

**REPORT (2009) OF THE COMMITTEE ON REGIONAL TRADE AGREEMENTS
TO THE GENERAL COUNCIL**

Chairman: Mr. Detlev Brauns (Germany)

I. INTRODUCTION

1. At its second meeting in April 2009, the Committee on Regional Trade Agreements (CRTA) re-elected Mr. Detlev Brauns (Germany) as Chairman of the CRTA.
2. During 2009, the Committee held four sessions (in March, April, September and October). The minutes of those meetings are listed in Attachment 1. Four sessions are foreseen in 2010.

II. OBSERVER STATUS

3. The Committee agreed to continue the granting of observer status in the CRTA to the Latin American Integration Association (LAIA), on an *ad hoc* basis. No decision was taken with respect to the requests for observer status listed in document WT/REG/W/11/Add.3, pending the definition of guidelines by the General Council.

III. CONSIDERATION OF REGIONAL TRADE AGREEMENTS

4. As of 15 October 2009, 457 regional trade agreements (RTAs), counting goods and services notifications separately, have been notified to the GATT/WTO, 266 of which are currently in force.¹ These figures correspond to 364 integrated RTAs (goods and services together), of which 186 are currently in force. Of the agreements in force, 162 were notified under GATT Article XXIV; 27 under the Enabling Clause², and 77 under GATS Article V.
5. During 2009, the Secretariat distributed factual presentations of 28 RTAs (counting goods and services separately), 22 of which were used as the basis for RTAs' consideration in the CRTA during 2009.³ A total of 67 RTAs have been considered under the Transparency Mechanism since its adoption in December 2006.⁴ There is a remaining backlog of 95 RTAs, comprised of 92 RTAs for which the factual presentation is under preparation and 3 RTAs for which the factual presentation is on hold (see Attachment 2).

¹ These figures correspond to notifications of new RTAs, as well as accessions to existing RTAs.

² *Differential and More Favourable Treatment, Reciprocity and Fuller Participation of Developing Countries*, Decision of the GATT CONTRACTING PARTIES of 28 November 1979.

³ The FTAs between Pakistan and Sri Lanka and between Pakistan and Malaysia (goods aspects) were considered in the Committee on Trade and Development. The Enlargement of the European Union to 27 Member States (goods and services), and the Ukraine-Moldova and Ukraine-FYROM FTAs (goods aspects) will be considered in the first Session of the CRTA in 2010.

⁴ 64 have been considered in the CRTA and three in the CTD.

6. According to paragraph 22 of the TM, the Secretariat is to prepare a factual abstract for those RTAs for which the CRTA had concluded the factual examination by 31 December 2006 and for RTAs notified to the WTO under the Enabling Clause. Fifty factual abstracts have been prepared and posted on the RTA Database; 28 are still awaiting comments from the parties. (see Attachment 3).

IV. EARLY ANNOUNCEMENTS

7. Paragraph 1 of the TM provides for Members participating in new negotiations and parties to a newly signed RTA to provide information to the Secretariat, to be posted on the WTO website. In 2009, a total of 11 early announcements have been received from Members, 7 for RTAs under negotiation and 4 for newly signed RTAs (see Attachment 4).

V. SUBSEQUENT NOTIFICATION AND REPORTING

8. Paragraph 14 of the TM provides for changes affecting the implementation of an RTA, or the operation of an already implemented RTA to be notified as soon as possible after such changes occur. Such communications are to be made available on the WTO website. As of 15 October 2009, seven notifications made during 2009 have been received and posted on the RTA Database.⁵

9. Paragraph 15 of the TM provides for parties to an RTA to submit a short written report on the realization of the liberalization commitments in the RTA as originally notified at the end of the RTA's implementation period. No such reports were submitted during 2009.

VI. DATABASE ON RTAS

10. Paragraph 21 of the TM provides for the Secretariat to establish and maintain an updated electronic database on individual RTAs. The database was launched in January 2009 and is available on the WTO public website.

VII. PROCEDURES TO IMPROVE AND FACILITATE THE EXAMINATION PROCESS

11. During the Committee's 54th Session the Chairman indicated that following a request by the Chairman of the General Council to consult with Members on ways to improve the timeliness and completeness of notifications, he was in the process of contacting those Members party to non-notified RTAs to discuss when and how these agreements could be notified.

VIII. SYSTEMIC IMPLICATIONS OF REGIONAL TRADE AGREEMENTS AND INITIATIVES FOR THE MULTILATERAL TRADING SYSTEM AND THE RELATIONSHIP BETWEEN THEM

12. At its 52nd Session in March 2009, Members agreed to begin considering RTAs involving non-Members under the Transparency Mechanism's procedures: RTAs notified since 14 December 2006, including future notifications, are to be taken up before the others – taking into account practical considerations such as the availability of data and the Secretariat's established work programme. The consideration of such agreements by the Committee does not have any implication for the views or positions of any Member with respect to the consistency of that RTA with the WTO rules and is without prejudice to the rights and obligations of Members under the WTO Agreements, as clearly stated in paragraphs 1 and 5 of the TM Decision.

⁵ EFTA-Israel; EFTA-Mexico; China-Hong Kong, China; China-Macao, China; EFTA-Chile.

IX. FINAL REMARKS

13. Although considerable progress has been made in the preparation of factual presentations, the Committee continues to experience some difficulties in adhering to its work programme. This is due to a number of factors: delays in the receipt of statistical data from parties, data discrepancies in Members' submissions, and delays in the receipt of comments from parties. The Secretariat is working actively with the parties concerned in an effort to overcome these difficulties.

14. The work programme of the Secretariat was also considerably enlarged in 2009 with the addition of 41 agreements between WTO Members and non-Members for which a factual presentation is to be prepared.

ATTACHMENT 1

Minutes of the Meetings held in 2009

Fifty-second Session – 4 March 2009

WT/REG/M/52 Consideration of RTAs involving non-Members.

Fifty-third Session – 20 April 2009

WT/REG/M/53

WT/REG231/M/1	Southern African Customs Union, Goods
WT/REG170/M/4	Enlargement of the European Union to 25 Member States, Services
WT/REG217/M/1	EFTA States – Republic of Korea, Goods and Services
WT/REG216/M/1	Japan – Malaysia, Goods and Services
WT/REG237/M/1	Pakistan – China, Goods
WT/REG203/M/1	Turkey – Tunisia, Goods

Fifty-Fourth Session – 15 September 2009

WT/REG/M/54

WT/REG265/M/1	Pakistan – Malaysia, Services
WT/REG210/M/1	Republic of Korea – Singapore, Goods and Services
WT/REG240/M/1	Turkey – Albania, Goods
WT/REG244/M/1	Brunei Darussalam - Japan, Goods and Services
WT/REG241/M/1	Japan – Indonesia, Goods and Services
WT/REG171/M/1	Armenia – Ukraine, Goods
WT/REG121/M/1	Georgia – Ukraine, Goods
WT/REG74/M/1	Kyrgyz Republic – Ukraine, Goods
WT/REG239/M/1	Chile – Panama, Goods and Services
WT/REG212/M/1	Mexico – El Salvador, Goods and Services
WT/REG213/M/1	Mexico – Honduras, Goods and Services
WT/REG214/M/1	Mexico – Guatemala, Goods and Services

Fifty-Fifth Session – 15 October 2009 (to be issued)

WT/REG/M/55 Draft Report (2009) of the CRTA to the General Council.

ATTACHMENT 2

A. RTAs in force for which the "factual examination" was completed prior to the adoption of the TM Decision (66):

ANZCERTA (S)	EC-FYROM (G)	Japan-Singapore (G&S)
Canada-Chile (G&S)	EC-Israel (G)	Kyrgyz Rep.-Armenia (G)
Canada-Costa Rica (G)	EC-Jordan (G)	Kyrgyz Rep.-Moldova (G)
Canada-Israel (G)	EC-Mexico (G)	MERCOSUR (G)
CARICOM (S)	EC-Morocco (G)	Mexico-Israel (G)
Chile-Costa Rica (G&S)	EC-Tunisia (G)	NAFTA (G&S)
Chile-El Salvador (G&S)	EC-Turkey (G)	New Zealand-Singapore (G&S)
Chile-Mexico (G&S)	EFTA (S)	Norway-Faroe Isl. (G)
Chile- Korea (G&S)	EFTA-Croatia (G)	Singapore-Australia (G&S)
China-Hong Kong, China (G&S)	EFTA-FYROM (G)	Switzerland-Faroe Isl. (G)
China-Macao, China (G&S)	EFTA-Israel (G)	Turkey-Croatia (G)
EC (Treaty of Rome) (S)	EFTA-Jordan (G)	Turkey-FYROM (G)
EC-P. of Andorra (G)	EFTA-Mexico (G)	Turkey-Israel (G)
EC-Chile (G)	EFTA-Morocco (G)	United States-Chile (G&S)
EC-Croatia (G)	EFTA-Singapore (G&S)	United States-Jordan (G&S)
EC Enlargement (15) (G&S)	European Economic Area (S)	United States-Singapore (G&S)
EC Enlargement (25) (G) ¹	Georgia-Armenia (G)	

B. RTAs for which a factual presentation has been circulated (67):

Armenia-Moldova (G)	Georgia-Ukraine (G)	Panama-Chile (G&S)
Armenia-Ukraine (G)	Guatemala-Mexico (G&S)	Panama-El Salvador (G&S)
Brunei Darussalam-Japan (G&S)	Honduras-Mexico (G&S)	Panama-Singapore (G&S)
Chile-China (G)	India-Singapore (G&S)	SACU (G)
Chile-Japan (G&S)	Japan-Indonesia (G&S)	SADC (G)
EC-Albania (G)	Japan-Malaysia (G&S)	Thailand-Australia (G&S)
EC-Chile (S)	Japan-Mexico (G&S)	Thailand-New Zealand (G)
EC (25) Enlargement (S)	Jordan-Singapore (G&S)	Trans-Pacific SEP (G&S)
EC (27) Enlargement (G&S)	Korea, Rep. of-Chile (G)	Turkey-Albania (G)
EFTA-Chile (G&S)	Korea, Rep. of-Singapore (G&S)	Turkey-Morocco (G)
EFTA-Egypt (G)	Kyrgyz Republic-Ukraine (G)	Turkey-Tunisia (G)
EFTA-Rep. of Korea (G&S)	MERCOSUR (S)	Ukraine-FYROM (G)
EFTA-Tunisia (G)	Pakistan-China (G)	Ukraine-Moldova (G)
Egypt-Turkey (G)*	Pakistan-Malaysia (G&S)*	United States-Australia (G&S)
El Salvador-Mexico (G&S)	Pakistan-Sri Lanka (G)*	United States-Morocco (G&S)

C. RTAs for which a factual presentation is under preparation (92):

Armenia-Kazakhstan (G)	EC-Egypt (G)	Kyrgyz Republic-Uzbekistan (G)
Armenia-Russian Federation (G)	EC-Faroe Islands (G)	Mexico-Nicaragua (G&S)
Armenia-Turkmenistan (G)	EC-FYROM (S)	Nicaragua-Chinese Taipei (G&S)
ASEAN-China (S)	EC-Lebanon (G)	PICTA (G)*
Australia-Chile (G&S)	EC-Montenegro (G)	Panama-Costa Rica (G&S)
Canada-EFTA (G)	EC-Palestinian Authority (G)	Panama-Chinese Taipei (G&S)
Canada-Peru (G&S)	EC-South Africa (G)	Pan-Arab Free Trade Area (G)
CEFTA Enlargement (G)	EFTA-Lebanon (G)	Peru-Singapore (G&S)
CEFTA-Accession of Croatia (G)	EFTA-Palestinian Authority (G)	SAFTA (G)*
Chile-Colombia (G&S)	EFTA-SACU (G)	Turkey-Bosnia and Herzegovina (G)
Chile-India (G)*	EAEC (G)	Turkey-Georgia (G)
China-New Zealand (G&S)	Georgia-Azerbaijan (G)	Turkey-Palestinian Authority (G)
China-Singapore (G&S)	Georgia-Kazakhstan (G)	Turkey-Syria (G)
Common Economic Zone (G)	Georgia-Russian Federation (G)	Ukraine-Azerbaijan (G)
CIS (G)	Georgia-Turkmenistan (G)	Ukraine-Belarus (G)
Costa Rica-Mexico (G&S)	Gulf Cooperation Council (G)	Ukraine-Kazakhstan (G)
Dominican Rep.-Central America-		
United States (CAFTA-DR) (G&S)	Iceland-Faroe Islands (G&S)	Ukraine-Russian Federation (G)

¹ Once a satisfactory resolution of outstanding issues is reached, the factual examination of this agreement will be deemed concluded.

EC-Albania (S)	India-Bhutan (G)*	Ukraine-Tajikistan (G)
EC-Algeria (G)	Japan-Philippines (G&S)	Ukraine-Uzbekistan (G)
EC-Bosnia and Herzegovina (G)	Japan-Switzerland (G&S)	Ukraine-Turkmenistan (G)
EC-Cameroon (G)	Japan-Thailand (G&S)	United States-Bahrain (G&S)
EC-CARIFORUM (G&S)	Japan-Viet Nam (G&S)	United States-Oman (G&S)
EC-Côte d'Ivoire (G)	Kyrgyz Republic-Kazakhstan (G)	United States-Peru (G&S)
EC-Croatia (S)	Kyrgyz Republic-Russian Fed. (G)	

D. RTAs for which the factual presentation is on hold (3)²:

EC-Mexico (S)
EFTA-Mexico (S)
Thailand-New Zealand (S)

* The Committee on Trade and Development, convening in dedicated session, is the responsible body for these RTAs.

² RTAs covering trade in services for which specific commitments have yet to be agreed between the parties.

ATTACHMENT 3

A. RTAs for which a factual abstract has been completed (50):

ASEAN-China (G)	EC-Croatia (G)	EEA (S)
ANZCERTA (S)	EC-FYROM (G)	Faroe Islands-Norway (G)
Canada-Costa Rica (G)	EC-Israel (G)	Faroe Islands- Switzerland (G)
Canada-Israel (G)	EC-Jordan (G)	Israel-Mexico (G)
CARICOM (S)	EC-Mexico (G)	Japan-Singapore (G&S)
Chile-Costa Rica (G&S)	EC-Morocco (G)	Kyrgyz Republic-Moldova (G)
Chile-El Salvador (G&S)	EC-Tunisia (G)	New Zealand-Singapore (G)
Chile-Mexico (G&S)	EC-Turkey (G)	Singapore-Australia (G&S)
China-Hong Kong, China (G)	EFTA-Croatia (G)	Turkey-Croatia (G)
China-Macao, China (G&S)	EFTA-Israel (G)	Turkey-Israel (G)
COMESA (G)	EFTA-Jordan (G)	United States-Chile (S)
EC (15) Enlargement (S) ¹	EFTA-Mexico (G)	United States-Jordan (G)
EC-Andorra (G)	EFTA-Singapore (G)	United States-Singapore (G)
EC-Chile (G)	EFTA (S)	

B. RTAs for which a factual abstract has been sent for comments (28):

APTA-Accession of China (G)	EFTA-FYROM (G)	New Zealand-Singapore (S)
Canada-Chile (G&S)	EFTA- Morocco (G)	NAFTA (G&S)
CEMAC (G)	EFTA-Singapore (S)	SAPTA (G)
China-Hong Kong, China (S)	Georgia-Armenia (G)	Turkey-FYROM (G)
EAC (G)	India-Sri Lanka (G)	United States-Chile (G)
EC Treaty (S)	Korea-Chile (S)	United States-Jordan (S)
EC (15) Enlargement (S)	Kyrgyz Republic-Armenia (G)	United States-Singapore (S)
EC (25) Enlargement (G)	MSG (G)	WAEMU/UEMOA (G)
ECOWAS (G)	MERCOSUR (G)	

¹ This Factual Abstract takes into account the EC (9), (10) and (12) Enlargements (S)

ATTACHMENT 4
Early Announcements

Agreement	Date announced by Parties	Date Negotiations commenced:	Date of Signature	Subsequently notified
EC – Ukraine	29-Sep-09	18-Feb-08		
Canada – Colombia	01-Sep-09		21-Nov-08	
Canada – Jordan*	07-Sep-09		28-Jun-09	
EFTA – Albania	10-Jun-09	12-May-09		
EFTA – Serbia	10-Jun-09	28-Apr-09		
BIMSTEC [Bangladesh, Bhutan, India, Myanmar, Nepal, Sri Lanka and Thailand]	30-Apr-09	07-Sep-04		
EFTA – Ukraine	24-Apr-09	21-Apr-09		
Japan – Switzerland*	10-Mar-09		19-Feb-09	WT/REG273/N/1 S/C/N/512
China – Norway	16-Feb-09	18-Sep-08		
Ukraine - Singapore	15-Jan-09	08-May-07		
EFTA – Colombia*	14-Jan-09		25-Nov-08	
EFTA – India	08-Dec-08	06-Oct-08		
Australia – Chile*	13-Nov-08		30-Jul-08	WT/REG263/N/1 S/C/N/484
Canada – EFTA *	28-Jul-08		26-Jan-08	WT/REG271/N/1
Canada – Jordan*	30-Jun-08	20-Feb-08		
Australia - Malaysia	25-Feb-08	19-May-05		
Australia - GCC	22-Jan-08	30-Jul-07		
Australia - China	10-Dec-07	23-May-05		
Australia - Chile*	06-Dec-07	07-Aug-07		WT/REG263/N/1 S/C/N/484
United States - Peru Trade Promotion Agreement	16-Nov-07		12-Apr-06	WT/REG260/N/1 S/C/N/473
European Communities - India	25-Sep-07	28-Jun-07		
United States - Oman	11-Sep-07		19-Jan-06	WT/REG259/N/1 S/C/N/472
United States - Panama	11-Sep-07		28-Jun-07	
Canada - CARICOM	23-Aug-07	19-Jul-07		
Canada - Colombia - Peru	23-Aug-07	07-Jun-07		WT/REG270/N/1** S/C/N/508**
Canada - Dominican Republic	23-Aug-07	07-Jun-07		
Canada - EFTA*	23-Aug-07	14-Oct-98		WT/REG271/N/1
Canada - El Salvador -Guatemala - Honduras -Nicaragua	23-Aug-07	21-Nov-01		
Canada – Singapore	23-Aug-07	21-Oct-01		
Rep. of Korea - ASEAN	10-Jul-07	30-Nov-04		
Rep. of Korea - Canada	10-Jul-07	15-Jul-05		
Rep. of Korea - European Communities	10-Jul-07	06-May-07		
Rep. of Korea - India	10-Jul-07	07-Feb-06		
Rep. of Korea - Mexico	10-Jul-07	07-Feb-06		
Rep. of Korea - United States	10-Jul-07		30-Jun-07	
Japan - GCC	02-Jul-07	01-Sep-06		
Japan - ASEAN	02-Jul-07	01-Apr-05		
Japan - Australia	02-Jul-07	01-Apr-07		
Japan - Brunei Darussalam	02-Jul-07		18-Jun-07	WT/REG244/N/1 S/C/N/466
Japan – Chile	02-Jul-07		27-Mar-07	WT/REG234/N/1 S/C/N/398
Japan - India	02-Jul-07	01-Jan-07		
Japan - Indonesia	02-Jul-07	01-Jul-05		WT/REG241/N/1 S/C/N/462

Agreement	Date announced by Parties	Date Negotiations commenced:	Date of Signature	Subsequently notified
Japan - Philippines	02-Jul-07		09-Sep-06	WT/REG257/N/1 S/C/N/470
Japan - Rep. of Korea	02-Jul-07	01-Dec-03		
Japan - Thailand	02-Jul-07		03-Apr-07	WT/REG235/N/1 S/C/N/419
Japan - Vietnam	02-Jul-07	01-Jan-07		WT/REG275/N/1 S/C/N/513
EFTA - Colombia*	14-Jun-07	04-Jun-07		
Japan - Switzerland*	08-Jun-07	14-May-07		WT/REG273/N/1 S/C/N/512
EFTA - Peru	06-Jun-07	04-Jun-07		
EFTA - Egypt	11-Apr-07		27-Jan-07	WT/REG232/N/1

* Early Announced twice - being under negotiation and then signed.

** Canada - Peru only.
