



An overview of the bilateral, plurilateral and multilateral trade negotiations

Charles Akande, Editor

## Facilitators Circulate Draft Ministerial Declaration for Members' Consideration

**With the aim of concluding the ministerial declaration prior to the start of the 10<sup>th</sup> Ministerial Conference in Nairobi this December, the facilitators – Ambassadors Gabriel Duque of Colombia, Harald Neple of Norway and Stephen Karau of Kenya – circulated a draft text on November 27. This new text takes into account Members' contributions tabled during the last few days.**

As agreed by the full Membership on November 3<sup>rd</sup>, the draft ministerial declaration follows the structure of the 9<sup>th</sup> Ministerial Conference held in Bali in December 2013, by dividing the text into three parts. Part I restates the Membership's attachment to the importance of the multilateral trading system in the context of the World Trade Organization's (WTO) 20<sup>th</sup> anniversary; Part II includes a set of Doha Development Agenda (DDA) deliverables currently under negotiation and Part III focuses on the shape of the future work to be undertaken after Nairobi (Post-Nairobi work programme).

"This text represents the facilitators' best efforts. It is a good faith attempt to provide something that Members can work with, and which – we hope – will allow for convergence on the majority of the Ministerial Declaration. As promised, this text touches specifically on the less contentious issues. And, again, as promised, the facilitators have treated members' textual proposals with the highest priority throughout," WTO Director-General, Roberto Azevêdo, said on Friday.

Part I of the facilitators' text remains the most complete, and maybe the less contentious part, of the three sections. It reiterates the commitment Members have toward the WTO as the main forum

to negotiate multilateral trade rules, but also stresses that while some progress had been achieved in some areas, such as the adoption of the Protocol Amending the TRIPS Agreement or the adoption of the Agreement on Trade Facilitation (TFA), some regrets remain "that much less progress has been made in central elements of the WTO's negotiating agenda, in particular in agriculture."

This latest language has been suggested by some Members of the Cairns Group including Argentina, Australia, Brazil, and Canada. The regrets have also been reiterated in Part III of the declaration dealing with the post-Nairobi work, where the facilitators have listed all areas of the negotiations where Members failed to reach an agreement – agriculture, NAMA (non-agricultural market access), services, rules – including fisheries subsidies, and TRIPS (trade-related intellectual property rights).

"In particular, we note the importance of agriculture to many WTO Members, including LDCs (least-developed countries). We will therefore address all aspects of agriculture reform as a matter of priority," the draft declaration reads.

Some trade observers believe that these paragraphs were purposely suggested to prepare Members for a change of strategy and to consider new approaches to deliver on agriculture. One of those approaches could be to emulate what has been done in the area of services with the trade in services agreement (TiSA) plurilateral negotiation which, they say, would contribute to deepen the framework of rules as outlined in paragraph 12 of the draft ministerial declaration.

"As we recognize the centrality and primacy of the multilateral trading system, we take note that the plurilateral agreements concluded under the auspices of

the WTO have deepened the framework of rules,” paragraph 12 of the draft ministerial declaration reads.

The last two parts of the facilitators’ text dealing respectively with the MC10 deliverables and the post-Nairobi agenda still require lots of work.

Members expect to deliver a deal on Export Competition as part of Part II of the draft ministerial declaration, although discussions on this pillar of the agriculture talks have not been very successful lately, particularly on the issues of food aid, and the provision on agricultural exporting STEs (state trading enterprises).

In addition, Members also hold strong divergent views as to whether the DDA should be reaffirmed in the Ministerial Declaration as part of the next steps.

“Of course, we also need to tackle the most contentious issues – such as the reaffirmation of the DDA and instructions on the way forward, and openness to talking about new issues,” Azevêdo said, adding that he will set up a separate process “to deal with those tough, contentious issues” the week of November 30<sup>th</sup>.

**Geneva Watch is published by Dairy Farmers of Canada, Chicken Farmers of Canada, Egg Farmers of Canada, Turkey Farmers of Canada and Canadian Hatching Egg Producers to report on the various events occurring in Geneva, particularly on the WTO negotiations on agriculture.**

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Legal Deposit: National Library of Canada, ISSN 1496-9254



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