

Committee on Safeguards

**CHAIRMAN'S REPORT TO THE COUNCIL FOR TRADE IN GOODS
ON TRANSITIONAL REVIEW OF CHINA**

1. The Committee on Safeguards undertook the fifth transitional review of China's implementation of the Agreement on Safeguards pursuant to Paragraph 18 of the Protocol on the Accession of the People's Republic of China (WT/L/432) at its meeting on 23 October 2006.
2. Annex 1A to the Protocol requires China to submit information regarding the implementation of its Regulation on Safeguards. China submitted the information in this respect on 23 October 2006. It can be found in document G/SG/W/205.
3. The statements made at the meeting of 23 October 2006, at which the transitional review was Item D of the agenda, are reflected in the minutes of the meeting, which will be circulated as document G/SG/M/30. The relevant paragraphs which reflect the statements made and the discussion at the meeting are annexed.

ANNEX [EXTRACT FROM DOCUMENT G/SG/M/30]

D. TRANSITIONAL REVIEW UNDER PARAGRAPH 18 OF THE PROTOCOL OF ACCESSION OF THE PEOPLE' S REPUBLIC OF CHINA TO THE WORLD TRADE ORGANIZATION

1. The Chairman noted that Paragraph 18 of China's Protocol of Accession provided that all subsidiary bodies, including the Safeguards Committee, "which have a mandate covering China's commitments under the WTO Agreement or [the] Protocol shall, within one year after accession, review, as appropriate to their mandate, the implementation by China of the WTO Agreement and of the related provisions of [the] Protocol." China was to provide relevant information in advance of the review, including information specified in Annex 1A to the Protocol. China could also raise issues relating to any reservations under Section 17 or to any other specific commitments made by other Members in the Protocol, in subsidiary bodies which have a relevant mandate.

2. The Chairman stated that the Committee must report the results of the review promptly to the Council for Trade in Goods. Review was to take place after accession in each year for eight years, with a final review in year 10 or at an earlier date decided by the General Council. He added that there were no procedures set out for the conduct of the transitional review in the Protocol, except that China was to provide relevant information in advance of the review. In accordance with section IV.6 of Annex 1A to the Protocol, China was required to notify the Committee of its implementation of its Regulation on Safeguards. The Chairman informed the Committee that China had submitted the information that morning.¹

3. The representative of China explained that the late timing of the submission of the information was largely due to the heavy workload in preparing for the transitional review in various Committees. He added that the situation was, nonetheless, fairly clear in the area of safeguards – that is, since the last review, China had neither taken any safeguard measure nor enacted any legislation in this regard.

4. There was no other comment from the floor on the information submitted.

5. The Chairman noted that China's Protocol of Accession contained no guidelines for reporting to the Council for Trade in Goods on the Committee's transitional review of China's implementation of the Agreement. He proposed that the Committee follow the same reporting procedure as last year, whereby the Chairman, acting on his own responsibility, would prepare a brief, factual report, with references to the documents concerned, and attaching the portion of the minutes of the meeting which relate to the transition review.

6. The Committee agreed that the Chairman should prepare the same type of report in respect of this year's review.

¹ The document was subsequently circulated as document G/SG/W/205.