



NON-VIOLATION AND SITUATION COMPLAINTS

COMMUNICATION FROM ARGENTINA, THE PLURINATIONAL STATE OF BOLIVIA, BRAZIL, CHINA, COLOMBIA, CUBA, ECUADOR, EGYPT, INDIA, INDONESIA, KENYA, MALAYSIA, PAKISTAN, PERU, RUSSIAN FEDERATION, SRI LANKA AND THE BOLIVARIAN REPUBLIC OF VENEZUELA

The Permanent Mission of Peru, on behalf of Argentina, the Plurinational State of Bolivia, Brazil, China, Colombia, Cuba, Ecuador, Egypt, India, Indonesia, Kenya, Malaysia, Pakistan, Russian Federation, Sri Lanka and the Bolivarian Republic of Venezuela has requested, in a communication dated 24 July 2015, that the attached draft decision on "Non-violation and situation complaints" for consideration at the 10th Ministerial Conference of the WTO be circulated to Members.

**Ministerial Conference
Tenth Session
Nairobi, 15-18 December 2015**

TRIPS NON-VIOLATION AND SITUATION COMPLAINTS MINISTERIAL DECISION OF ** DECEMBER 2015**

The Ministerial Conference *decides* as follows:

We take note of the work done by the Council for Trade-Related Aspects of Intellectual Property Rights pursuant to our Decision of 11 December 2013 on "TRIPS Non-Violation and Situation Complaints" (WT/MIN (13)/31);

After having examined the issue of the scope and modalities for complaints of the types provided for under subparagraphs 1(b) and 1(c) of Article XXIII of GATT 1994, the 10th Ministerial Conference decides that those provisions of GATT 1994 shall not apply to the settlement of disputes under the TRIPS Agreement.
