United States of America and the Russian Federation Concerning the Encouragement and Reciprocal Protection of Investment (signed June 17, 1992)

**Taiwan**

- Agreement Between the American Institute in Taiwan and the Taipei Economic and Cultural Representative Office in the United States Regarding Trade Between the United States of America and Taiwan (signed June 1, 2023)

**Uzbekistan**

- Treaty Between the Government of the United States of America and the Government of the Republic of Uzbekistan Concerning the Encouragement and Reciprocal Protection of Investment (signed December 16, 1994)

### **III. Other Trade-Related Agreements, Understandings and Declarations**

Following is a list of other trade-related agreements, understandings and declarations negotiated by the Office of the United States Trade Representative from January 1993. These documents provide the framework for negotiations leading to future trade agreements or establish mechanisms for structured dialogue in order to develop specific steps and strategies for addressing and resolving trade, investment, intellectual property, and other issues among the signatories.

#### **Multilateral Agreements and Declarations**

- Second Ministerial of the World Trade Organization, Ministerial Declaration on Global Electronic Commerce (May 20, 1998)
- WTO Guidelines for the Negotiation of Mutual Recognition Agreements on Accountancy (May 29, 1997)
- Asia Pacific Economic Cooperation
  - 1st Joint Ministerial Statement (November 6-7, 1989)
  - 2nd Joint Ministerial Statement (July 29-31, 1990)
  - 3rd Joint Ministerial Statement (November 12-14, 1991)
  - 4th Joint Ministerial Statement (September 10-11, 1992)
  - 5th Joint Ministerial Statement (November 17-19, 1993)
  - Leaders' Economic Vision Statement (November 20, 1993)
  - Ministers Responsible for Trade Statement (October 6, 1994)
  - 6th Joint Ministerial Statement (November 11-12, 1994)
  - Leaders' Declaration of Common Resolve (November 15, 1994)
  - 7th Joint Ministerial Statement (November 16-17, 1995)
  - Leaders' Declaration for Action (November 19, 1995)
  - Ministers Responsible for Trade Statement (July 15-16, 1996)
  - 8th Joint Ministerial Statement (November 22-23, 1996)
  - Leaders' Declaration: From Vision to Action (November 25, 1996)
  - Ministers Responsible for Trade Statement (May 8-10, 1997)
  - 9th Joint Ministerial Statement (November 21-22, 1997)

- Leaders' Declaration on Connecting the APEC Community (November 25, 1997)
- Asia Pacific Economic Cooperation (APEC) Mutual Recognition Arrangement for Conformity Assessment of Telecommunications Agreement (June 5, 1998)
- Ministers Responsible for Trade Statement (June 22-23, 1998)
- 10th Joint Ministerial Statement (November 14-15, 1998)
- Leaders' Declaration on Strengthening the Foundations for Growth (November 18, 1998)
- Ministers Responsible for Trade Statement (June 29-30, 1999)
- 11th Joint Ministerial Statement (September 9-10, 1999)
- Leaders' Declaration: The Auckland Challenge (September 13, 1999)
- Ministers Responsible for Trade Statement (June 6-7, 2000)
- 12th Joint Ministerial Statement (November 12-13, 2000)
- Leaders' Declaration: Delivering to the Community (November 16, 2000)
- Ministers Responsible for Trade Statement (June 6-7, 2001)
- 13th Joint Ministerial Statement (October 17-18, 2001)
- Leaders' Declaration: Meeting New Challenges in the New Century (October 21, 2001)
- Ministers Responsible for Trade Statement (May 29-30, 2002)
- 14th Joint Ministerial Statement (October 23-24, 2002)
- Leaders' Declaration: Expanding the Benefits of Cooperation for Economic Growth and Development-Implementing the Vision (October 27, 2002)
- Ministers Responsible for Trade Statement (June 2-3, 2003)
- 15th Joint Ministerial Statement (October 17-18, 2003)
- Declaration: A World of Differences-Partnership for the Future (October 21, 2003)
- Ministers Responsible for Trade Statement (June 4-5, 2004)
- 16th Joint Ministerial Statement (November 17-18, 2004)
- Leaders' Declaration: One Community, Our Future (November 20-21, 2004)
- Ministers Responsible for Trade Statement (June 2-3, 2005)
- 17th Joint Ministerial Statement (November 15-16, 2005)

- Leaders' Declaration: Towards One Community: Meet the Challenge, Make the Change (November 18-19, 2005)
- Ministers Responsible for Trade Statement (June 1-2, 2006)
- 18th Joint Ministerial Statement (November 15-16, 2006)
- Leaders' Declaration: Towards a Dynamic Community for Sustainable Development and Prosperity (November 18-19, 2006)
- Ministers Responsible for Trade Statement (July 5-6, 2007)
- 19th Joint Ministerial Statement (September 5-6, 2007)
- Leaders' Declaration: Strengthening our Community, Building a Sustainable Future (September 9, 2007)
- Ministers Responsible for Trade Statement (May 31-June 1, 2008)
- 20th Joint Ministerial Statement (November 19-20, 2008)
- Leaders' Declaration: A New Commitment to Asia-Pacific Development (November 22-23, 2008)
- Ministers Responsible for Trade Statement (July 21-22, 2009)
- 21st Joint Ministerial Statement (November 11-12, 2009)
- Leaders' Declaration: Sustaining Growth, Connecting The Region (November 14-15, 2009)
- Ministers Responsible for Trade Statement (June 5-6, 2010)
- 22nd Joint Ministerial Statement (November 10-11, 2010)
- Leaders' Declaration: The Yokohama Vision-Bogor and Beyond (November 13-14, 2010)
- Ministers' Responsible for Trade Statement (May 19-20, 2011)
- 23rd Joint Ministerial Statement (November 11, 2011)
- Leaders' Declaration: Toward a Seamless Regional Economy (November 12-13, 2011)
- Ministers' Responsible for Trade Statement (June 4-5, 2012)
- 24th Joint Ministerial Statement (September 5-6, 2012)
- Leaders' Declaration: Integrate to Grow, Innovate to Prosper (September 8-9, 2012)
- Ministers' Responsible for Trade Statement (April 20-21, 2013)
- 25th Joint Ministerial Statement (October 5, 2013)

- Leaders' Declaration: Resilient Asia-Pacific, Engine of Global Growth (October 8, 2013)
- Cooperation Agreement Among the Partner States of the East African Community and the United States of America on Trade Facilitation, Sanitary and Phyto-sanitary Measures, and Technical Barriers to Trade (February 26, 2015)
- Organization of American States (OAS), Inter-American Telecommunications Commission (CITEL) Mutual Recognition Agreement for Conformity Assessment of Telecommunications Equipment (October 29, 1999)
- United States—Association of Southeast Asian Nations Trade and Investment Framework Arrangement (August 25, 2006)
- World Wine Trade Group Memorandum of Understanding on Certification Requirements (October 20, 2011)
- Understanding Between the United States, Mexico, and Canada regarding Article 23.6 of the Agreement Between the United States of America, the United Mexican States, and Canada, done at Mexico City, on November 30, 2018 (December 10, 2019)
- Memorandum of Understanding on Cooperation for Trade and Investment Between the African Continental Free Trade Area Secretariat and the Government of the United States of America (December 14, 2022)

## **Bilateral Agreements and Declarations**

### **Afghanistan**

- Agreement Between the Government of the United States of America and the Government of the Transitional Islamic State of Afghanistan Concerning the Development of Trade and Investment Relations (September 21, 2004)
- Memorandum of Understanding on Joint Efforts to Enable the Economic Empowerment of Women and to Promote Women's Entrepreneurship (June 16, 2013)

### **Algeria**

- Agreement Between the Government of the United States of America and the Government of the People's Democratic Republic of Algeria Concerning the Development of Trade and Investment Relations (July 13, 2001)

### **Angola**

- Trade and Investment Framework Agreement Between the Government of the United States of America and the Government of the Republic of Angola (May 19, 2009)

### **Argentina**

- Bilateral Council on Trade and Investment (February 2002)
- Trade and Investment Framework Agreement Between the Government of the United States of America and the Government of the Argentine Republic (March 23, 2016)

## **Armenia**

- Trade and Investment Framework Agreement Between the Government of the United States of America and the Government of the Republic of Armenia (November 13, 2015)

## **Association of Southeast Asian Nations (ASEAN)**

- Trade and Investment Framework Arrangement Between the United States of America and the Association of Southeast Asian Nations (August 25, 2006)

## **Bangladesh**

- Agreement Between the Government of the United States of America and the Government of the People's Republic of Bangladesh on a Trade and Investment Cooperation Forum (signed November 25, 2013)

## **Bolivia**

- Agreement between the Government of the United States of America and the Government of the Republic of Bolivia concerning a United States–Bolivia Council on Trade and Investment (May 8, 1990)

## **Brazil**

- Agreement on Trade and Economic Cooperation Between the Government of the United States of America and the Government of the Federative Republic of Brazil (March 19, 2011)

## **Brunei Darussalam**

- Trade and Investment Framework Agreement Between the Government of the United States of America and the Government of Brunei Darussalam (December 16, 2002)

## **Burma**

- Trade and Investment Framework Agreement Between the Government of the United States of America and the Government of the Union of Myanmar (May 13, 2013)

## **Cambodia**

- Trade and Investment Framework Agreement Between the United States of America and the Royal Government of Cambodia (July 14, 2006)

## **Canada**

- The Canada–United States Organic Equivalency Arrangement (June 17, 2009)

## **Caribbean Community (CARICOM)**

- United States–CARICOM Trade and Investment Framework Agreement (2013)

## **Central Asian Economies**

- Framework Agreement Between the Government of the United States of America, the Government of the Republic of Kazakhstan, the Government of the Kyrgyz Republic, the Government of the Republic

of Tajikistan, the Government Turkmenistan, and the Government of the Republic of Uzbekistan Concerning the Development of Trade and Investment Relations (June 1, 2004)

### **China**

- United States-China Joint Commission on Commerce and Trade Agreements (April 21, 2004)
- United States–China Joint Commission on Commerce and Trade Agreements (July 11, 2005)
- Memorandum of Understanding on Combating Illegal Logging and Associated Trade (May 5, 2008)

### **Common Market for Eastern and Southern Africa (COMESA)**

- Agreement Between the Government of the United States of America and the Common Market for Eastern and Southern Africa Concerning the Development of Trade and Investment Relations (October 29, 2001)

### **East African Community**

- Trade and Investment Framework Agreement Between the East African Community and the Government of the United States of America (July 16, 2008)
- Cooperation Agreement Among the Partner States of the East African Community and the United States of America on Trade Facilitation, Sanitary and Phyto-sanitary Measures, and Technical Barriers to Trade (February 26, 2015)

### **Economic Community of West African States (ECOWAS)**

- Trade and Investment Framework Agreement Between the Government of the United States of America and the Economic Community of West African States (March 9, 2015)

### **Egypt**

- Agreement Between the Government of the United States of America and the Arab Republic of Egypt Concerning the Development of Trade and Investment Relations (July 1, 1999)

### **European Union**

- United States–EU Transatlantic Economic Partnership (May 18, 1998)
- United States–EU Joint Action Plan for the Transatlantic Economic Partnership (November 9, 1998)
- Decision to Establish the United States–EU High Level Working Group on Jobs and Growth, Joint Statement of the United States-EU Summit (November 28, 2010)
- United States–EU Organic Equivalency Arrangement (February 15, 2012)

### **Fiji**

- Trade and Investment Framework Agreement Between the Government of the United States of America and the Government of the Republic of Fiji (October 15, 2020)

## **Georgia**

- Trade and Investment Framework Agreement Between the United States of America and Georgia (June 20, 2007)
- United States–Georgia Trade Principles for Information and Communication Technology Services (October 30, 2015)

## **Ghana**

- Agreement Between the Government of the United States of America and the Government of the Republic of Ghana Concerning the Development of Trade and Investment Relations (February 26, 1999)

## **Gulf Cooperation Council (GCC)**

- Framework Agreement for Trade, Economic, Investment and Technical Cooperation Between the Cooperation Council for the Arab States of the Gulf and the Government of the United States of America (signed September 25, 2012)

## **Iceland**

- Agreement Between the Government of the United States of America and the Government of Iceland on Trade and Investment Cooperation (January 15, 2009)

## **India**

- United States–India Trade Policy Forum, Framework for Cooperation on Trade and Investment (March 17, 2010)

## **Indonesia**

- Memorandum of Understanding Between the Government of the United States of America and the Government of the Republic of Indonesia Concerning the Establishment of the Council on Trade and Investment (July 16, 1996)
- Memorandum of Understanding Between the Government of the United States of America and the Government of the Republic of Indonesia on Combating Illegal Logging and Associated Trade (November 16, 2006)
- Memorandum of Understanding Between the Government of the United States of America and the Government of the Republic of Indonesia to resolve certain outstanding issues in order to enhance the Parties' bilateral trade relationship (October 3, 2014)

## **Israel**

- Understanding regarding Israel's intellectual property regime for pharmaceutical products (February 18, 2010)

## **Iraq**

- Trade and Investment Framework Agreement Between the Government of the United States of America and the Government of the Republic of Iraq Concerning the Development of Trade and Investment Relations (July 11, 2005)

## **Japan**

- United States–Japan Joint Statement on the Bilateral Steel Dialogue (September 24, 1999)
- Exchange of Letters between the United States and Japan—Letters Regarding Electro-Magnetic Compatibility (EMC) Testing of Unintentional Radiators and Industrial Scientific and Medical (ISM) Equipment (February 26, 2007)
- Requirements for Beef and Beef Products to be Exported to Japan from the United States of America (January 25, 2013)
- United States–Japan Organic Equivalency Arrangement (September 26, 2013)
- United States–Japan Organic Equivalency Arrangement Appendix 1, for organic livestock products and organic processed food products containing livestock ingredients (July 16, 2020)

## **Korea**

- United States–Korea Organic Equivalency Arrangement (June 30, 2014)

## **Kuwait**

- Agreement Between the Government of the United States of America and the Government of the State of Kuwait Concerning the Development of Trade and Investment Relations (February 6, 2004)

## **Laos**

- Trade and Investment Framework Agreement Between the Government of the United States of America and the Government of the Lao People’s Democratic Republic (February 17, 2016)

## **Lebanon**

- Trade and Investment Framework Agreement Between the Government of the United States of America and the Government of the Republic of Lebanon Concerning the Development of Trade and Investment Relations (November 30, 2006)

## **Liberia**

- Trade and Investment Framework Agreement Between the United States of America and the Republic of Liberia (February 15, 2007)

## **Libya**

- Trade and Investment Framework Agreement Between the Government of the State of Libya and the Government of the United States of America (November 5, 2019)

## **Malaysia**

- Trade and Investment Framework Agreement Between the Government of the United States of America and the Government of Malaysia (May 10, 2004)
- Agreement to Implement Phase I of the Asia Pacific Economic Cooperation (APEC) Mutual Recognition Arrangement for Conformity Assessment of Telecommunications Equipment (June 28, 2016)

**Maldives**

- Trade and Investment Framework Agreement Between the Government of the United States of America and the Government of the Maldives (October 17, 2009)

**Mauritius**

- Trade and Investment Framework Agreement Between the Government of the United States of America and the Government of the Republic of Mauritius (September 18, 2006)
- United States–Mauritius Trade Principles for Information and Communication Technology Services (June 18, 2012)

**Mongolia**

- Agreement Between the Government of the United States of America and the Government of Mongolia Concerning the Development of Trade and Investment Relations (July 15, 2004)

**Morocco**

- Kingdom of Morocco–United States Trade Principles for Information and Communication Technology Services (December 5, 2012)
- Statement of Principles for International Investment (December 5, 2012)

**Mozambique**

- Trade and Investment Framework Agreement Between the Government of the United States of America and the Government of the Republic of Mozambique Concerning the Development of Trade and Investment Relations (June 21, 2005)

**Nepal**

- Trade and Investment Framework Agreement Between the Government of United States of America and the Government of Nepal (April 15, 2011)

**New Zealand**

- Agreement Between the Government of the United States of America and the Government of New Zealand Concerning a Framework of Principles and Procedures for Consultations Regarding Trade and Investment Relations (October 2, 1992)

**Nigeria**

- Agreement Between the Government of the United States of America and the Government of the Federal Public of Nigeria Concerning the Development of Trade and Investment Relations (February 16, 2000)

**Oman**

- Agreement Between the Government of the United States of America and the Government of the Sultanate of Oman Concerning the Development of Trade and Investment Relations (July 7, 2004)

## **Pakistan**

- Trade and Investment Framework Agreement Between the Government of the United States of America and the Government of the Islamic Republic of Pakistan Concerning the Development of Trade and Investment Relations (June 25, 2003)

## **Paraguay**

- Trade and Investment Framework Agreement Between the Government of the United States of America and the Government of the Republic of Paraguay (January 13, 2017)

## **Philippines**

- Trade and Investment Framework Agreement Between the Government of the United States of America and the Government of the Republic of the Philippines (November 9, 1989)
- Protocol to the 1989 Trade and Investment Framework Agreement Between the Government of the United States of America and the Government of the Republic of the Philippines Concerning Customs Administration and Trade Facilitation (November 13, 2011)

## **Qatar**

- Agreement Between the Government of the United States of America and the Government of the State of Qatar Concerning the Development of Trade and Investment Relations (March 19, 2004)

## **Rwanda**

- Trade and Investment Framework Agreement Between the Government of the United States of America and the Government of the Republic of Rwanda Concerning the Development of Trade and Investment Relations (June 7, 2006)

## **Saudi Arabia**

- Agreement Between the Government of the United States of America and the Government of the Kingdom of Saudi Arabia Concerning the Development of Trade and Investment Relations (July 31, 2003)

## **South Africa**

- Agreement Concerning the Development of Trade and Investment Between the Government of the Republic of South Africa and the Government of the United States of America (June 18, 2012)

## **Southern Africa Customs Union**

- Cooperative Agreement Between the United States Of America and the Southern African Customs Union to Foster Trade, Investment and Development (July 16, 2008)

## **Sri Lanka**

- Trade and Investment Framework Agreement Between the United States of America and the Democratic Socialist Republic of Sri Lanka (July 25, 2002)

## **Switzerland**

- Agreement between the Government of the United States of America and the Government of the Swiss Confederation Establishing a Trade and Investment Cooperation Forum (May 25, 2006)
- United States–Switzerland Organic Equivalency Arrangement (July 10, 2015)

## **Taiwan**

- Agreement Between the American Institute in Taiwan and the Coordination Council for North American Affairs Concerning a Framework of Principles and Procedures for Consultations Regarding Trade and Investment (September 19, 1994)
- United States–Taiwan Organic Equivalency Arrangement (May 30, 2020)

## **Thailand**

- Trade and Investment Framework Agreement Between the United States of America and the Kingdom of Thailand (October 23, 2002)

## **Tunisia**

- Agreement Between the Government of the United States of America and the Government of Tunisia Concerning the Development of Trade and Investment Relations (October 2, 2002)

## **Turkey**

- Trade and Investment Framework Agreement Between the Government of the United States of America and the Government of the Republic of Turkey (September 29, 1999)

## **Ukraine**

- Trade and Investment Cooperation Agreement Between the Government of Ukraine and the Government of the United States of America (March 28, 2008)

## **United Arab Emirates (UAE)**

- Agreement Between the Government of the United States of America and the Government of the United Arab Emirates Concerning the Development of Trade and Investment Relations (March 15, 2004)

## **United Kingdom**

- United States–United Kingdom Organic Equivalency Arrangement (January 1, 2021)

## **Uruguay**

- United States–Uruguay Bilateral and Commercial Trade Review (May 20, 1999)
- Joint Commission on Trade and Investment (January 25, 2007)
- Trade and Investment Framework Agreement Between the United States of America and the Oriental Republic of Uruguay (January 25, 2007)

- i. Protocol to the 2007 Trade and Investment Framework Agreement Between the United States of America and the Oriental Republic of Uruguay Concerning Trade and Environment Public Participation (October 2, 2008)
- ii. Protocol to the 2007 Trade and Investment Framework Agreement Between the United States of America and the Oriental Republic of Uruguay Concerning Trade Facilitation (October 2, 2008)

#### **Vietnam**

- Trade and Investment Framework Agreement Between the Government of the United States of America and the Government of the Socialist Republic of Vietnam (June 21, 2007)

#### **West African Economic and Monetary Union**

- Agreement Between the Government of the United States of America and the West African Economic and Monetary Union Concerning the Development of Trade and Investment Framework Relations (April 24, 2002)

#### **Yemen**

- Agreement Between the Government of the United States of America and the Government of the Republic of Yemen Concerning the Development of Trade and Investment Relations (February 6, 2004)



## **ANNEX III**



# **BACKGROUND INFORMATION ON THE WTO**



**MEMBERSHIP OF THE WORLD TRADE ORGANIZATION**

As of December 31, 2024 (166 Members)

<b>Government</b>	<b>Entry into Force</b>	<b>Government</b>	<b>Entry into Force</b>
Afghanistan	July 29, 2016	Latvia	February 10, 1999
Albania	September 8, 2000	Lesotho	May 31, 1995
Angola	November 23, 1996	Liberia	July 14, 2016
Antigua and Barbuda	January 1, 1995	Liechtenstein	September 1, 1995
Argentina	January 1, 1995	Lithuania	May 31, 2001
Armenia	February 5, 2003	Luxembourg	January 1, 1995
Australia	January 1, 1995	Macao, China	January 1, 1995
Austria	January 1, 1995	Republic of Macedonia	April 4, 2003
Bahrain	January 1, 1995	Madagascar	November 17, 1995
Bangladesh	January 1, 1995	Malawi	May 31, 1995
Barbados	January 1, 1995	Malaysia	January 1, 1995
Belgium	January 1, 1995	Maldives	May 31, 1995
Belize	January 1, 1995	Mali	May 31, 1995
Benin	February 22, 1996	Malta	January 1, 1995
Bolivia	September 12, 1995	Mauritania	May 31, 1995
Botswana	May 31, 1995	Mauritius	January 1, 1995
Brazil	January 1, 1995	Mexico	January 1, 1995
Brunei Darussalam	January 1, 1995	Moldova	July 26, 2001
Bulgaria	December 1, 1996	Mongolia	January 29, 1997
Brunei Darussalam	January 1, 1995	Montenegro	April 29, 2012
Bulgaria	December 1, 1996	Morocco	January 1, 1995

Burkina Faso	June 3, 1995	Mozambique	August 26, 1995
Burundi	July 23, 1995	Myanmar	January 1, 1995
Cambodia	October 12, 2004	Namibia	January 1, 1995
Cameroon	December 13, 1995	Nepal	April 23, 2004
Canada	January 1, 1995	The Netherlands	January 1, 1995
Cape Verde	July 23, 2008	New Zealand	January 1, 1995
Central African Republic	May 31, 1995	Nicaragua	September 3, 1995
Chad	October 19, 1996	Niger	December 13, 1996
Chile	January 1, 1995	Nigeria	January 1, 1995
China	December 11, 2001	Norway	January 1, 1995
Colombia	April 30, 1995	Oman	November 9, 2000
Comoros	August 21, 2024	Pakistan	January 1, 1995
Democratic Republic of the Congo	January 1, 1997	Panama	September 6, 1997
Republic of the Congo	March 27, 1997	Papua New Guinea	June 9, 1996
Costa Rica	January 1, 1995	Paraguay	January 1, 1995
Côte d'Ivoire	January 1, 1995	Peru	January 1, 1995
Croatia	November 30, 2000	Philippines	January 1, 1995
Cuba	April 20, 1995	Poland	July 1, 1995
Cyprus	July 30, 1995	Portugal	January 1, 1995
Czech Republic	January 1, 1995	Qatar	January 13, 1996
Denmark	January 1, 1995	Romania	January 1, 1995
Djibouti	May 31, 1995	Russia	August 22, 2012
Dominica	January 1, 1995	Rwanda	May 22, 1996
Dominican Republic	March 9, 1995	Saint Kitts and Nevis	February 21, 1996

Ecuador	January 21, 1996	Saint Lucia	January 1, 1995
Egypt	June 30, 1995	Saint Vincent and the Grenadines	January 1, 1995
El Salvador	May 7, 1995	Samoa	May 10, 2012
Estonia	November 13, 1999	Saudi Arabia	December 11, 2005
Eswatini	January 1, 1995	Senegal	January 1, 1995
European Union	January 1, 1995	Seychelles	April 26, 2015
Fiji	January 14, 1996	Sierra Leone	July 23, 1995
Finland	January 1, 1995	Singapore	January 1, 1995
France	January 1, 1995	Slovak Republic	January 1, 1995
Gabon	January 1, 1995	Slovenia	July 30, 1995
The Gambia	October 23, 1996	Solomon Islands	July 26, 1996
Georgia	June 14, 2000	South Africa	January 1, 1995
Germany	January 1, 1995	Spain	January 1, 1995
Ghana	January 1, 1995	Sri Lanka	January 1, 1995
Greece	January 1, 1995	Suriname	January 1, 1995
Grenada	February 22, 1996	Sweden	January 1, 1995
Guatemala	July 21, 1995	Switzerland	July 1, 1995
Guinea	October 25, 1995	Taiwan (referred to in the WTO as Chinese Taipei)	January 1, 2002
Guinea Bissau	May 31, 1995	Tajikistan	March 2, 2013
Guyana	January 1, 1995	Tanzania	January 1, 1995
Haiti	January 30, 1996	Thailand	January 1, 1995
Honduras	January 1, 1995	Timor-Leste	August 30, 2024
Hong Kong, China	January 1, 1995	Togo	May 31, 1995
Hungary	January 1, 1995	Tonga	July 27, 2007

Iceland	January 1, 1995	Trinidad and Tobago	March 1, 1995
India	January 1, 1995	Tunisia	March 29, 1995
Indonesia	January 1, 1995	Turkey (referred to in the WTO as Türkiye)	March 26, 1995
Ireland	January 1, 1995	Uganda	January 1, 1995
Israel	April 21, 1995	Ukraine	May 16, 2008
Italy	January 1, 1995	United Arab Emirates	April 10, 1996
Jamaica	March 9, 1995	United Kingdom	January 1, 1995
Japan	January 1, 1995	United States of America	January 1, 1995
Jordan	April 11, 2000	Uruguay	January 1, 1995
Kazakhstan	November 30, 2015	Vanuatu	August 24, 2012
Kenya	January 1, 1995	Venezuela	January 1, 1995
Republic of Korea	January 1, 1995	Vietnam	January 11, 2007
Kuwait	January 1, 1995	Yemen	June 26, 2014
Kyrgyz Republic	December 20, 1998	Zambia	January 1, 1995
Laos	February 2, 2013	Zimbabwe	March 5, 1995

**2025 Budget for the WTO Secretariat**  
 (in thousand Swiss francs)

<b>Part</b>	<b>Section</b>	<b>Budget Line</b>	<b>2025 Budget</b>
A Staffing Resources	1. Staff Expenditure	i) Staff Remuneration	91,770
		ii) Staff Pension & Post-Employment Benefits	23,480
		iii) Staff Health & Invalidity Insurance	7,394
		iv) Staff Family & International Benefits	11,121
		v) Other Staff Expenditure	2,200
	2. Temporary Assistance	i) Short-Term Staff	9,571
		ii) Consulting	8,454
		iii) Panelists	1,000
<b>A Staffing Resources Total</b>			<b>154,990</b>
B Other Resources	3. General Services	i) Telecommunication & Post	541
		ii) Contractual Services & Maintenance	12,613
		iii) Energy & Supplies	2,516
		iv) Documentation & Publication	1,558
		v) Other / Miscellaneous	48
	4. Travel & Hospitality	i) Travel	7,393
		ii) Hospitality	214
	5. Implementing Partners	i) Implementing Partners	213
	6. Capital Expenditure	i) Procurement of Fixed Assets	2,555
		ii) Rental & Leasing of Equipment	540
	7. Financial Expenditure	i) Bank & Interest Charges	380
		ii) Building Loan Reimbursement	1,200
<b>B Other Resources Total</b>			<b>29,771</b>
C Operating Funds and ITC	8. Contributions to ITC & Special Reserves	i) Contribution to ITC	18,968
		ii) Appellate Body Operating Fund	0
		iii) Ministerial Conference Operating Fund	600
		iv) Building Renovation Fund	600
<b>C Operating Funds and ITC Total</b>			<b>20,168</b>
<b>Grand Total</b>			<b>204,929</b>

**Scale of Contributions for 2025**  
 (in Swiss francs and with a minimum contribution of 0.015 percent)

Member	2025 CHF	Contribution	2025 Contribution %
Afghanistan	34,527	0.017%	
Albania	48,744	0.024%	
Angola	231,534	0.114%	
Antigua and Barbuda	30,465	0.015%	
Argentina	625,548	0.308%	
Armenia	50,775	0.025%	
Australia	2,658,579	1.309%	
Austria	1,998,504	0.984%	
Bahrain, Kingdom of	241,689	0.119%	
Bangladesh	467,130	0.230%	
Barbados	30,465	0.015%	
Belgium	3,781,722	1.862%	
Belize	30,465	0.015%	
Benin	34,527	0.017%	
Bolivia, Plurinational State of	87,333	0.043%	
Botswana	60,930	0.030%	
Brazil	2,311,278	1.138%	
Brunei Darussalam	67,023	0.033%	
Bulgaria	375,735	0.185%	
Burkina Faso	42,651	0.021%	
Burundi	30,465	0.015%	
Cabo Verde	30,465	0.015%	
Cambodia	192,945	0.095%	
Cameroon	62,961	0.031%	
Canada	4,785,036	2.356%	
Central African Republic	30,465	0.015%	
Chad	30,465	0.015%	
Chile	718,974	0.354%	
China	23,011,230	11.330%	
Colombia	483,378	0.238%	
Comoros	30,465	0.015%	
Congo	44,682	0.022%	
Costa Rica	178,728	0.088%	
Côte d'Ivoire	117,798	0.058%	
Croatia	268,092	0.132%	
Cuba	87,333	0.043%	
Cyprus	178,728	0.088%	
Czech Republic	1,504,971	0.741%	
Democratic Republic of the Congo	129,984	0.064%	
Denmark	1,667,451	0.821%	
Djibouti	36,558	0.018%	
Dominica	30,465	0.015%	
Dominican Republic	184,821	0.091%	
Ecuador	217,317	0.107%	
Egypt	546,339	0.269%	
El Salvador	85,302	0.042%	
Estonia	205,131	0.101%	
Eswatini	30,465	0.015%	
European Union <sup>1</sup>	0	0.000%	
Fiji	30,465	0.015%	
Finland	889,578	0.438%	
France	7,333,941	3.611%	
Gabon	42,651	0.021%	
The Gambia	30,465	0.015%	
Georgia	81,240	0.040%	
Germany	14,314,488	7.048%	
Ghana	190,914	0.094%	

<sup>1</sup> The European Union is not subject to contributions. However, its 27 members are assessed individually. The total share of members of the European Union represents 31.04% of the total assessed contributions for 2025.

Member	2025 CHF	Contribution	2025 Contribution %
Greece	704,757		0.347%
Grenada	30,465		0.015%
Guatemala	154,356		0.076%
Guinea	48,744		0.024%
Guinea-Bissau	30,465		0.015%
Guyana	38,589		0.019%
Haiti	30,465		0.015%
Honduras	83,271		0.041%
Hong Kong, China	5,343,561		2.631%
Hungary	1,102,833		0.543%
Iceland	83,271		0.041%
India	5,045,004		2.484%
Indonesia	1,766,970		0.870%
Ireland	4,177,767		2.057%
Israel	987,066		0.486%
Italy	5,073,438		2.498%
Jamaica	50,775		0.025%
Japan	7,240,515		3.565%
Jordan	152,325		0.075%
Kazakhstan	479,316		0.236%
Kenya	125,922		0.062%
Korea, Republic of	5,483,700		2.700%
Kuwait, the State of	523,998		0.258%
Kyrgyz Republic	36,558		0.018%
Lao People's Democratic Republic	56,868		0.028%
Latvia	188,883		0.093%
Lesotho	30,465		0.015%
Liberia	30,465		0.015%
Liechtenstein	67,023		0.033%
Lithuania	371,673		0.183%
Luxembourg	1,137,360		0.560%
Macao, China	201,069		0.099%
Madagascar	32,496		0.016%
Malawi	30,465		0.015%
Malaysia	1,913,202		0.942%
Maldives	30,465		0.015%
Mali	44,682		0.022%
Malta	176,697		0.087%
Mauritania	30,465		0.015%
Mauritius	44,682		0.022%
Mexico	4,206,201		2.071%
Moldova, Republic of	44,682		0.022%
Mongolia	71,085		0.035%
Montenegro	30,465		0.015%
Morocco	408,231		0.201%
Mozambique	71,085		0.035%
Myanmar	127,953		0.063%
Namibia	42,651		0.021%
Nepal	67,023		0.033%
Netherlands	6,032,070		2.970%
New Zealand	456,975		0.225%
Nicaragua	54,837		0.027%
Niger	30,465		0.015%
Nigeria	542,277		0.267%
North Macedonia	75,147		0.037%
Norway	1,322,181		0.651%
Oman	339,177		0.167%
Pakistan	387,921		0.191%
Panama	215,286		0.106%
Papua New Guinea	64,992		0.032%
Paraguay	111,705		0.055%
Peru	448,851		0.221%
Philippines	865,206		0.426%
Poland	2,735,757		1.347%
Portugal	848,958		0.418%
Qatar	672,261		0.331%
Romania	909,888		0.448%

Member	2025 CHF	Contribution	2025 Contribution %
Russian Federation	3,399,894		1.674%
Rwanda	30,465		0.015%
Saint Kitts and Nevis	30,465		0.015%
Saint Lucia	30,465		0.015%
Saint Vincent and the Grenadines	30,465		0.015%
Samoa	30,465		0.015%
Saudi Arabia, Kingdom of	1,988,349		0.979%
Senegal	58,899		0.029%
Seychelles	30,465		0.015%
Sierra Leone	30,465		0.015%
Singapore	5,323,251		2.621%
Slovak Republic	816,462		0.402%
Slovenia	367,611		0.181%
Solomon Islands	30,465		0.015%
South Africa	875,361		0.431%
Spain	3,795,939		1.869%
Sri Lanka	154,356		0.076%
Suriname	30,465		0.015%
Sweden	2,083,806		1.026%
Switzerland	3,885,303		1.913%
Chinese Taipei	2,983,539		1.469%
Tajikistan	30,465		0.015%
Tanzania	85,302		0.042%
Thailand	2,341,743		1.153%
Timor-Leste	30,465		0.015%
Togo	30,465		0.015%
Tonga	30,465		0.015%
Trinidad and Tobago	79,209		0.039%
Tunisia	127,953		0.063%
Türkiye	2,150,829		1.059%
Uganda	62,961		0.031%
Ukraine	550,401		0.271%
United Arab Emirates	2,772,315		1.365%
United Kingdom	7,352,220		3.620%
United States of America	23,092,470		11.370%
Uruguay	129,984		0.064%
Vanuatu	30,465		0.015%
Venezuela, Bolivarian Republic of	215,286		0.106%
Viet Nam	2,416,890		1.190%
Yemen	36,558		0.018%
Zambia	73,116		0.036%
Zimbabwe	44,682		0.022%
<b>TOTAL</b>	<b>203,100,000</b>		<b>100%</b>

**WTO Professional Staff Members by Nationality**  
**(Excluding Linguistic Staff)**  
(as per information available on December 31, 2023)

31 DECEMBER 2023 (86 Members Represented)						
Member	Nbr of Females	%	Nbr of Males	%	Total Nbr	%
France	21	5.6%	23	6.1%	44	11.8%
Germany	10	2.7%	15	4.0%	25	6.7%
United States of America	12	3.2%	10	2.7%	22	5.9%
Italy	10	2.7%	10	2.7%	20	5.3%
United Kingdom	6	1.6%	11	2.9%	17	4.5%
China	8	2.1%	6	1.6%	14	3.7%
Canada	3	0.8%	9	2.4%	12	3.2%
Spain	8	2.1%	4	1.1%	12	3.2%
India	2	0.5%	9	2.4%	11	2.9%
Switzerland	7	1.9%	4	1.1%	11	2.9%
Brazil	3	0.8%	7	1.9%	10	2.7%
Australia	2	0.5%	7	1.9%	9	2.4%
Philippines	4	1.1%	5	1.3%	9	2.4%
Mexico	2	0.5%	5	1.3%	7	1.9%
Bulgaria	2	0.5%	4	1.1%	6	1.6%
Ireland	5	1.3%	1	0.3%	6	1.6%
Russian Federation	5	1.3%	1	0.3%	6	1.6%
Colombia	1	0.3%	4	1.1%	5	1.3%
Japan	2	0.5%	3	0.8%	5	1.3%
Sweden	3	0.8%	2	0.5%	5	1.3%
Egypt	3	0.8%	1	0.3%	4	1.1%
Hungary	1	0.3%	3	0.8%	4	1.1%
Korea, Republic of	4	1.1%		0.0%	4	1.1%
Peru	2	0.5%	2	0.5%	4	1.1%
Türkiye	1	0.3%	3	0.8%	4	1.1%
Austria	1	0.3%	2	0.5%	3	0.8%
Benin		0.0%	3	0.8%	3	0.8%
Ecuador	1	0.3%	2	0.5%	3	0.8%
Netherlands		0.0%	3	0.8%	3	0.8%
Nigeria	1	0.3%	2	0.5%	3	0.8%
Pakistan	1	0.3%	2	0.5%	3	0.8%
Poland	1	0.3%	2	0.5%	3	0.8%
Tunisia	1	0.3%	2	0.5%	3	0.8%
Zimbabwe	3	0.8%		0.0%	3	0.8%
Belgium	1	0.3%	1	0.3%	2	0.5%
Bolivia, Plurinational State of		0.0%	2	0.5%	2	0.5%
Cameroon	1	0.3%	1	0.3%	2	0.5%
Chile	1	0.3%	1	0.3%	2	0.5%
Costa Rica	1	0.3%	1	0.3%	2	0.5%
El Salvador	2	0.5%		0.0%	2	0.5%
Finland	1	0.3%	1	0.3%	2	0.5%
Greece	2	0.5%		0.0%	2	0.5%
Kenya	2	0.5%		0.0%	2	0.5%
Malaysia		0.0%	2	0.5%	2	0.5%
Mauritius		0.0%	2	0.5%	2	0.5%
Morocco		0.0%	2	0.5%	2	0.5%
Nepal		0.0%	2	0.5%	2	0.5%
Romania	2	0.5%		0.0%	2	0.5%
Senegal		0.0%	2	0.5%	2	0.5%
Trinidad and Tobago	2	0.5%		0.0%	2	0.5%
Uganda	1	0.3%	1	0.3%	2	0.5%
Ukraine	2	0.5%		0.0%	2	0.5%
Venezuela, Bolivarian Republic of		0.0%	2	0.5%	2	0.5%
Argentina		0.0%	1	0.3%	1	0.3%
Armenia	1	0.3%		0.0%	1	0.3%
Bangladesh		0.0%	1	0.3%	1	0.3%
Burkina Faso		0.0%	1	0.3%	1	0.3%
Burundi		0.0%	1	0.3%	1	0.3%
Croatia	1	0.3%		0.0%	1	0.3%
Cuba		0.0%	1	0.3%	1	0.3%
Czech Republic	1	0.3%		0.0%	1	0.3%

31 DECEMBER 2023 (86 Members Represented)						
Member	Nbr of Females	%	Nbr of Males	%	Total Nbr	%
Democratic Republic of the Congo		0.0%	1	0.3%	1	0.3%
Denmark		0.0%	1	0.3%	1	0.3%
Dominica	1	0.3%		0.0%	1	0.3%
Dominican Republic	1	0.3%		0.0%	1	0.3%
Estonia	1	0.3%		0.0%	1	0.3%
Ghana	1	0.3%		0.0%	1	0.3%
Guatemala	1	0.3%		0.0%	1	0.3%
Guinea		0.0%	1	0.3%	1	0.3%
Jamaica	1	0.3%		0.0%	1	0.3%
Jordan	1	0.3%		0.0%	1	0.3%
Lithuania		0.0%	1	0.3%	1	0.3%
Malawi		0.0%	1	0.3%	1	0.3%
Mauritania	1	0.3%		0.0%	1	0.3%
Portugal		0.0%	1	0.3%	1	0.3%
Rwanda		0.0%	1	0.3%	1	0.3%
Saint Lucia		0.0%	1	0.3%	1	0.3%
Singapore		0.0%	1	0.3%	1	0.3%
South Africa		0.0%	1	0.3%	1	0.3%
Sri Lanka	1	0.3%		0.0%	1	0.3%
Tajikistan		0.0%	1	0.3%	1	0.3%
Tanzania	1	0.3%		0.0%	1	0.3%
The Gambia	1	0.3%		0.0%	1	0.3%
Uruguay		0.0%	1	0.3%	1	0.3%
Viet Nam	1	0.3%		0.0%	1	0.3%
Zambia	1	0.3%		0.0%	1	0.3%
<b>Grand Total</b>	<b>170</b>	<b>45.5%</b>	<b>204</b>	<b>54.5%</b>	<b>374</b>	<b>100.0%</b>

**WAIVERS CURRENTLY IN FORCE**  
(as of December 31, 2024)

WAIVER	DECISION	DATE of ADOPTION of DECISION	GRANTED UNTIL	REPORT in 2024 <sup>2</sup>
Introduction of Harmonized System Changes into WTO Schedules of Tariff Concessions <sup>3</sup>	2002 WT/L/1208	16 December 2024	31 December 2025	-
Introduction of Harmonized System Changes into WTO Schedules of Tariff Concessions <sup>4</sup>	2007 WT/L/1209	16 December 2024	31 December 2025	-
Introduction of Harmonized System Changes into WTO Schedules of Tariff Concessions <sup>5</sup>	2012 WT/L/1210	16 December 2024	31 December 2025	-
Introduction of Harmonized System Changes into WTO Schedules of Tariff Concessions <sup>6</sup>	2017 WT/L/1211	16 December 2024	31 December 2025	-
Introduction of Harmonized System Changes into WTO Schedules of Tariff Concessions <sup>7</sup>	2022 WT/L/1212	16 December 2024	31 December 2025	-
Cuba – Article XV:6 – Extension of waiver	WT/L/1128	24 November 2021	31 December 2026	WT/L/1206
Preferential Tariff Treatment for Least-Developed Countries – Decision on Extension of waiver	WT/L/1069	16 October 2019	30 June 2029	-
United States – Caribbean Basin Economic Recovery Act	WT/L/1070	16 October 2019	30 September 2025	WT/L/1202
Kimberly Process Certification Scheme for Rough Diamonds - Extension of Waiver <sup>8</sup>	WT/L/1213	16 December 2024	31 December 2030	-
United States – Former Trust Territory of the Pacific Islands	WT/L/1000	7 December 2016	31 December 2026	WT/L/1203
United States – Trade Preferences granted to Nepal	WT/L/1001	7 December 2016	31 December 2025	WT/L/1204
European Union – Application of Autonomous Preferential Treatment to the Western Balkans	WT/L/1114	28 July 2021	31 December 2026	WT/L/1199

<sup>2</sup> Applicable if so stipulated in the corresponding waiver Decision.

<sup>3</sup> The Member which has requested to be covered under this waiver is: China.

<sup>4</sup> The Members which have requested to be covered under this waiver are: Argentina; Brazil; China; Dominican Republic; European Union; and Malaysia.

<sup>5</sup> The Members which have requested to be covered under this waiver are: Argentina, Brazil, China, Costa Rica, Dominican Republic, European Union, Guatemala, India, Republic of Korea, Malaysia, Mexico, Philippines, Russian Federation, Singapore, Switzerland, Thailand, and United States

<sup>6</sup> The Members which have requested to be covered under this waiver are: Argentina; Brazil; Canada; China; Colombia; Costa Rica; Dominican Republic; Ecuador; El Salvador; European Union; Guatemala; Hong Kong, China; India, Kazakhstan; Republic of Korea; New Zealand; Norway; Paraguay; Philippines; Russian Federation; Switzerland; Chinese Taipei; Thailand; United States; and Uruguay.

<sup>7</sup> The Members which have requested to be covered under this waiver are: Australia; Canada; China; Colombia; Costa Rica; Dominican Republic; Ecuador; El Salvador; European Union; Guatemala; Hong Kong, China; India; Republic of Korea; Macao, China; Norway; Paraguay; Philippines; Russian Federation; Switzerland; Chinese Taipei; Thailand; and United States.

<sup>8</sup> Annex: Australia, Brazil, Cambodia, Canada, Côte d'Ivoire, European Union, Guyana, India, Israel, Japan, Malaysia, Mauritius, Norway, Russian Federation, South Africa, Switzerland, Thailand, Türkiye, Ukraine, United Kingdom, and United States.

WAIVER	DECISION	DATE of ADOPTION of DECISION	GRANTED UNTIL	REPORT in 2024 <sup>2</sup>
Implementation of Preferential Treatment in favour of Services and Service Suppliers of LDCs and Increasing LDC Participation in Services Trade <sup>9</sup>	WT/L/982 WT/MIN(15)/48	19 December 2015	31 December 2030 <sup>10</sup>	-
United States – African Growth and Opportunity Act	WT/L/970	30 November 2015	30 September 2025	WT/L/1201
Least-Developed Country Members – Obligations under Article 70.8 and Article 70.9 of the TRIPS Agreement with respect to Pharmaceutical Products	WT/L/971	30 November 2015	1 January 2033	-
Canada - CARIBCAN	WT/L/1166	9 May 2023	31 December 2033	WT/L/1196 and Add.1
Preferential Treatment to Services and Service Suppliers of Least-developed countries <sup>11</sup>	WT/L/847	17 December 2011	15 years from the date of its adoption <sup>12</sup>	-
Implementation of Para. 6 of the Doha Declaration on the TRIPS Agreement and Public Health <sup>13</sup>	WT/L/540 and WT/L/540/Corr.1	30 August 2003	See WT/L/540 and WT/L/540/Corr.1	IP/C/101

<sup>9</sup> This Ministerial Decision was adopted in furtherance of the waiver on Preferential Treatment to Services and Service Suppliers of Least-Developed Countries adopted in 2011 ([WT/L/847](#)) and of the subsequently operationalized in the Decision on the Operationalization of the Waiver Concerning Preferential Treatment to Services and Service Suppliers of Least-Developed Countries ([WT/MIN\(13\)/43](#) - [WT/L/918](#)).

<sup>10</sup> At the Nairobi Ministerial Conference ([WT/MIN\(15\)/48](#) – [WT/L/982](#)), Ministers decided to extend the 2011 waiver on Preferential Treatment to Services and Service Suppliers of Least-Developed Countries ([WT/L/847](#)).

<sup>11</sup> Two decisions were subsequently adopted at the Bali and Nairobi Ministerial Conferences in furtherance of this waiver: in 2013 ([WT/MIN\(13\)/43](#) – [WT/L/918](#)) and in 2015 ([WT/MIN\(15\)/48](#) – [WT/L/982](#)).

<sup>12</sup> At the Nairobi Ministerial Conference, Ministers decided to extend the waiver until 31 December 2030 ([WT/MIN\(15\)/48](#) – [WT/L/982](#)).

<sup>13</sup> Pursuant to the General Council Decision of 30 August 2003 ([WT/L/540](#) and [Corr.1](#)), a Protocol Amending the TRIPS Agreement was adopted by the General Council on 6 December 2005 ([WT/L/641](#)) and submitted to Members for acceptance. In accordance with Article X:3 of the WTO Agreement, the Protocol entered into force on 23 January 2017. Since then, the amended TRIPS Agreement applies to those Members who have accepted it. For each other Member, the Protocol will take effect upon acceptance by it. In the meantime, the 2003 Decision continues to apply to those Members. For the purposes of the 2003 Decision, the Annual Review of the Special Compulsory Licensing System is deemed to fulfil the review requirements of Article IX:4 of the WTO Agreement.

**WT/DSB/44/Rev.63**

19 March 2024

**INDICATIVE LIST OF GOVERNMENTAL AND  
NON-GOVERNMENTAL PANELISTS**  
*Revision*

1. To assist in the selection of panelists, the DSU provides in Article 8.4 that the Secretariat shall maintain an indicative list of governmental and non-governmental individuals.

2. The attached is a revised consolidated list of governmental and non-governmental panelists.

<sup>1</sup> The list is based on the previous Indicative List issued on 27 November 2023 (WT/DSB/44/Rev.62). It includes 12 additional names approved by the DSB at its meeting on 19 March 2024<sup>2</sup>. Any future modifications or additions to this list submitted by Members will be circulated in periodic revisions of this list.

3. For practical purposes, the proposals for the administration of the indicative list approved by the DSB on 31 May 1995 are reproduced as an Annex to this document.

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<sup>1</sup> Curricula Vitae containing more detailed information are available to WTO Members upon request from the Secretariat (Council & TNC Division).

<sup>2</sup> See document WT/DSB/W/729..

MEMBER	NAME	SECTORAL EXPERIENCE
ARGENTINA	BARDONESCHI, Mr. Rodrigo C.	Trade in Goods and Services; TRIPS
	BÉRAUD, Mr. Alan Claudio	Trade in Goods
	BERTONI, Mr. Ramiro	Trade in Goods
	CHIARADIA, Mr. Alfredo Vicente	Trade in Goods; TRIPS
	CIMA, Mr. Marcelo	Trade in Goods and Services
	CURI, Mr. Alfredo Esteban	Trade in Goods
	DUMONT, Mr. Alberto Juan	Trade in Goods
	FORADORI, Mr. Carlos M.	Trade in Goods
	LAVOPA, Mr. Federico	Trade in Goods and Services
	LUNAZZI, Mr. Gustavo Nerio	Trade in Goods
	MAKUC, Mr. Adrián Jorge	Trade in Goods
	MALVAREZ, Mr. Martín	Trade in Goods
	MÉNDEZ, Mr. Gustavo Héctor	Trade in Goods and Services
	MONNER SANS, Mr. Alejo	Trade in Goods
	NEGUELOAETCHEVERRY, Mr. Pedro	Trade in Goods
	NISCOVOLOS, Mr. Luis Pablo	Trade in Goods and Services
	RAITERI, Ms. María Valeria	Trade in Goods
	SERRA, Mr. Adrián	Trade in Goods and Services
	TABOADA, Mr. Gabriel Gaspar	Trade in Goods
	TEMPONE, Mr. Eduardo	Trade in Goods; TRIPS
	VICIEN-MILBURN, Ms. Rosa María	Trade in Goods and Services; TRIPS
AUSTRALIA	BENNETT, Ms. Annabelle	Trade in Goods and Services
	CHURCHE, Mr. Milton	Trade in Goods
	FARBENBLOOM, Mr. Simon	Trade in Goods and Services
	GALLAGHER, Mr. Peter	Trade in Goods; TRIPS
	GOSPER, Mr. Bruce	Trade in Goods
	HOLMES, Ms. Patricia Ann	Trade in Goods
	JENNINGS, Mr. Mark	Trade in Goods; TRIPS
	MITCHELL, Mr. Andrew	Trade in Goods and Services; TRIPS

MEMBER	NAME	SECTORAL EXPERIENCE
	MORETTA, Mr. Remo	Trade in Goods and Services
	MULGREW, Mr. Michael	Trade in Goods
	MYLER, Mr. Paul	Trade in Goods and Services
AUSTRALIA (cont'd)	O'CONNOR, Mr. Paul Richard	Trade in Goods
	RAPER, Ms. Cathy	Trade in Goods and Services
	SIN FAR LEE, Ms. Stephanie	Trade in Goods
	STOLER, Mr. Andrew	Trade in Goods and Services
	VOON, Ms. Tania Su Lien	Trade in Goods and Services; TRIPS
	WITBREUK, Ms. Trudy	Trade in Goods and Services
	YOUNG, Ms. Elizabeth	Trade in Goods
BOLIVIA, PLURINATIONAL STATE OF	ZELADA CASTEDO, Mr. Alberto	Trade in Goods
BRAZIL	AMARAL DE ANDRADE JUNQUEIRA, Ms. Carla	Trade in Goods
	BARRAL, Mr. Welber Oliveira	Trade in Goods
	BASSO, Ms. Maristela	Trade in Goods; TRIPS
	BENTES, Mr. Pablo M.	Trade in Goods and Services; TRIPS
	BERENHOLC, Mr. Mauro	Trade in Goods
	CAETANO DE MARINIS, Ms. Ana Teresa	Trade in Goods
	CASTAÑON PENHA VALLE, Ms. Marília	Trade in Goods
	CELLI JUNIOR, Mr. Umberto	Trade in Goods and Services
	DE CAMARGO VIDIGAL NETO, Mr. Geraldo	Trade in Goods
	DO AMARAL JÚNIOR, Mr. Alberto	Trade in Goods and Services; TRIPS
	KANAS GRYTZ, Ms. Vera	Trade in Goods
	KANITZ, Mr. Roberto H.	Trade in Goods
	KRAMER, Ms. Cynthia	Trade in Goods; TRIPS
	MANZANO SAYEG, Ms. Fernanda	Trade in Goods and Services
	MEDRADO, Mr. Renê Guilherme S.	Trade in Goods
	NASSER, Mr. Rabih	Trade in Goods

MEMBER	NAME	SECTORAL EXPERIENCE
	PUPO, Mr. Rodrigo Luís	Trade in Goods
	SALDANHA-URES, Ms. Carolina	Trade in Goods
	SETTI DIAZ, Mr. José	Trade in Goods
	THORSTENSEN, Ms. Vera Helena	Trade in Goods
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CAMEROON	NGANGJOH HODU, Mr. Yenkong	Trade in Goods and Services; TRIPS
CANADA	BERNIER, Mr. Ivan	Trade in Goods and Services
	BRADFORD, Mr. Meriel V. M.	Trade in Goods and Services
	BROWN, Ms. Catherine Anne	Trade in Goods and Services; TRIPS
	CLARK, Mr. Peter James	Trade in Goods and Services
	CLOSE, Ms. Patricia Margaret	Trade in Goods
	DE MESTRAL, Mr. Armand	Trade in Goods
	EYTON, Mr. Anthony T.	Trade in Goods
	GHERSON, Mr. Randolph	Trade in Goods
	GOODWIN, Ms. Kirsten M.	Trade in Goods and Services; TRIPS
	HALLIDAY, Mr. Anthony L.	Trade in Goods and Services
	HERMAN, Mr. Lawrence L.	Trade in Goods
	HINES, Mr. Wilfred Roy	Trade in Goods
	MacMILLAN, Ms. Kathleen E.	Trade in Goods
	McRAE, Mr. Donald Malcolm	Trade in Goods
	OSTRY, Ms. Sylvia	Trade in Goods
	RITCHIE, Mr. Gordon	Trade in Goods
	THOMAS, Mr. Christopher	Trade in Goods and Services
	WINHAM, Mr. Gilbert R.	Trade in Goods
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CHILE	BIGGS, Mr. Gonzalo	Trade in Goods
	BOZA, Ms. Sofía	Trade in Goods
	ERNST, Mr. Felipe	Trade in Goods and Services
	ESCUDERO, Mr. Sergio	TRIPS
	ESPINOZA, Mr. Alvaro	Trade in Goods

MEMBER	NAME	SECTORAL EXPERIENCE
	JANA, Mr. Álvaro	Trade in Goods
	MATUS, Mr. Mario	Trade in Goods
	MLADINIC, Mr. Carlos	Trade in Goods
	PEÑA, Ms. Gloria	Trade in Goods
	SAEZ, Mr. Sebastián	Trade in Goods and Services
	SATELER, Mr. Ricardo	TRIPS
	SOSA, Ms. Luz	Trade in Goods and Services
	TIRONI, Mr. Ernesto	Trade in Goods
CHINA	CHEN, Mr. Yusong	Trade in Goods and Services; TRIPS
	DONG, Mr. Shizhong	Trade in Goods and Services; TRIPS
	E, Mr. Defeng	Trade in Goods
	GONG, Mr. Baihua	Trade in Goods and Services; TRIPS
	HAN, Mr. Liyu	Trade in Goods; TRIPS
	HONG, Mr. Xiaodong	Trade in Services
	HUANG, Mr. Dongli	Trade in Goods; TRIPS
	LI, Mr. Enheng	Trade in Goods and Services
	LI, Ms. Yongjie	Trade in Goods and Services
	LI, Mr. Zhongzhou	Trade in Goods
	SHI, Ms. Xiaoli	Trade in Goods
	SUO, Mr. Bicheng	Trade in Goods
	YANG, Mr. Guohua	Trade in Goods; TRIPS
	ZHANG, Ms. Liping	Trade in Goods and Services
	ZHANG, Mr. Naigen	TRIPS
	ZHANG, Mr. Xiangchen	Trade in Goods and Services; TRIPS
	ZHANG, Mr. Yuqing	Trade in Goods and Services; TRIPS
	ZHU, Ms. Lanye	Trade in Services; TRIPS
COLOMBIA	IBARRA PARDO, Mr. Gabriel	Trade in Goods
	JARAMILLO, Mr. Felipe	Trade in Goods and Services
	LOZANO FERRO, Ms. Olga Lucia	Trade in Goods; TRIPS

MEMBER	NAME	SECTORAL EXPERIENCE
	OROZCO GOMEZ, Ms. Angela María	Trade in Goods
	OROZCO, Ms. Claudia	Trade in Goods
	PRIETO, Mr. Diego	Trade in Goods and Services
	ROJAS ARROYO, Mr. Santiago	Trade in Goods; TRIPS
	TANGARIFE, Mr. Marcel	Trade in Goods; TRIPS
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CÔTE D'IVOIRE	GOSSET, Ms. Marie	Trade in Goods; TRIPS
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CUBA	VÁZQUEZ De ALVARÉ, Ms. Dánice	TRIPS
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DJIBOUTI	PIQUEMAL, Mr. Alain	Trade in Goods and Services; TRIPS
DOMINICAN REPUBLIC	DE LOS SANTOS DE PIANTINI, Ms. Roxana	Trade in Goods; TRIPS
	NAUT, Ms. Katrina	Trade in Goods and Services; TRIPS
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ECUADOR	BETANCOURT, Mr. Roberto	Trade in Goods and Services
	CAICEDO, Mr. Diego	Trade in Goods and Services
	CASTRILLÓN, Mr. Juan Carlos	Trade in Goods and Services
	ESPINOSA CAÑIZARES, Mr. Cristian	Trade in Goods and Services; TRIPS
	LARREA MONARD, Mr. Homero	Trade in Goods and Services
	MONTAÑO HUERTA, Mr. César	Trade in Goods and Services; TRIPS
	MUÑOZ, Ms. Mireya	Trade in Goods and Services
	VAYAS, Mr. Luis	TRIPS
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EGYPT	EL-SEGINY, Mr. Ibrahim	Trade in Goods
	FARAHAT, Mr. Magdi Ahmed	Trade in Goods
	FAWZY, Mr. Abdelrahman	Trade in Goods and Services
	GAWAD ALLAM, Mr. Mohamed. A.	Trade in Goods and Services
	HATEM, Mr. Samy Affify	Trade in Goods
	RIAD, Mr. Tarek Fouad	Trade in Goods and Services; TRIPS
	SHAHIN, Ms. Magda	Trade in Goods and Services; TRIPS

MEMBER	NAME	SECTORAL EXPERIENCE
	SHARAF ELDIN, Mr. Ahmed	Trade in Goods; TRIPS
	ZAHRAN, Mr. Mohamed Mounir	Trade in Goods and Services; TRIPS
<b>European Union</b>		
AUSTRIA	BENEDEK, Mr. Wolfgang	Trade in Goods
	REITERER, Mr. Michael G. K.	Trade in Goods and Services; TRIPS
	ZEHETNER, Mr. Franz	Trade in Goods
BELGIUM	DIDIER, Mr. Pierre	Trade in Goods
	PAUWELYN, Mr. Joost	Trade in Goods and Services; TRIPS
	VAN CALSTER, Mr. Geert	Trade in Goods
	VAN DER BORGHT, Mr. Kim	Trade in Goods
	VANDER SCHUEREN, Ms. Paulette	Trade in Goods and Services
	WOUTERS, Mr. Jan	Trade in Goods and Services
BELGIUM (cont'd)	ZONNEKEYN, Mr. Geert A.	Trade in Goods
CZECH REPUBLIC	PALEČKA, Mr. Peter	Trade in Goods and Services
DENMARK	NIELSEN, Ms. Laura	Trade in Goods and Services
	OLSEN, Ms. Birgitte Egelund	Trade in Goods
	SMIDT, Mr. Steffen	Trade in Goods and Services
	WEGENER, Mr. Christian	Trade in Goods and Services; TRIPS
EUROPEAN UNION	BRAKELAND, Mr. Jean-François	Trade in Goods and Services
	CARL, Mr. Mogens Peter	Trade in Goods and Services; TRIPS
	KUIJPER, Mr. Pieter Jan	Trade in Goods and Services; TRIPS
	WHITE, Mr. Eric	Trade in Goods and Services; TRIPS
FINLAND	HIMANEN, Mr. Vesa	Trade in Goods
	LUOTONEN, Mr. Yrjö Kim David	Trade in Goods

MEMBER	NAME	SECTORAL EXPERIENCE
	PYYSALO, Mr. Tapio	Trade in Goods
<b>FRANCE</b>	ARMAIGNAC, Ms. Marie-Christine	Trade in Services; TRIPS
	BOISSON DE CHAZOURNES, Mrs. Laurence	Trade in Goods and Services
	JENNY, Mr. Frédéric Yves	Trade in Goods and Services; TRIPS
	METZGER, Mr. Jean-Marie	Trade in Goods
	MONNIER, Mr. Pierre	Trade in Goods and Services; TRIPS
	RIEGERT, Mr. François	Trade in Goods
	RUIZ-FABRI, Ms. Hélène	Trade in Goods and Services
	STERN, Ms. Brigitte	Trade in Goods
<b>GERMANY</b>	DELBRÜCK, Mr. Kilian	Trade in Goods
	HERRMANN, Mr. Christoph Walter	Trade in Goods; TRIPS
	HILF, Mr. Meinhard	Trade in Goods and Services
	MENG, Mr. Werner	Trade in Goods, TRIPS
	PETERSMANN, Mr. Ernst-Ulrich	Trade in Goods and Services; TRIPS
	STEINBACH, Mr. Armin	Trade in Goods and Services
<b>GERMANY (cont'd)</b>	TANGERMAN, Mr. Stefan	Trade in Goods
<b>GREECE</b>	STANGOS, Mr. Petros N.	Trade in Goods and Services; TRIPS
<b>HUNGARY</b>	HALGAND DANI, Ms. Virág	Trade in Goods and Services; TRIPS
	LAKATOS, Mr. Andrés	Trade in Goods and Services
<b>IRELAND</b>	MATTHEWS, Mr. Alan Henry	Trade in Goods
<b>ITALY</b>	GIARDINA, Mr. Andrea	Trade in Goods and Services
	MALAGUTI, Ms. Maria Chiara	Trade in Goods and Services; TRIPS
	MENSI, Mr. Maurizio	Trade in Goods

MEMBER	NAME	SECTORAL EXPERIENCE
LITHUANIA	ALISAUSKAS, Mr. Raimondas	Trade in Goods and Services
MALTA	BONELLO, Mr. Michael C.	Trade in Services
NETHERLANDS	BRONCKERS, Mr. Marco	Trade in Goods and Services; TRIPS
	GENEE, Mr. Otto	Trade in Goods; TRIPS
	HOEKMAN, Mr. Bernard Marco	Trade in Goods and Services; TRIPS
POLAND	PIETRAS, Mr. Jaroslaw	Trade in Services
PORTUGAL	CALHEIROS DA GAMA, Mr. José Sérgio	TRIPS
ROMANIA	BERINDE, Mr. Mihai	Trade in Goods
	CAMPEANU, Ms. Victoria	Trade in Goods
	FRATITA, Ms. Carmen Florina	Trade in Goods
SPAIN	LÓPEZ DE SILANES MARTÍNEZ, Mr. Juan Pablo	Trade in Goods and Services
	PÉREZ SANCHEZ, Mr. José Luis	Trade in Goods and Services; TRIPS
	RIGO, Mr. Andrés	Trade in Services
SWEDEN	AHNLID, Mr. Anders Gustav Ragnar	Trade in Goods and Services; TRIPS
	JOHANSSON, Ms. Lena	Trade in Goods and Services
	REITER, Mr. Joakim H.	Trade in Goods and Services
	STELLINGER, Ms. Anna	Trade in Goods and Services; TRIPS
	WALDER, Ms. Eva	Trade in Goods and Services
GHANA	NIMAKO-BOATENG, Ms. Gertrude	Trade in Goods and Services
	OPOKU AWUKU, Mr. Emmanuel	Trade in Goods and Services; TRIPS

MEMBER	NAME	SECTORAL EXPERIENCE
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HONG KONG, CHINA	CARTLAND, Mr. Michael David	Trade in Goods and Services
	CHEUNG, Mr. Peter Kam Fai	TRIPS
	LEUNG, Ms. Ada Ka Lai	TRIPS
	LITTLE, Mr. David	Trade in Goods and Services
	MILLER, Mr. Tony J.A.	Trade in Goods and Services
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ICELAND	BJÖRGVINSSON, Mr. David Thór	Trade in Goods and Services
	JÓHANNSSON, Mr. Einar M.	Trade in Goods
	SANDHOLT, Mr. Brynjolfur	Trade in Goods
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INDIA	AGARWAL, Mr. Vinod Kumar	Trade in Goods; TRIPS
	AGRAWAL, Mr. Rameshwar Pal	Trade in Goods and Services; TRIPS
	BHANSALI, Mr. Sharad	Trade in Goods
	BHATNAGAR, Mr. Mukesh	Trade in Goods
	BHATTACHARYA, Mr. G. C.	Trade in Goods
	CHANDRASEKHAR, Mr. Kesava Menon	Trade in Goods and Services; TRIPS
	CHAUDHURI, Mr. Sumanta	Trade in Goods and Services; TRIPS
	DAS, Mr. Abhijit	Trade in Goods
	DAS, Mr. Bhagirath Lal	Trade in Goods
	DASGUPTA, Mr. Jayant	Trade in Goods
	GOPALAN, Mr. Rajarangamani	Trade in Goods
	GOYAL, Mr. Arun	Trade in Services
	KAUSHIK, Mr. Atul	Trade in Goods; TRIPS
	KHER, Mr. Rajeev	Trade in Goods and Services; TRIPS
INDIA (cont'd)	KHULLAR, Mr. Rahul	Trade in Goods and Services; TRIPS
	KUMAR, Mr. Mohan	Trade in Goods and Services
	MOHANTY, Mr. Prasant Kumar	Trade in Goods
	MUKERJI, Mr. Asoke Kumar	Trade in Goods and Services; TRIPS
	NARAYANAN, Mr. Srinivasan	Trade in Goods; TRIPS

MEMBER	NAME	SECTORAL EXPERIENCE
	PARTHASARATHY, Mr. R.	Trade in Goods; TRIPS
	PRABHU, Mr. Pandurang Palimar	Trade in Goods; TRIPS
	PRASAD, Ms. Anjali	Trade in Goods and Services; TRIPS
	RAMAKRISHNAN, Mr. N.	Trade in Goods
	RAO, Mr. Pemmaraju Sreenivasa	Trade in Goods
	REGE, Mr. Narayan Vinod	Trade in Goods
	SABHARWAL, Mr. Narendra	TRIPS
	SAJJANHAR, Mr. Ashok	Trade in Goods
	SESHADRI, Mr. V.S.	Trade in Goods
	SHARMA, Mr. Lalit	Trade in Goods and Services; TRIPS
	VENUGOPAL, Mr. Krishnan	Trade in Goods; TRIPS
	YADAV, Mr. Amit	Trade in Services
	ZUTSHI, Mr. B. K.	Trade in Goods and Services; TRIPS
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INDONESIA	KOESNAIDI, Mr. Joseph Wira	Trade in Goods
	LIMENTA, Ms. Michelle Engel	Trade in Goods; TRIPS
	WINANTI, Ms. Poppy Sulistyaning	Trade in Services; TRIPS
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ISRAEL	ALTUVIA, Mr. Magen	Trade in Goods
	BROUDE, Mr. Tomer	Trade in Goods and Services; TRIPS
	FRID DE VRIES, Ms. Rachel	Trade in Goods and Services; TRIPS
	GABAY, Mr. Mayer	TRIPS
	HARAN, Mr. Ephraim F.	Trade in Services
	HARPAZ, Mr. Guy	Trade in Goods and Services; TRIPS
	HOROVITZ, Mr. Dan	Trade in Goods and Services
	POLINER, Mr. Howard Zvi	TRIPS
	REICH, Mr. Arie	Trade in Goods and Services; TRIPS
	RIVAS, Mr. Rodolfo C.	Trade in Goods; TRIPS
ISRAEL (cont'd)	SEMADAR, Mr. Moshe	Trade in Goods
	SHATON, Mr. Michael Marcel	Trade in Goods and Services

MEMBER	NAME	SECTORAL EXPERIENCE
	TALBAR, Mr. Michael Adin	Trade in Goods
	WEILER, Mr. Joseph H.H.	Trade in Goods
JAMAICA	ROBINSON, Mr. Patrick L.	Trade in Goods and Services; TRIPS
JAPAN	ABE, Mr. Yoshinori	Trade in Goods and Services
	ARAKI, Mr. Ichiro	Trade in Goods and Services; TRIPS
	FUKUNAGA, Ms. Yuka	Trade in Goods and Services; TRIPS
	HIGUCHI, Mr. Keiichi	Trade in Goods
	ITO, Mr. Kazuyori	Trade in Goods and Services
	KANDA, Mr. Hideki	Trade in Services
	KAZEKI, Mr. Jun	Trade in Goods and Services
	KIKUMA, Mr. Azusa	Trade in Goods and Services; TRIPS
	KOBAYASHI, Mr. Tomohiko	Trade in Goods and Services
	KOMETANI, Mr. Kazumochi	Trade in Goods and Services; TRIPS
	MIYAOKA, Mr. Kunio	Trade in Goods and Services; TRIPS
	NAIKI, Ms. Yoshiko	Trade in Goods
	OTA, Ms. Tomoko	Trade in Goods; TRIPS
	SAITO, Mr. Koji	Trade in Goods
	SANO, Mr. Tadakatsu	Trade in Goods
	SHIMIZU, Mr. Akio	Trade in Goods
	SHIMIZU, Ms. Mari	Trade in Goods and Services; TRIPS
	SUZUKI, Mr. Masabumi	Trade in Goods; TRIPS
	TSURUOKA, Mr. Koji	Trade in Services
	YAMANE, Ms. Hiroko	Trade in Goods; TRIPS
KAZAKHSTAN	KASSABEKOVA, Ms. Aray	Trade in Goods
KENYA	GATHII, Mr. James T.	Trade in Goods and Services; TRIPS
	MCHARO, Ms. Pauline W.	Trade in Goods and Services; TRIPS

MEMBER	NAME	SECTORAL EXPERIENCE
	MILIMO MUHAMBE, Mr. Dennis	Trade in Goods and Services; TRIPS
KENYA (cont'd)	NDERITU, Mr. Wilfred N.	Trade in Goods and Services
	WARUHIU, Mr. Andrew	Trade in Goods; TRIPS
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KOREA	AHN, Mr. Dukgeun	Trade in Goods
	AHN, Mr. Ho-Young	Trade in Goods
	BARK, Mr. Taeho	Trade in Goods
	CHO, Mr. Tae-Yul	Trade in Goods
	CHOI, Mr. Byung-il	Trade in Services
	CHOI, Mr. Seung-Hwan	Trade in Goods
	CHOI, Mr. Won-Mog	Trade in Goods and Services; TRIPS
	CHUNG, Mr. Chan-Mo	Trade in Goods
	KIM, Mr. Jong Bum	Trade in Goods
	KANG, Mr. Junha	Trade in Goods
	KIM, Mr. Doo-Sik	Trade in Goods
	KIM, Mr. Youngjae	Trade in Goods
	LEE, Mr. Jaehyoung	Trade in Goods
	LEE, Mr. Jaemin	Trade in Goods
	WANG, Mr. Sanghan	Trade in Goods
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KYRGYZ REPUBLIC	DJUMALIEV, Mr. Muktar	Trade in Goods and Services
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LIECHTENSTEIN	ZIEGLER, Mr. Andreas R.	Trade in Services; TRIPS
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MADAGASCAR	ANDRIANARIVONY, Mr. Minoarison	Trade in Goods and Services; TRIPS
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	KASIMIR, Mr. Merlyn	Trade in Goods and Services
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MEMBER	NAME	SECTORAL EXPERIENCE
<b>MAURITIUS</b>	BEEKARRY, Mr. Navin	Trade in Goods and Services
	BHUGLAH, Mr. Achad	Trade in Goods and Services
<b>MEXICO</b>	DE LA PEÑA, Mr. Alejandro	Trade in Goods and Services; TRIPS
	DE MATEO VENTURINI, Mr. Fernando	Trade in Goods and Services; TRIPS
	DE ROSENZWEIG, Mr. Francisco	Trade in Goods and Services; TRIPS
	FERRARI, Mr. Bruno	Trade in Goods and Services; TRIPS
	JASSO TORRES, Mr. Humberto	Trade in Goods
	LEYCEGUI, Ms. Beatriz	Trade in Goods and Services; TRIPS
	MALPICA SOTO, Mr. Guillermo	Trade in Services
	PEREZCANO DÍAZ, Mr. Hugo Manuel	Trade in Goods and Services; TRIPS
	PÉREZ GÁRATE, Mr. Orlando	Trade in Goods and Services; TRIPS
	POBLANO, Mr. José F.	Trade in Services; TRIPS
	REYES, Ms. Luz Elena	Trade in Goods
	TRASLOSHEROS HERNÁNDEZ, Mr. José Gerardo	Trade in Goods and Services; TRIPS
	VÉJAR, Mr. Carlos	Trade in Goods and Services; TRIPS
	ZABLUDOVSKY KUPER, Mr. Jaime	Trade in Goods and Services; TRIPS
<b>MOLDOVA, REP. OF</b>	FOLTEA, Ms. Marina	Trade in Goods; TRIPS
<b>MONTENEGRO</b>	SCEPANOVIC, Mr. Goran	Trade in Goods
	VUJANOVIC, Ms. Snezana	Trade in Goods
<b>NEPAL</b>	PANDEY, Mr. Posh Raj	Trade in Goods and Services
	SUBEDI, Mr. Surya P.	Trade in Goods and Services; TRIPS
<b>NEW ZEALAND</b>	CARSON, Mr. Christopher Barr	Trade in Goods
	EVANS, Mr. David	Trade in Goods
	GALLACHER, Mr. Scott	Trade in Goods and Services; TRIPS
	GARCIA, Mr. Martin	Trade in Goods
	GROSER, Mr. Tim	Trade in Goods

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	HALLUM, Ms. Victoria	Trade in Services
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NEW ZEALAND (cont'd)	KELLY, Ms. Clare	Trade in Goods and Services
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	McPHAIL, Mr. Alexander Hugh	Trade in Goods
	NOTTAGE, Mr. Hunter	Trade in Goods and Services; TRIPS
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	SANDFORD, Mr. Iain	Trade in Goods and Services; TRIPS
	SLADE, Ms. Michelle	Trade in Goods and Services; TRIPS
	TRAINOR, Mr. Mark Julian	Trade in Goods; TRIPS
	WALKER, Mr. David John	Trade in Goods and Services
	VITALIS, Mr. Vangelis	Trade in Goods and Services
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NIGER	TANKOANO, Mr. Amadou	Trade in Goods and Services; TRIPS
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NIGERIA	AGAH, Mr. Yonov Frederick	Trade in Goods and Services; TRIPS
	NNONA, Mr. George C.	Trade in Goods and Services; TRIPS
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NORWAY	ANDREASSEN, Mr. Harald	Trade in Goods and Services; TRIPS
	BLOM, Ms. Camilla	Trade in Goods and Services
	EDVARTSEN, Ms. Linn	Trade in Goods
	FLEISCHER, Ms. Benedicte	Trade in Goods and Services
	HANSEN, Ms. Kristin	Trade in Goods and Services
	HOLTEN, Ms. Inger	Trade in Goods; TRIPS
	LILLERUD, Mr. Kjell	Trade in Goods and Services
	MIDTBØ STADSHAUG, Ms. Kaja	TRIPS
	NEPLE, Mr. Harald	Trade in Goods and Services
	SANDVIK, Mr. Jostein	TRIPS

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	SELAND, Mr. Helge A.	Trade in Goods and Services; TRIPS
	SKEI, Mr. Jonas	Trade in Goods
	VEDERHUS, Mr. Alf	Trade in Goods
PAKISTAN	AMIN, Mrs. Anjum A.	Trade in Goods
	ARIF, Mr. Muhammad Ikram	Trade in Goods
	BASHIR, Mr. Shahid	Trade in Goods
	HAMID ALI, Mr. Muhammad	Trade in Goods; TRIPS
	HAYAT, Mr. Khizar	Trade in Goods
	HUSAIN, Mr. Ishrat	Trade in Services
	KHAN, Mr. Mujeeb Ahmed	Trade in Goods; TRIPS
	MALIK, Mr. Riaz Ahmad	Trade in Goods
	MUKHTAR, Mr. Ahmad	Trade in Goods and Services; TRIPS
	NAYYAR, Mr. Syed I. M.	Trade in Goods and Services; TRIPS
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PANAMA	ALVAREZ DE SOTO, Mr. Francisco	Trade in Goods and Services; TRIPS
	FERRER, Mr. Alejandro	Trade in Goods and Services
	FRANCIS LANUZA, Ms. Yavel Mireya	Trade in Goods and Services
	GONZALEZ, Mr. Carlos Ernesto	Trade in Goods and Services
	HARRIS ROTKIN, Mr. Norman	Trade in Goods and Services
	SALAZAR FONG, Ms. Diana Alejandrina	Trade in Goods
	SHEFFER MONTES, Mr. Leroy Jhon	Trade in Goods and Services
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PERU	BELAÚNDE G., Mr. Victor Andres	TRIPS
	DE LA PUENTE LEON, Mr. Jose A.	Trade in Goods and Services
	DIEZ LIZARDO, Mr. Juan	Trade in Goods
	LEÓN-THORNE, Mr. Raúl	Trade in Goods and Services
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PHILIPPINES	CONEJOS, Mr. Esteban B.	Trade in Goods
	TEEHANKEE, Mr. Manuel A. J.	Trade in Goods and Services; TRIPS
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MEMBER	NAME	SECTORAL EXPERIENCE
<b>QATAR</b>	AL-ADBA, Mr. Nasser M.	Trade in Goods and Services
	AL-SULAITI, Mr. Ahmed	Trade in Goods; TRIPS
	FETAIS, Mr. Abdulmehsen	Trade in Goods and Services
	MAKKI, Mr. Fadi	Trade in Goods and Services
<b>SAUDI ARABIA, KINGDOM OF</b>	ALMOQBEL, Mr. Saeer	Trade in Goods and Services; TRIPS
	ALSHARIF, Mr. Sultan	Trade in Goods; TRIPS
<b>SINGAPORE</b>	GAFOOR, Mr. Burhan	TRIPS
	GOVINDASAMY, Mr. Peter Mari	Trade in Goods and Services
	HONG, Ms. Fan Sin Daphne	Trade in Services; TRIPS
	ITHNAIN, Mr. Rossman	Trade in Goods
	KWOK, Mr. Fook Seng	Trade in Goods
	LOH, Mr. K. Y. Derek	Trade in Goods and Services; TRIPS
	NG, Ms. Bee Kim	Trade in Goods
	ONG, Mr. Chin Heng	Trade in Goods and Services
	TAN, Mr. T. K. Jason	Trade in Goods and Services
<b>SRI LANKA</b>	JAYASEKERA, Mr. Douglas	Trade in Goods; TRIPS
<b>SWITZERLAND</b>	ADDOR, Mr. Felix	TRIPS
	CHAMBOVEY, Mr. Didier	Trade in Goods
	COTTIER, Mr. Thomas	Trade in Goods and Services; TRIPS
	HÄBERLI, Mr. Christian	Trade in Goods
	HOLZER, Mr. Patrick Edgar	Trade in Goods; TRIPS
	INEICHEN-FLEISCH, Ms. Marie-Gabrielle	Trade in Goods and Services
	KAUFMANN, Ms. Christine	Trade in Services
	LEGLER, Mr. Thomas	TRIPS

MEMBER	NAME	SECTORAL EXPERIENCE
	MÄCHLER, Ms. Monica	Trade in Goods and Services; TRIPS
	MEYER, Mr. Matthias	Trade in Goods and Services; TRIPS
	PANNATIER, Mr. Serge Nicolas	Trade in Goods
	SCHMID, Mr. Michael	Trade in Goods and Services
	TSCHÄENI, Mr. Hanspeter	Trade in Goods
	WEBER, Mr. Rolf H.	Trade in Services
	ZULAUF, Mr. Daniel	Trade in Goods and Services; TRIPS
THE SEPARATE CUSTOMS TERRITORY OF TAIWAN, PENGHU, KINMEN AND MATSU	CHANG, Ms. Yie-Yun	TRIPS
	KAO, Mr. Pei-Huan	Trade in Goods and Services; TRIPS
	LI, Ms. Catherine	Trade in Goods
	LIN, Ms. Tsai-Yu	Trade in Goods
	LO, Mr. Chang-Fa	Trade in Goods and Services
	NI, Mr. Kuei-Jung	Trade in Goods; TRIPS
	PENG, Ms. Shin-Yi	Trade in Goods and Services
	YANG, Ms. Guang-Hwa	Trade in Goods and Services
	YANG, Ms. Jen-Ni	Trade in Goods and Services
TUNISIA	YAHYAOUI, Mr. Issam	Trade in Goods and Services; TRIPS
TÜRKİYE	AKŞAHİN ŞİMŞEK, Ms. Zöre	Trade in Goods
	BEBEKOĞLU, Ms. Aylin	Trade in Goods
	BOZDOĞAN, Mr. Doğan	Trade in Goods
	DILEMRE, Mr. Hüsnü	Trade in Goods
	GÜÇLÜ, Ms. Bahar	Trade in Goods
	GÜREŞÇİ, Mr. Burak	Trade in Goods
	KAYA, Mr. Talat	Trade in Goods
	KOŞAN, Ms. Ciğdem	Trade in Services
	SAFALI, Ms. Ayşe Figen	Trade in Services
	ŞAHİNOĞLU YERDEŞ, Ms. Ayşegül	Trade in Goods
	TUZCU, Mr. Mustafa	Trade in Goods

MEMBER	NAME	SECTORAL EXPERIENCE
UNITED KINGDOM	BETHLEHEM, Mr. Daniel	Trade in Goods and Services; TRIPS
	JOHNSON, Mr. Michael David Clarke	Trade in Goods
	QURESHI, Mr. Asif Hasan	Trade in Goods
	ROBERTS, Mr. Christopher William	Trade in Goods and Services
	ROBERTS, Mr. David F.	Trade in Goods
	SAROOSHI, Mr. Dan	Trade in Services
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UNITED STATES	BROWN-WEISS, Ms. Edith	Trade in Goods and Services
	CONNELLY, Mr. Warren	Trade in Goods
UNITED STATES (cont'd)	GANTZ, Mr. David A.	Trade in Goods
	GORDON, Mr. Michael Wallace	Trade in Goods
	HODGSON, Ms. Mélida	Trade in Goods and Services
	KASSINGER, Mr. Theodore W.	Trade in Goods and Services
	KHO, Mr. Stephen	Trade in Goods and Services; TRIPS
	LAYTON, Mr. Duane	Trade in Goods
	LICHTENSTEIN, Ms. Cynthia Crawford	Trade in Services
	McGINNIS, Mr. John Oldham	Trade in Goods; TRIPS
	PARTAN, Mr. Daniel G.	Trade in Goods
	POWELL, Mr. Stephen J.	Trade in Goods
	SANDSTROM, Mr. Mark R.	Trade in Goods and Services
	THOMPSON, Mr. George W.	Trade in Goods
	TROSSEVIN, Ms. Marguerite	Trade in Goods
	VERRILL, Jr. Mr. Charles Owen	Trade in Goods
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URUGUAY	AMORÍN, Mr. Carlos	Trade in Goods; TRIPS
	CAYRÚS, Mr. Hugo	Trade in Goods and Services
	EHLERS, Mr. William	Trade in Goods
	ROSSELLI, Mr. Elbio	Trade in Goods
	VANERIO, Mr. Gustavo	Trade in Goods and Services
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MEMBER	NAME	SECTORAL EXPERIENCE
VENEZUELA, BOLIVARIAN REPUBLIC OF	ESCOBAR, Mr. José Benjamín	Trade in Services
	MARQUEZ, Mr. Guillermo	Trade in Services
	ROJAS PENSO, Mr. Juan Francisco	Trade in Goods and Services

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## **ANNEX**

### Administration of the Indicative List

1. To assist in the selection of panelists, the DSU provides in Article 8.4 that the Secretariat shall maintain an indicative list of qualified governmental and non-governmental individuals. Accordingly, the Chairman of the DSB proposed at the 10 February meeting that WTO Members review the roster of non-governmental panelists established on 30 November 1984 (BISD 31S/9) (hereinafter referred to as the "1984 GATT Roster") and submit nominations for the indicative list by mid-June 1995. On 14 March, The United States delegation submitted an informal paper discussing, amongst other issues, what information should accompany the nomination of individuals, and how names might be removed from the list. The DSB further discussed the matter in informal consultations on 15 and 24 March, and at the DSB meeting on 29 March. This note puts forward some proposals for the administration of the indicative list, based on the previous discussions in the DSB.

#### *General DSU requirements*

2. The DSU requires that the indicative list initially include "the roster of governmental and non-governmental panelists established on 30 November 1984 (BISD 31S/9) and other rosters and indicative lists established under any of the covered agreements, and shall retain names of persons on those rosters and indicative lists at the time of entry into force of the WTO Agreement" (DSU 8.4). Additions to the indicative list are to be made by Members who may "periodically suggest names of governmental and non-governmental individuals for inclusion on the indicative list, providing relevant information on their knowledge of international trade and of the sectors or subject matter of the covered agreements". The names "shall be added to the list upon approval by the DSB" (DSU 8.4).

#### *Submission of information*

3. As a minimum, the information to be submitted regarding each nomination should clearly reflect the requirements of the DSU. These provide that the list "shall indicate specific areas of experience or expertise of the individuals in the sectors or subject matter of the covered agreements" (DSU 8.4). The DSU also requires that panelists be "well-qualified governmental and/or non-governmental individuals, including persons who have served on or presented a case to a panel, served as a representative of a Member or of a contracting party to GATT 1947 or as a representative to the Council or Committee of any covered agreement or its predecessor agreement, or in the Secretariat, taught or published on international trade law or policy, or served as a senior trade policy official of a Member" (DSU 8.1).

4. The basic information required for the indicative list could best be collected by use of a standardized form. Such a form, which could be called a Summary Curriculum Vitae, would be filled out by all nominees to ensure that relevant information is obtained. This would also permit information on the indicative list to be stored in an electronic database, making the list easily updateable and readily available to Members and the Secretariat. As well as supplying a completed Summary Curriculum Vitae form, persons proposed for inclusion on the indicative list could also, if they wished, supply a full Curriculum Vitae. This would not, however, be entered into the electronic part of the database.

#### *Updating of indicative list*

5. The DSU does not specifically provide for the regular updating of the indicative list. In order to maintain the credibility of the list, it should however be completely updated every two years. Within the first month of each two-year period, Members would forward updated Curricula Vitae of persons appearing on the indicative list. At any time, Members would be free to modify the indicative list by proposing new names

for inclusion, or specifically requesting removal of names of persons proposed by the Member who were no longer in a position to serve, or by updating the summary Curriculum Vitae.

6. Names on the 1984 GATT Roster that are not specifically resubmitted, together with up-to-date summary Curriculum Vitae, by a Member before 31 July 1995 would not appear after that date on the indicative list.

*Other rosters*

7. The Decision on Certain Dispute Settlement Procedures for the GATS (S/L/2 of 4 April 1995), adopted by the Council for Trade in Services on 1 March 1995, provides for a special roster of panelists with sectoral expertise. It states that "panels for disputes regarding sectoral matters shall have the necessary expertise relevant to the specific services sectors which the dispute concerns". It directs the Secretariat to maintain the roster and "develop procedures for its administration in consultation with the Chairman of the Council". A working document (S/C/W/1 of 15 February 1995) noted by the Council for Trade in Services states that "the roster to be established under the GATS pursuant to this Decision would form part of the indicative list referred to in the DSU". The specialized roster of panelists under the GATS should therefore be integrated into the indicative list, taking care that the latter provides for a mention of any service sectoral expertise of persons on the list.

8. A suggested format for the Summary Curriculum Vitae form for the purposes of maintaining the Indicative List is attached.

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**SUMMARY CURRICULUM VITAE  
FOR PERSONS PROPOSED FOR THE INDICATIVE LIST<sup>1</sup>**

- 1. Name:** full name
- 2. Sectoral Experience**  
List here any particular sectors of expertise:  
(e.g. technical barriers, dumping, financial services, intellectual property, etc.)
- 3. Nationality(ies)** all citizenships
- 4. Nominating Member:** the nominating Member
- 5. Date of birth:** full date of birth
- 6. Current occupations:** year beginning, employer, title, responsibilities
- 7. Post-secondary education** year, degree, name of institution
- 8. Professional qualifications** year, title
- 9. Trade-related experience in Geneva in the WTO/GATT system**
  - a. Served as a panelist year, dispute name, role as chairperson/member
  - b. Presented a case to a panel year, dispute name, representing which party
  - c. Served as a representative of a contracting party or member to a WTO or GATT body, or as an officer thereof year, body, role
  - d. Worked for the WTO or GATT Secretariat year, title, activity
- 10. Other trade-related experience**
  - a. Government trade work year, employer, activity
  - b. Private sector trade work year, employer, activity

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<sup>1</sup> Members putting forward an individual for inclusion on the indicative list are requested to provide full contact details for this individual separately. The Summary Curriculum Vitae and the contact details should be sent electronically to the Secretariat.

**11. Teaching and publications**

- a. Teaching in trade law and policy      year, institution, course title
- b. Publications in trade law and policy      year, title, name of periodical/book, author/editor  
(if book)

**12. Language capabilities**

- a. English
- b. French
- c. Spanish
- d. Other language(s) \_\_\_\_\_

## **Where to Find More Information on the WTO**

Information about the WTO and trends in international trade is available to the public at the following websites:

The USTR home page: <http://www.usrt.gov>

The WTO home page: <http://www.wto.org>

U.S. communications to WTO Members are available electronically on the WTO website using Documents Online, which can retrieve an electronic copy by the document symbol. Electronic copies of U.S. submissions in WTO disputes are available at the USTR website.

### Examples of Information Available on the WTO Home Page

- WTO Organizational Chart
- Biographic backgrounds
- Budgets for the WTO
- WTO Budget Contributions
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### WTO News, such as:

- Status of dispute settlement cases
- Press Releases on Appointments to WTO Bodies, Appellate Body Reports and Panel Reports, and others
- Trade Policy Review Mechanism reports on individual Members' trade practices
- Schedules of future WTO meetings
- WTO presentations and Committee information sharing sessions

### Resources including Official Documents, such as:

- Notifications required by the Uruguay Round Agreements
- Working Procedures for Appellate Review
- Special Studies on key WTO issues
- On-line document database where one can find and download official documents
- Legal Texts of the WTO agreements
- WTO Annual Reports

### Community and other Fora, such as:

- Media and NGOs
- General public news
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### Trade Topics, such as:

- Briefing Papers on WTO activities in individual sectors, including goods, services, intellectual property, and other topics
- Disputes and Dispute Reports

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TRADE REPRESENTATIVE**

EXECUTIVE OFFICE OF THE PRESIDENT  
WASHINGTON, D.C. 20508  
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