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**Committee on Trade and Environment  
Special Session**

**OBSERVER STATUS**

Note by the Secretariat

*This document has been prepared under the Secretariat's own responsibility and without prejudice to the positions of Members and to their rights and obligations under the WTO.*

**I. OBSERVER STATUS IN WTO NEGOTIATING BODIES**

**A. SPECIAL SESSIONS OF THE COMMITTEE ON AGRICULTURE AND COUNCIL FOR TRADE IN SERVICES**

1. Following a decision by the General Council on 78 February 2000<sup>1</sup>, the negotiations on agriculture under Article 20 of the Agreement on Agriculture and the negotiations on services under Article XIX of the General Agreement on Trade in Services were conducted in Special Sessions of the Committee on Agriculture and of the Council for Trade in Services respectively. At its first meeting on 28 January and 1 February 2002, the Trade Negotiations Committee (TNC) established by Ministers at Doha to supervise the overall conduct of the negotiations and to establish appropriate negotiating mechanisms, agreed that the agriculture and services negotiations would be pursued in these bodies.<sup>2</sup>

2. At the time these two negotiating bodies were established, no formal decision was taken on the granting of observer status to international intergovernmental organizations. However, in practice, the organizations that already had observer status in the Committee on Agriculture and in the Council for Trade in Services were invited to formal meetings of these two bodies in Special Session.<sup>3</sup>

3. Since February 2000, the Committee on Agriculture has not granted observer status to any additional organizations.<sup>4</sup> The Council for Trade in Services has, for its part, granted observer status on an ad hoc basis to the following organizations: the World Health Organization (WHO), the International Civil Aviation Organization (ICAO) and the World Tourism Organization (WTO/OMT).<sup>5</sup> Moreover, the International Telecommunication Union (ITU) has been granted regular observer status in the Council for Trade in Services pursuant to a Cooperation Agreement with

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<sup>1</sup> See WT/GC/M/53.

<sup>2</sup> See TN/C/M/1.

<sup>3</sup> The organizations which had observer status in the Committee on Agriculture at the time are listed in document G/AG/W/29/Rev.5. For the Council for Trade in Services, the relevant organizations are the United Nations, UNCTAD, the IMF and the World Bank.

<sup>4</sup> The organizations whose requests for observer status are pending in the Committee on Agriculture are listed in G/AG/W/29/Rev.5.

<sup>5</sup> See Report (2000) of the Council for Trade in Services to the General Council in S/C/12. These organizations are invited to meetings of the Council when the agenda contains an item of interest to them. The list of organizations whose request for observer status in the Council for Trade in Services has not been decided upon is contained in document S/C/W/19/Rev.6.

the WTO.<sup>6</sup> These organizations have been invited to meetings of the Special Session of the Council for Trade in Services when issues of interest to them have been discussed.

**B. OTHER NEGOTIATING BODIES ESTABLISHED PURSUANT TO THE DOHA MANDATE**

4. Although no general decision has been taken at the level of the TNC regarding observer status for international intergovernmental organizations, under the Guidelines on observer status contained in Annex 3 of the Rules of Procedure for meetings of the General Council<sup>7</sup>, which apply, *mutatis mutandis*, to the TNC and to the bodies established by it<sup>8</sup>, each negotiating body may take a decision, as appropriate, regarding arrangements for observer status for international intergovernmental organizations.

**II. PENDING REQUESTS FOR OBSERVER STATUS FROM MULTILATERAL ENVIRONMENTAL AGREEMENTS (MEAS)/UNEP IN THE CTE SPECIAL SESSION**

1. Basel Convention on the Transboundary Movements of Hazardous Wastes and their Disposal (Basel Convention)
2. Convention on Biological Diversity (CBD)
3. Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)
4. International Tropical Timber Organization (ITTO)
5. United Nations Environment Programme (UNEP)

**III. REQUESTS FOR OBSERVER STATUS FROM MEAS/UNEP IN THE COMMITTEE ON TRADE AND ENVIRONMENT (CTE)<sup>9</sup>**

**A. GRANTED**

1. Convention on Biological Diversity (CBD)
2. Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)
3. International Commission for the Conservation of Atlantic Tunas (ICCAT)
4. United Nations Environmental Programme (UNEP)
5. United Nations Framework Convention on Climate Change (UNFCCC)

**B. PENDING**

1. International Tropical Timber Organization (ITTO)
2. Montreal Protocol on Substances that Deplete the Ozone Layer (Montreal Protocol)

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<sup>6</sup> See S/C/11 for the text of the agreement, as approved by the General Council at its meeting on 10 October 2000. According to Paragraph 3 of this agreement, "The WTO shall invite the ITU Secretariat as an Observer to meetings of the Ministerial Conference and the Council for Trade in Services. The ITU Secretariat shall also be invited as an Observer to meetings of other relevant WTO bodies (excluding the Committee on Budget, Finance and Administration, the Dispute Settlement Body, the Appellate Body and dispute settlement panels) where that body considers that matters of common interest to both organizations will be under discussion."

<sup>7</sup> See WT/L/161.

<sup>8</sup> See TN/C/M/1.

<sup>9</sup> The complete list of international intergovernmental organizations who have been granted observer status, or whose request is still pending in the CTE, is contained in document WT/CTE/W/41/Rev.10.

**IV. PENDING REQUESTS FOR OBSERVER STATUS FROM MEAS/UNEP IN OTHER WTO BODIES**

<b>WTO Body</b>	<b>MEA/UNEP</b>
General Council <sup>10</sup>	United Nations Environment Programme (UNEP)
TRIPS Council <sup>11</sup>	Convention on Biological Diversity (CBD) United Nations Environment Programme (UNEP)
Committee on Agriculture <sup>12</sup>	Convention on Biological Diversity (CBD)
SPS Committee <sup>13</sup>	Convention on Biological Diversity (CBD)
TBT Committee <sup>14</sup>	Convention on Biological Diversity (CBD)
Committee on Trade and Development <sup>15</sup>	United Nations Environment Programme (UNEP) <sup>16</sup>

**V. STATE OF PLAY ON OBSERVER STATUS FOR MEAS/UNEP THAT HAVE PARTICIPATED IN MEA INFORMATION SESSIONS IN THE CTE**

<b>MEAs</b>	<b>Observer Status in the CTE</b>	<b>Pending Request for Observer Status in the CTE Special Session</b>
1. Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (Basel Convention)	No	Yes
2. Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR)	No	No
3. Convention on Biological Diversity (CBD)	Yes	Yes
4. Convention on International Trade in Endangered Species (CITES)	Yes	Yes
5. International Commission for the Conservation of Atlantic Tunas (ICCAT)	Yes	No
6. International Tropical Timber Organization (ITTO)	Request pending	Yes

<sup>10</sup> WT/GC/W/51/Rev.9.

<sup>11</sup> IP/C/W/52/Rev.9.

<sup>12</sup> G/AG/W/29/Rev.5.

<sup>13</sup> G/SPS/W/78/Rev.2.

<sup>14</sup> G/TBT/M/28.

<sup>15</sup> WT/COMTD/W/22/Rev.5.

<sup>16</sup> Although UNEP does not formally have observer status in this Committee, it has nonetheless been granted observer status on an ad hoc, meeting-by-meeting, basis.

MEAs	Observer Status in the CTE	Pending Request for Observer Status in the CTE Special Session
7. Montreal Protocol on Substances that Deplete the Ozone Layer (Montreal Protocol)	Request pending	No
8. Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (Rotterdam Convention)	No	No
9. Stockholm Convention on Persistent Organic Pollutants (Stockholm Convention)	No	No
10. United Nations Convention on the Law of the Sea (UNCLOS)	No	No
11. United Nations Environment Programme (UNEP)	Yes	Yes
12. United Nations Fish Stocks Agreement	No	No
13. United Nations Forum on Forests (UNFF)	No	No
14. United Nations Framework Convention on Climate Change (UNFCCC)	Yes	No