

Joint Statement on WTO Issues

United States - Jordan

Joint Statement on WTO Issues

The Government of the United States of America ("United States") and the Government of the Hashemite Kingdom of Jordan ("Jordan"),

recognizing that transparency in the administration of international trade agreements fosters public understanding of international trade and strengthens the international trading system; and

recognizing that the growth in international trade may affect workers' ability to realize their rights;

Declare,

1. Subject to paragraph 3 of this Joint Statement, promptly after requesting or receiving a request for consultations related to disputes covered by the Understanding on Rules and Procedures Governing the Settlement of Disputes ("DSU") of the Marrakesh Agreement Establishing the World Trade Organization ("WTO Agreement"), the Government of the United States of America and the Government of the Hashemite Kingdom of Jordan ("the Parties") shall solicit and consider the views of members of their respective publics in order to draw upon a broad range of perspectives.

2. Subject to paragraph 3 of this Joint Statement, in any dispute between the Parties that is referred to a panel pursuant to the WTO Agreement at the request of either Party with respect to a measure of the other Party, each Party shall make its written submissions to the panel available to the public within ten days of the date of submission; and the Parties shall seek the nomination of individuals to serve on such panel who agree that the panel's working procedures shall reflect the terms of subparagraphs (a) through (c):

(a) any oral presentations before the panel shall be open to members of the public, except that the panel shall close a portion of the presentation to the public if necessary to comply with paragraph 3;

(b) the panel shall accept and consider amicus curiae submissions by individuals, legal persons, and nongovernmental organizations with an interest in the outcome of the dispute; and

(c) the panel shall release its report to the public at the earliest possible time.

3. Nothing in this Statement shall be construed to require the disclosure of confidential information to the public, a Party, a nongovernmental organization, or a panel.

4. The Parties support the participation of the World Trade Organization in discussions concerning the relationship between the rights of workers and international trade.

5. With respect to Article 4 of the WTO Agreement on Application of Sanitary and Phytosanitary measures, the Parties understand that:

(a) Each Party should, as requested and to the greatest extent practicable, engage on a bilateral basis in consultations on recognition of equivalence of sanitary and phytosanitary measures without reducing the level of protection of human, animal or plant life or health that the importing Party has determined to be appropriate.

(b) Each Party requesting recognition of equivalence shall provide sufficient scientific evidence or other pertinent information to demonstrate objectively to the importing Party that the exporting Party's measures achieve the importing Party's appropriate level of sanitary or phytosanitary protection.

(c) Each Party shall accept the sanitary or phytosanitary measures of the other Party as equivalent, even if these measures differ from their own or from those used by others trading in the same product, if the exporting Party objectively demonstrates to the importing Party that its measures achieve the importing Party's appropriate level of sanitary or phytosanitary protection. For this purpose, reasonable access shall be given, upon request, to the importing Party for inspection, testing and other relevant procedures.

(d) Where an importing Party determines, based on scientific evidence or other pertinent information, that the exporting Party has not objectively demonstrated that its measure achieves the importing Party's appropriate level of sanitary or phytosanitary protection, the importing Party may determine that such measure is not equivalent; should the importing Party make such a determination, it should provide its reasons, upon request, to the exporting Party to enable the exporting Party to understand the basis for the importing Party's determination.

(e) The exporting Party may request recognition by the importing Party, consistent with the process above, of the equivalence of alternative measures of the exporting Party.

Done at Washington, in duplicate, this twenty-fourth day of October, 2000, which corresponds to this twenty-sixth day of Rajab, 1421, in the English language. An Arabic language text shall be prepared, which shall be considered equally authentic upon an exchange of diplomatic notes confirming its conformity with the English language text. In the event of a discrepancy, the English language text shall prevail.

FOR THE GOVERNMENT OF THE

UNITED STATES OF AMERICA: FOR THE GOVERNMENT OF THE

HASHEMITE KINGDOM OF JORDAN