

**Special Session of the Dispute Settlement Body  
22 May 2006**

**MINUTES OF MEETING**

Held in the Centre William Rappard  
on 22 May 2006

*Chairman: Mr. Ronald Saborío Soto (Costa Rica)*

The Chairman welcomed delegations to the thirty-sixth meeting of the Special Session and said that the airgram for the meeting had been circulated in WTO/AIR/2821 and that the draft agenda (TN/DS/W/87) contained two items, namely: (i) discussion of contributions by delegations; and (ii) "Other Business". With respect to the first agenda item, he said that a new informal contribution had been received from Argentina, Brazil, Canada, India, New Zealand and Norway (G-6). This document was currently available in the room and would be circulated later as a Job document. He said that it was his intention to invite the proponents to present their proposals and then open the floor for comments from Members. He further said that it was not his intention to raise any item under "Other Business" and asked whether any delegation wished to do so. As there was no request from the floor, he proposed the deletion of this item from the agenda. The agenda of the meeting was then adopted as amended.

**1. Discussion of Contributions from Members**

1. Prior to giving the floor to Canada on behalf of the G-6, the Chairman stated that it was his understanding that the proposal was a revision of an earlier proposal (Job(04)/52) by the G-6 relating to a post-retaliation procedure. He recalled that the Special Session had at its previous meeting discussed a joint proposal by the European Communities and Japan on the same issue. He then invited Canada to present the revised proposal on behalf of the G-6.

2. The representative of Canada said that in drafting this proposal on a post-retaliation procedure, the G-6 had taken into account the very valuable comments made by Members in recent discussions, particularly during meetings of the Mexican Group. He said that the Mexican Group was an informal grouping open to all Members for the specific purpose of commenting on various proposals to enable the proponents to hone their proposals and to make the changes that would make the proposal more acceptable to Members. He said that a number of drafting changes had been made taking into account the basic principles expressed previously by the G-6. This had captured the views of the proponents and had improved the proposal. The G-6 looked forward to hearing Members' reactions to the revised proposal.

3. The Chairman thanked the G-6 for their contribution and invited Members to provide their comments informally on the proposal. After the discussion, he thanked Members for their constructive engagement and said that it was clear a number of elements needed to be explored further. He said that it was appropriate for the Special Session to take stock of where it stood now, in light of the objectives set earlier in the year. A number of revised contributions on different issues had been received by the Special Session and this had been made possible as a result of increased consultations

among Members underscoring the importance attached to the "bottom-up" approach by delegations. What had been encouraging was the submission of text-based inputs by delegations. This would facilitate the work of the Special Session as it moved into text-based negotiations in the next phase of work around the summer. He urged India and the African Group as well as other Members which were working on proposals relating to developing-country participation in the dispute settlement system to intensify their efforts and submit them soon to the Special Session. It would be helpful if Members could discuss their proposals informally with other Members before submitting them to the Special Session for its consideration. Testing ideas and proposals in informal settings increased the chances of building convergence around proposals. He recalled that the next meeting of the Special Session was scheduled for 30 June and 3-4 July giving Members one further opportunity to meet before the summer break. It would be useful if Members could reflect on the best way forward as the Special Session readied itself for text-based negotiations after the summer.

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