

One More Week for WTO Members!

It was expected, and now it's confirmed. At an informal meeting of the General Council organized to debrief the full Membership about the latest week of intensive consultations on the Bali package, the chair of the trade negotiations committee (TNC), Roberto Azevêdo, said Members will continue negotiating for one more week. After that he will gather the Deputy Director Generals, the Bali package's three chairs (Agriculture, Development and Trade Facilitation (TF)), the trade facilitation's friends of chair, and the chairman of the General Council, to assess what will finally be sent to capitals as a Bali outcome.

There has been some progress achieved this past week on some of the Bali package issues particularly on section II of the TF issue (dealing with special and differential treatment, technical assistance, and capacity building for developing countries).

Jamaica, on behalf of the African, Caribbean and Pacific countries (ACP) group, tabled a proposal on section II on October 30th. The group suggested that any implementation of provisions by developing and least-developed countries shall be considered "conditional on their acquisition of implementation capacity through the provision of adequate and effective technical, financial, and capacity building assistance [measures/programs] by developed-country Members" whereby developing countries shall not be bound to implement the provision if the appropriate assistance is not provided.

Any disagreement between developed and developing countries on this matter would be taken up by a specialized subsidiary body of the TF Committee – "a TF Permanent Group of Experts" (TFPGE) composed of five competent independent persons, highly qualified in the fields of trade facilitation and technical assistance" – to settle the matter, based on "a) the effectiveness and adequacy of the assistance provided [and b) the criteria agreed by the recipient and donor parties in their project of implementation].

The TFPGE shall [make recommendations] [take a decision] [for adoption] [for consideration] by the TF Committee [for final decision]," the proposal suggested.

The Jamaican proposed suggestion was actually well received by several countries, both developed and developing, but sources say, rich countries urged developing Members to first agree on which provisions of section I of the TF proposal (the technical aspects of TF such as publication and availability of information, formalities and documentation requirements, rejected goods, fees and charges, goods in transit) would be considered binding commitments.

Moreover, differences still remain among key players and a non-negligible part of the text which – five weeks away from Bali – still contains brackets. There are also issues in agriculture and TRQ administration, with China still insisting on maintaining its special & differential (S&D) treatment.

A TNC meeting will be scheduled on November 12th, at which point Azevêdo will advise delegations which of the following two options will be retained for Bali:

- *Option A:* Members are unable to close the remaining gaps this coming week, thus the Membership is left with only a Chairman's summary for Bali (Much like what was done at the MC8 in 2011)
- *Option B:* Members agree on a set of deliverables which will be then followed by some outstanding issues to be taken up after Bali

Azevêdo and the chairs will evaluate whether a deal is possible and what type of documents should be sent to capitals and ultimately presented at the MC9 (this is also likely to outline which topics will be among the post-Bali work plan). 1



The documents have to be sent out at least 10 days before the Ministerial Conference, which technically gives negotiators until November 22nd to try to hammer out a deal. Nevertheless, November 11th seems to be the deadline Members agreed to for the Bali package. As some delegations put it, Members have only a week of intensive consultations left to decide on the future of the organization.

Morocco, on behalf of the African Group, told the full Membership that the group was only contemplating one option; i.e. a set of deliverables at the MC9 (*option B*). Cuba, whose official has endorsed the Cotton-4 countries' proposal on duty-free, quota-free access (DFQF) for cotton tabled last week, asked delegations to refrain from imposing a text on the full Membership for Bali. Cuba also opposed any inclusion of future plurilateral negotiations as part of the post Bali work program.

TPP Mini Round in Salt Lake City, Utah

Ahead of the Dec. 7–9 Ministerial meeting in Singapore, Trans-Pacific Partnership (TPP) chief negotiators and several key experts (i.e. from some negotiating groups) will meet in Salt Lake City, on November 19–24 to prepare for the December gathering in Singapore.

In the meantime, several countries will be hosting a series of intersessional meetings in the coming weeks on various aspects of the ongoing negotiations leading up to the chiefs meeting in Salt Lake City, Utah (U.S.).

October 28–November 1: Rules of Origin, Mexico City (Mexico)

October 30–November 2: Government Procurement, Washington, DC (U.S.)

November 4–November 7: State-Owned Enterprises, Santiago (Chile)

November 6–November 9: Investment, Washington, DC

November 12–November 18: Rules of Origin, Salt Lake City, Utah (U.S.)

November 19–November 24: Chief Negotiators & Key Experts, Salt Lake City

Upcoming Events

- Intensive Consultations on Bali Package, November 4–11, 2013
- General Council, November 11, 2013 (tentative)
- Informal Trade Negotiations Committee, November 12, 2013
- TPP Chief Negotiators & Key Experts, November 19–24, 2013, Salt Lake City (U.S.)
- WTO 9th Ministerial Conference (MC9), December 3–6, 2013, Bali (Indonesia)
- TPP Ministerial Meeting, December 7–9, 2013 (Singapore)

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