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1 ARTICLE 24 OF THE AGREEMENT ON SUBSIDIES AND COUNTERVAILING MEASURES

1.1 Text of Article 24

Article 24

Committee on Subsidies and Countervailing Measures and Subsidiary Bodies

24.1 There is hereby established a Committee on Subsidies and Countervailing Measures composed of representatives from each of the Members. The Committee shall elect its own Chairman and shall meet not less than twice a year and otherwise as envisaged by relevant provisions of this Agreement at the request of any Member. The Committee shall carry out responsibilities as assigned to it under this Agreement or by the Members and it shall afford Members the opportunity of consulting on any matter relating to the operation of the Agreement or the furtherance of its objectives. The WTO Secretariat shall act as the secretariat to the Committee.

24.2 The Committee may set up subsidiary bodies as appropriate.

24.3 The Committee shall establish a Permanent Group of Experts composed of five independent persons, highly qualified in the fields of subsidies and trade relations. The experts will be elected by the Committee and one of them will be replaced every year. The PGE may be requested to assist a panel, as provided for in paragraph 5 of Article 4. The Committee may also seek an advisory opinion on the existence and nature of any subsidy.

24.4 The PGE may be consulted by any Member and may give advisory opinions on the nature of any subsidy proposed to be introduced or currently maintained by that Member. Such advisory opinions will be confidential and may not be invoked in proceedings under Article 7.

24.5 In carrying out their functions, the Committee and any subsidiary bodies may consult with and seek information from any source they deem appropriate. However, before the Committee or a subsidiary body seeks such information from a source within the jurisdiction of a Member, it shall inform the Member involved.

1.2 Committee on Subsidies and Countervailing Measures

1.2.1 Rules of Procedure

1. At its meeting of 22 May 1996, the Council for Trade in Goods approved the Rules of Procedure for the Committee on Subsidies and Countervailing Measures (SCM Committee).¹

¹ [G/C/M/10](#), section 1(iv). The text of the adopted Rules of Procedure can be found in [G/L/144](#) and [G/SCM/10](#).

1.2.2 Reporting

2. The SCM Committee reports annually on its activities to the Council for Trade in Goods.²

1.3 Subsidiary bodies

1.3.1 Permanent Group of Experts (PGE)

3. A decision taken on 13 June 1995 by the SCM Committee provided that "[t]he initial five persons elected to the Permanent Group of Experts [(PGE)] shall serve staggered terms of office of 1, 2, 3, 4, and 5 years".³ It further provided that "[t]he decisions as to which person shall serve which of these terms of office shall be decided by lot after the initial membership of the PGE has been established."⁴

4. The initial slate of experts was elected by the SCM Committee at its meeting on 6 March 1996.⁵ Since then, the SCM Committee has elected experts as required, according to the relevant process.⁶ The PGE has not yet been called upon to perform any of its envisaged duties.⁷

1.3.2 Informal Group of Experts

5. By a decision of 13 June 1995, the SCM Committee created an Informal Group of Experts (IGE)⁸ with the following terms of reference:

"To examine matters which are not specified in Annex IV to the Agreement [calculation of the total ad valorem subsidization] or which need further clarification for the purposes of paragraph 1(a) of Article 6, and to report to the Committee such recommendations as the Group considers could assist the Committee in the development of an understanding among Members, as necessary, regarding such matters."⁹

6. The IGE met between 1 November 1995 and 7 May 1999 and submitted a report to the Committee¹⁰ as well as a supplementary report¹¹, in which it indicated that it believed it had completed its mandate. The Committee discussed and took note of the report and supplementary report at its meetings in April 1998 and November 1999, respectively.¹²

² [G/L/31](#) and [Corr.1](#) for 1995; [G/L/126](#) for 1996; [G/L/201](#) for 1997; [G/L/267](#) for 1998; [G/L/341](#) and [Corr.1](#) for 1999; [G/L/408](#) for 2000; [G/L/496](#) for 2001; [G/L/585](#) for 2002; [G/L/655](#) and [Corr.1](#) for 2003; [G/L/711](#) for 2004; [G/L/754](#) for 2005; [G/L/798](#) for 2006; [G/L/840](#) for 2007; [G/L/869](#) for 2008; [G/L/906](#) for 2009; [G/L/937](#) for 2010; [G/L/970](#) for 2011; [G/L/1005](#) for 2012; [G/L/1052](#) and [Corr.1](#) for 2013; [G/L/1077](#) for 2014; [G/L/1133](#) for 2015; [G/L/1157](#) and [Corr.1-2](#) for 2016; [G/L/1195](#) for 2017; [G/L/1272](#) for 2018; [G/L/1341](#) for 2019; [G/L/1368](#) for 2020; [G/L/1414](#) for 2021; [G/L/1438](#) for 2022; and [G/L/1506](#) for 2023.

³ [G/SCM/4](#), para. 1.

⁴ Ibid.

⁵ [G/SCM/M/8](#), item A. The list of elected slate of experts can be found in [G/SCM/9](#).

⁶ [G/SCM/4](#).

⁷ Pursuant to a Decision adopted by the Committee ([G/SCM/4](#)), the PGE was required to develop rules of procedure. These rules were to take into account any guidance from the Committee and needed to be approved by the Committee. The PGE prepared a draft of the Rules of Procedure and circulated it to the Committee in the documents [G/SCM/W/365](#), [G/SCM/W/365/Corr.1](#), and [G/SCM/W/365/Rev.1](#). However, the Committee did not approve the draft rules.

⁸ [G/SCM/M/2](#), item N.

⁹ [G/SCM/5](#). For reports of the IGE, see documents [G/SCM/W/415/Rev.2](#); [G/SCM/M/16](#), item H; [G/SCM/W/415/Rev.2/Suppl.1](#); and [G/SCM/M/24](#) item E.

¹⁰ [G/SCM/W/415/Rev.1](#), subsequently submitted as [G/SCM/W/415/Rev.2](#).

¹¹ [G/SCM/W/415/Rev.2/Suppl.1](#).

¹² [G/SCM/M/16](#), paras. 68-82; [G/SCM/M/24](#), paras. 14-19.

1.3.3 Working Party on Subsidy Notifications

7. By a decision of 22 February 1995, the Committee created a Working Party on Subsidy Notifications.¹³ The Working Party's last meeting was on 27 October 2003. Its work is generally reflected in Chair's reports in the minutes of the SCM Committee meetings.¹⁴

1.3.4 Proposals to establish additional subsidiary bodies

8. At its regular meetings of 26 April and 25 October 2016, the SCM Committee discussed a proposal from Brazil¹⁵ regarding the establishment of a Working Group on Implementation.¹⁶

9. At its regular meeting of 27 October 2023, the SCM Committee discussed a proposal from Canada, the Republic of Korea, Japan, New Zealand, Norway, the United Kingdom, and the United States¹⁷ regarding the formation of an informal technical discussion group on items under the SCM Agreement.¹⁸

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¹³ [G/SCM/M/1](#), item P. The text of the decision can be found in [G/SCM/1](#).

¹⁴ For the Chair's report on the discussions in the Working Party at the October 2003 meeting, see [G/SCM/M/48](#), paras. 210-220.

¹⁵ [G/SCM/W/567-G/SG/W/236](#) and [G/SCM/W/568-G/SG/W/237](#).

¹⁶ [G/SCM/M/97](#), paras. 147-180; and [G/SCM/M/99](#), paras. 116-140.

¹⁷ [RD/SCM/63/Rev.2](#)

¹⁸ [G/SCM/M/125](#), paras. 150-185. Also see [G/SCM/M/127](#), paras. 242-246.