

**2nd Meeting of the Commission of the Comprehensive and Progressive Agreement for Trans Pacific Partnership
Auckland, New Zealand, 9 October 2019**

COMMISSION REPORT

1. The Commission of the Comprehensive and Progressive Trans-Pacific Partnership (CPTPP Commission) was held on 9 October 2019 in Auckland, New Zealand. Senior Officials from all CPTPP members participated: Australia, Brunei Darussalam, Canada, Chile, Japan, Mexico, Malaysia, Singapore, New Zealand, Peru and Viet Nam.
2. A summary of the Commission's discussion and outcomes agreed under the respective agenda items is set out below.
3. **AGENDA ITEM 1:** The Commission considered and adopted its agenda attached at **ANNEX A**.
4. **AGENDA ITEM 2:** The Chair briefed the Commission on business arrangements for the meeting.
5. **AGENDA ITEM 3:** The Commission considered and adopted Rules of Procedure attached at **ANNEX B**.
6. **AGENDA ITEM 4:** The Chair encouraged members to continue to keep their contact points updated regularly in respect of any changes.
7. **AGENDA ITEM 5:** The Commission acknowledged the work of the 12 Committees that met in Auckland (listed in **ANNEX C**) and noted the report backs received from these Committees, including the future work programmes they foreshadowed. The Commission noted that some Committees raised issues on which they sought guidance from the Commission. The Chair will compile a list of these points and convene a Senior Officials process to address these by the end of this year.
8. **AGENDA ITEM 6:** The Commission adopted the decision on Roster of Panel Chairs attached at **ANNEX D**.
9. **AGENDA ITEM 7:** The Commission noted the updates from those CPTPP members in respect of the office they have designated to provide administrative assistance as per Article 27.6. The Commission agreed to add this item to its implementation monitoring process, with a view to CPTPP members providing these by March 2020.

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10. **AGENDA ITEM 8:** The Commission welcomed the information provided by some CPTPP members on progress towards implementation of obligations subject to transition periods under the Agreement. The Commission agreed to extend its implementation monitoring processes to include regular updates on progress under these transition periods.

11. **AGENDA ITEM 9:** The Commission noted the provisions in *Annex 10A* regarding the establishment of a Professional Services Working Group, which is to report to the Commission within two years. Australia, with assistance from Canada and Chile, undertook to consult with other interested CPTPP members on arrangements for the Working Group to meet.

12. **AGENDA ITEM 10:** The Commission discussed arrangements for other institutional bodies under the Agreement and agreed to consult further on practical arrangements for those bodies to meet. The Commission also noted that individual CPTPP members with an interest in particular areas could consult with other CPTPP members to determine interest in convening discussions in these areas.

13. **AGENDA ITEM 11:** The Commission discussed the collection of data and information to support CPTPP members' understanding of the operation of this Agreement. CPTPP members agreed to begin a preliminary discussion among interested technical experts on this matter.

14. **AGENDA ITEM 12:** The Commission adopted this report of its 2nd meeting and noted that the next CPTPP Commission and associated meetings was expected to be held in Mexico in mid-2020.

ANNEX A

2nd Meeting of the Commission of the Comprehensive and Progressive Agreement for Trans Pacific Partnership

9 October 2019, Auckland, New Zealand

AGENDA

AGENDA ITEM 1: Adoption of the Agenda

AGENDA ITEM 2: Business Arrangements

AGENDA ITEM 3: Adoption of Rules of Procedure

AGENDA ITEM 4: Confirm Contact Points (27.5)

AGENDA ITEM 5: Committee Reports

AGENDA ITEM 6: Roster of Panel Chairs (28.11)

AGENDA ITEM 7: Administration of Dispute Settlement Proceedings (27.6)

AGENDA ITEM 8: Reporting on Transition Periods (27.7)

AGENDA ITEM 9: Professional Services Working Group

AGENDA ITEM 10: Arrangements for Institutional Bodies with No Fixed Meeting Schedule

AGENDA ITEM 11: Data Collection

AGENDA ITEM 12: Commission Report

ANNEX B

Committees Meeting in Auckland, 7-9 October 2019

- Committee on Trade in Goods
- Committee on Agricultural Trade
- Rules of Origin Committee
- Sanitary and Phytosanitary Committee
- Technical Barriers to Trade Committee
- State Owned Enterprises Committee
- Labour Council
- Environment Committee
- Committee on Cooperation and Capacity Building
- Committee on Competitiveness and Business Facilitation
- Committee on Development
- Committee on Small and Medium Sized Enterprises

ANNEX C

Rules of Procedure

These rules of procedure are established according to Article 27.4.4 of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) (the "Agreement") and will apply to the conduct of work by the Commission. These rules also apply, *mutatis mutandis*, to a committee, working group, or other subsidiary body established under the Agreement, unless those groups or subsidiary bodies adopt specific rules.

1. **Meetings:** Recalling Article 27.4.1, the Commission will meet within one year of the date of entry into force of the Agreement and thereafter as Parties (as defined in Article 1.3) may decide.
2. In accordance with Article 27.4.3, the Commission will carry out its work through whatever means are appropriate, which may include by email or videoconferencing. Where ongoing work does not require Parties to convene a meeting of the Commission, Parties may conduct work through the exchange of information between designated overall contact points (as set out in Article 27.5) or other working-level contacts.
3. **Delegations:** Each Party will endeavour to notify its intended delegation at least 2 weeks in advance of each meeting of the Commission.
4. **Agendas:** A provisional agenda for each meeting will be drafted by the Chair, in consultation with the Parties. The Chair will endeavour to send the first draft of the agenda, together with relevant supporting documents, to each Party as early as possible, or at least 10 days before the meeting.
5. If a Party wishes to add an item to the agenda, the Party should notify the Chair as early as possible, but no later than 5 days before the meeting. The Parties will adopt a final agenda at the start of each meeting.
6. **Report:** After each meeting, the Chair will draft a report of the discussions as well as key decisions, recommendations, or follow-up actions made by the Parties. The Chair will endeavour to submit the report to the Commission for adoption at the end of the day of the meeting. After adoption, the Chair will make public the Commission report and, following consideration by the Commission, Committee reports, unless otherwise agreed by the Parties.

7. **Decisions:** In accordance with Article 27.3 of the Agreement, the Commission will adopt decisions, recommendations, and interpretations by consensus among the Parties, unless otherwise provided for in the Agreement or as decided by the Parties. If applicable, each decision should provide a date for which a decision, recommendation, or interpretation comes into effect. Decisions by the Commission will be made publicly available, unless otherwise agreed by the Parties.
8. **Documents:** All documents submitted to and produced by the Commission will be assigned a serial number and dated by the Chair. Documents will be circulated to each Party's relevant contact points or other working-level contacts.

ANNEX C

CPTPP/COM/2019/D006

9 October 2019

Decision by the Commission of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership regarding the Establishment of a Roster of Panel Chairs under Chapter 28 on Dispute Settlement

The Commission decides as follows:

1. In accordance with Article 28.11, the Commission establishes a Roster of Panel Chairs set out in Annex I.
2. Individuals on this Roster of Panel Chairs nominated by a signatory to the Agreement still in the process of completing its applicable legal procedures may not be appointed as a panel chair or a panellist until after the Agreement enters into force for that particular nominating signatory.
3. The Roster of Panel Chairs will be reviewed in accordance with Article 27.2(1)(g) and Article 28.11.

Roster of Panel Chairs

Bacchus, James Leonard

Greenwood, Christopher John

Ha, Hung Cuong

Hahn, Michael Johannes¹

Hillman, Jennifer Anne

Hughes, Valerie

Lim, George

Mamdouh, Abdel-Hamid¹

Mavroidis, Petros Constantinos

Pauwelyn, Joost

Perezcano Díaz, Hugo Manuel

Pierola Castro, Noe Fernando Nicolás

Ridings, Penelope Jane

Shimizu, Akio

Stoler, Andrew Lynn

¹Pending entry into force of the Agreement for the nominating signatory.