

STRENGTHENING MULTILATERALISM: A MAPPING OF PROPOSALS ON WTO REFORM AND GLOBAL TRADE GOVERNANCE

by Carolyn Deere-Birkbeck
and Catherine Monagle

with a foreword by
Ricardo Meléndez-Ortiz and
Ambassador Sergio Marchi

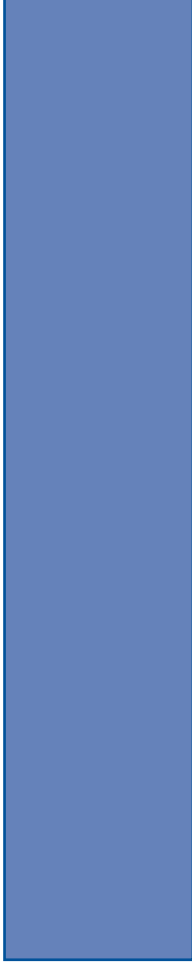
DISCUSSION DRAFT
November 2009



International Centre for Trade
and Sustainable Development



Global Economic Governance Programme



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This document will be open for comments and inputs until 1 February 2010. Copies are available online at ICTSD's website (www.ictsd.org) and via Oxford University's Global Economic Governance Programme (www.globaleconomicgovernance.org/trade).

The final publication is scheduled for early 2010. A web-based version of the final annexes to the report will be published online with a facility for online collaboration to update and supplement the database of reform proposals.



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GEG and ICTSD welcome feedback and comments on this discussion draft. These can be posted to the document's discussion board at <http://strengtheningmultilateralism.wikispaces.com> or forwarded to: carolyn.deere@politics.ox.ac.uk and to rmelendez@ictsd.ch.

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FOREWORD

We start from the premise that the WTO is a valuable and indispensable multilateral institution. Given the deep integration of our global village, the formidable level of international trade and commerce flowing across all national borders, and the need for a rules-based approach, if we did not have the WTO, we would have to create one.

Of course, the international community has given us both the GATT and WTO. However, after an eighty-year history of building open trade and its accompanying institutions, we now face the challenge of protecting and promoting this inheritance. This includes further nurturing and strengthening the WTO, so that it can better reflect the different political and economic times we live in, address the sustainable development challenges we face, and support the new aspirations of our generation.

In fact, there is nothing more dangerous for any public, private, or multilateral institution, than trying to stand still or go back to days gone by, particularly when the world is moving towards the future with accelerating speed.

It is in this positive spirit that we publish this discussion draft of *Strengthening Multilateralism: A Mapping of Proposals on WTO Reform and Global Trade Governance*. We believe that this consolidation of some of the leading proposals for reform, including a selected compendium of political statements that speak to the need for further strengthening multilateralism, can be an important tool in moving us forward. We would like to warmly thank Carolyn and Catherine for their valuable efforts, and hope that you find their discussion draft of assistance and look forward to your feedback on this work-in-progress.

This report builds on the existing work of both the International Centre for Trade and Sustainable Development and the Global Economic Governance Programme. In particular, it follows our earlier joint publication *Rebuilding Global Trade: Proposals for a Fairer, More Sustainable Future*, a compilation of short essays on trade and global economic governance published in advance of the G20's London Summit in early 2009.

Since 1996, ICTSD has worked on a range of systemic issues and matters of institutional reform that concern the future of the WTO and its contribution to sustainable development. These include ICTSD reporting, publications and dialogues on matters ranging from reform of the WTO's dispute settlement process and NGO engagement with the WTO, to initial proposals related to Aid for Trade and ongoing work on the relationship between regionalism and the multilateral trading system.

At GEG, this literature review represents the latest phase of scholarly research designed to help bolster understanding of how to make global economic governance work better for developing countries. Surprisingly, while the body of scholarly research on WTO reform has grown, no similarly comprehensive effort has been made to systematically compile an overview of the range of proposals already on the table, and importantly, to organize them according to the WTO function at hand and to differentiate their proposed purposes.

Ultimately, all good ideas need a process to feed into, if strengthening and renewal of the WTO is to be realised. This is a key missing piece in the puzzle of enhancing governance. We are hopeful that in the coming months, WTO Members and Ministers will assume and lead such a process, so that together, we can advance and build upon the international trade legacy, and make it more sustainable for all peoples and nations.

Regards,



Ricardo Meléndez-Ortiz
Chief Executive, ICTSD



Ambassador Sergio Marchi
Senior Fellow, ICTSD

OVERVIEW

I. INTRODUCTION

In the 15 years since the World Trade Organization (WTO) was established, the issue of institutional reform - whether it is needed, in what form, and via what kind of process - has been an ever-present issue for the organization and its Member States. While calls for strengthening multilateralism and for WTO reform have been more acute at particular junctures in the WTO's recent history - most particularly following the Seattle, Cancun and Hong Kong Ministerial Conferences - they have been a constant theme of academic commentary and analysis, civil society and business advocacy, parliamentary discussion, and Member State concern. Renewed interest in proposals to strengthen the multilateral trade system and the functioning of the WTO are already evident in preparation for the Seventh Ministerial Conference to be held in November-December 2009.

II. ABOUT THIS STUDY

This 'mapping study' compiles a sampling of the numerous proposals and political statements on reform of the WTO put forward since 1995. The mapping comprises two Annexes. The first gathers a sample of political statements and decisions from WTO member states, the WTO Secretariat, and heads of international organizations on issues of WTO reform and global trade governance. The second similarly compiles a sample of reform proposals, but this time focuses on contributions from academics and stakeholders. This discussion draft represents the first iteration of the selective mapping study and is a work-in-progress. Following review, a web-based version of the final annexes to the report may be published on line with a facility for on-line collaboration to update and supplement the content such that it forms a dynamic database of reform proposals.

1) Scope of this Study

This mapping study is not and does not claim to be an exhaustive, fully comprehensive or definitive study of proposals or statements for reform of the WTO. It does, however, aim to reflect the broad scope and diversity of interest in the issue of reform, highlighting many of the key areas for reform mooted by academic commentators, civil society, international organisations, donors and governments as warranting attention. In undertaking the task of reviewing a vast and ever-expanding literature, choices had to be made about the scope of the mapping, which proposals to include, and how to organize the information.

For some, the 'meat' of the WTO reform agenda is less about institutional considerations and more about the scope and mandate of the WTO. For some commentators, the focus must be on the challenges of implementation for developing countries, for others the core question is what constitutes the appropriate substantive 'post-Doha' negotiating agenda at the WTO. The Annexes do not aim to cover all of these debates, nor the topics of the ongoing Doha Development Agenda negotiations. While there is overlap, we aim to keep a tight focus on institutional matters and governance. That said, some of the topics covered in the study are simultaneously the subject of negotiations in the Doha Round (e.g., DSU reform, rules related to Regional Trade Agreements, and the operationalisation of Special and Differential Treatment provisions). On these matters, the Annex does not aim to summarize or cover the range of negotiating proposals in play, but rather to indicate the breadth of proposals that have been made, including those not under negotiation.

The mapping illustrates the momentum towards reform at the political level, the broad-ranging scope of the reform agenda, and the diversity of perspectives driving reform proposals. It also illustrates

that while there are a core set of enduring concerns about the functioning of multilateral trading system, there has also been an evolution of the key issues under debate over time.

This mapping study is organized around a number of core issues: the WTO Management & Internal Administration and the following eight functional aspects of WTO activity: (i) Strategic Direction, Policy Deliberation and Problem-Solving, ii) Negotiation, iii) Monitoring, Assessment and Evaluation, iv) Dispute Settlement, v) International Cooperation and Coordination, vi) Outreach and External Transparency, vii) Capacity Building and Aid for Trade, and viii) Research. In advancing this categorization, we are aware that there are many possible ways of categorizing the WTO system's functions - some analysts may focus on just four to five key functions, others might include a specific function for the 'administration' of agreements, where as our categorization divides this role across several functions. One might also label categories differently - adding agenda-setting to the first function - or couple problem-solving with dispute settlement. And some might put issues of coherence alongside international cooperation and coordination, whereas we have placed these as part of the first function regarding the strategic direction of the multilateral trading system as a whole.

Further, many WTO reform proposals are linked to wider debates on the reform of the global governance of trade and indeed on global economic governance more broadly. For some, the heart of WTO reform must be systemic questions about how it addresses issues of development and sustainability, and the challenge of coherence within the international system around these goals. Proposals on the reform of the WTO in the context of global trade governance (which incorporates not only the multilateral trading system but also the range of regional and bilateral trade arrangements as well as a suite of international organizations and initiatives) yield a broader set of proposals than when the focus is more narrowly on the WTO in isolation. While this mapping does capture some of this broader concern, our focus is on the specific proposals for reforms to the WTO's functioning (or what is often called 'institutional reform').

A final point on scope is in order. First, we approach the analysis of the WTO both as a discrete international organization but also as a system, which relies for the execution of its functions on the contributions of national delegations in Geneva, trade-policymaking processes and capacity in capitals, other international organizations, experts, and stakeholders, among others. That is, the work of the organization relies not just on the Secretariat, but on the day-to-day efforts of member states and a range of other actors. The range of proposals that we have included in the study reflect this 'systems' approach to understanding how the WTO works.

2) A Dynamic Subject

For many of the proposals presented in the study, there has been considerable evolution of the policy debate, particularly as public interest in particular trade-related challenges and the intensity of public debate on globalization have risen and waned.

In compiling this mapping study, we are aware that a number of changes have been made to the way the WTO works over the past 15 years, at least partly in response to criticisms and reform proposals offered (see Box I). Many of these have been informal and administrative changes, rather than a structural overhaul of the way the WTO works. Some reforms have, however, involved formal decisions taken at the level of the WTO's General Council, among trade Ministers or by the WTO Secretariat. Such changes may or may not have been taken into account in the various statements and proposals on reform appearing in the Annexes, depending on their timing and focus. Perspectives on the desirability and impact of reforms undertaken thus far vary, as do views on whether such changes are sufficient to meet the various objectives of reform. That proposals and political statements in favour of reform continue

to be generated by Members, academia and civil society as recently as the past few weeks and months, does, however, indicate substantial continuing support towards further reform.

Box I: Selected Examples of WTO Reforms and Evolutions since 1995

Following are selected examples of WTO reforms undertaken since 1995 as well as some evolutions in practices and the functioning of the multilateral trading system. In each case, there are many more examples that could be listed. The point here is simply to highlight that the multilateral trading system has not been static in the face of demands to adapt and change - though there are diverging perspectives on the desirability and impact of some of these changes, and on whether they go far enough or too far.

- *WTO Management and Internal Administration:* The WTO Secretariat has adopted performance-based management tools, and the internal organization of the Secretariat and the structure of its senior management have evolved. Members adopted guidelines regarding the process for electing the organization's Director-General.
- *Strategic Direction, Policy Deliberation and Problem-Solving:* Examples of reform-related efforts include the commissioning of the Sutherland Report, the recent decision to regularize the holding of Ministerial Conferences, the creation of new working groups such as the WTO Working Group on Debt, Trade and Finance at the 2001 Doha Ministerial along with a new WTO Working Group on Technology Transfer, and the Director-General's leadership of new initiatives on Aid for Trade and on the Cotton issue.
- *Negotiation Function:* Members agreed to the creation of a Trade Negotiations Committee in the context of the Doha Round and the nature of the informal processes of negotiations has consistently evolved (including how Green Rooms are conducted as well as the roles of Chairs and facilitators) as has the process for generating draft negotiating texts. WTO members adopted a Decision regarding the process of Accession for LDCs (2002) and members have made increasing use of a variety of coalitions in the negotiation process.
- *Monitoring, Assessment and Evaluation Function:* The WTO members established a new transparency mechanism for monitoring regional trade agreements, an independent assessment of the WTO's technical assistance was commissioned, and the WTO Secretariat is now monitoring trade policies introduced by governments struggling to cope with the worldwide economic crisis.
- *Dispute Settlement Function:* Amicus briefs have been received by a number of WTO panels, and by the Appellate Body (although these have received varying responses from the relevant WTO adjudicating bodies and from member states); some dispute settlement proceedings have been made open to the public; the good offices of the Director-General have been used in an effort to resolve at least one dispute; and a number of WTO members collaborated to establish in 2001 an Advisory Centre on WTO Law (ACWL) to provide legal advice to its developing countries.
- *International Cooperation and Coordination Function:* Actions undertaken include an agreement between the World Intellectual Property Organization and WTO Secretariats on the provision of TRIPS-related capacity building; joint publications with some international

organizations on particular trade-related issues (e.g., with the World Health Organization, the International Labour Organization and the UN Environment Programme); partnerships with other international organizations in the creation of the International Trade Centre; collaborations in the hosting of joint seminars and workshops; and the participation of the Director-General in the G20 Leaders meetings.

- *Outreach Function:* The WTO now undertakes an annual WTO Public Forum, provision is made for an NGO Centre at WTO Ministerial Conferences and NGO briefings in Geneva, the WTO's internet site has been enhanced considerably, and decisions regarding document de-restriction have been made. In addition, the general Council adopted Guidelines for Arrangements on Relations with Non-Governmental Organizations, the Secretariat has made a series of ad hoc informal arrangements for NGO and media participation in some of its events and activities, and the WTO Secretariat collaborates with the Inter-Parliamentary Union for its periodic Conferences on the WTO.
- *Capacity Building Function and Aid for Trade:* A Doha Development Agenda Global Trust Fund was established to facilitate member support for capacity-building, and the Integrated Framework (IF) was created to facilitate a coordinated effort among providers of capacity building and technical assistance. Subsequent reforms were undertaken to transform the IF into an Enhanced Integrated Framework and the Aid for Trade Initiative was launched.
- *Research Function:* The resources allocated for the WTO's internal research have grown over time. There has also been increasing emphasis on collaborations with external researchers and with developing country research centres. The WTO has also initiated its own annual *World Trade Reports* since 2003 and has launched its own scholarly journal the *World Trade Review*.

3) The Organization of this Study

Annex I

This table presents a selected and illustrative compendium of political statements on matters related to institutional reform and governance of the WTO. It includes: excerpts from WTO Ministerial Declarations; member state submissions to the WTO; member's statements at WTO General Council meetings; General Council decisions; statements by ambassadors and trade ministers; statements by government officials in other fora; statements by various coalitions and groupings of WTO member states; statements by the various WTO Directors-General; and, statements by heads of other international organizations.

As stated above, the range of issues covered in the compendium does not necessarily reflect the full breadth of debates on WTO reform, strengthening multilateralism and global trade governance. The specific excerpts were selected to illustrate the scope of debates and proposals, as well as the range of countries that have expressed views on questions of institutional reform and governance. Several Members and other actors at the political level have identified and continue to emphasize a broad need for fundamental, systemic reform and/or articulate specific functional areas in which reform is sought. While statements on reform have been made throughout the WTO's recent history, they tend in focus to reflect the particular challenges confronting the WTO at the time they were made. For example, many statements on the subject of inclusion and lack of transparency in decision making were made during those Ministerial Conferences in which these problems were felt acutely by Members.

While some proposals have been made on repeated occasions over time, the Annex does not provide a full chronology of all relevant proposals. Excerpts have been selected from various speeches, declarations, statements and other sources that illustrate the proponent's ideas and position on reform at a particular point in time. Also, the compilation focuses more on the core of the proposals than on their justification, though brief contextual information is provided in some cases.

Annex II

This Annex provides an illustrative sample of WTO reform proposals. The samples were selected from a vast and growing literature by academics as well as policy commentators and experts from parliamentarians, NGOs, business groups, international organizations, labour unions, and civil society organizations.

Annex II is divided into nine tables, which focus on eight core areas of the WTO system's functioning as well as on the WTO's general management and internal administration. Notably, to date, no similar review of proposals across the range of WTO functions exists. For each of the topics covered in Annex II, the respective tables present only a sample of the diversity of proposals - and many more have been made in written form as well as at conferences and workshops over the past 15 years.

As with any task of this nature, choices were made in respect of what to include and in respect of the categorization of proposals. This has necessarily brought with it the attendant result that some important topics or proposals may have been omitted or diluted. In terms of the organization of the Annex, and given the nature of the proposals made, there is some overlap between proposals and issues. In addition, cross-cutting themes such as proposals related to the appropriate role of the WTO Secretariat, development considerations, or concerns about public participation arise. We have signalled some of the more significant areas of overlap through cross-referencing. While some proposals have been advanced by a number of different advocates, either concurrently or sequentially, we chose not to aim to list all of those associated with any given proposal. In order to capture the diversity of perspectives that prompt reform proposals, we have included where stated relevant comments from the authors of proposals, as well as their stated objectives and assumptions.

Included across the two tables are some of the key proposals and conclusions presented in two independent reports on reform of the WTO. The first of these reports was written by a Consultative Board of experts, commissioned by former WTO Director-General Supachai Panitchpakdi, and entitled *The Future of the WTO: Addressing Institutional Challenges in the New Millennium* (2004). This Board of eight members included those with careers in government, academia, business, trade and economic policy-making and was chaired by former WTO Director-General Peter Sutherland. It was charged with studying and clarifying the institutional challenges facing the trading system and considering how the WTO could be reinforced and equipped to meet them. The more recent of these reports was the Warwick Commission report on *Which Way Forward?* (2007). This Commission was convened by the University of Warwick, chaired by the former Canadian Minister for Foreign Affairs Pierre Pettigrew, and was comprised of sixteen members, including trade practitioners and academics.

Bibliography

As a supplement to the proposals included in the two Annexes, the final element of this mapping study is a bibliography of contributions from academics, policy centres, NGOs, international organizations, business groups, civil society organizations, labour unions and parliamentary bodies on WTO reform, the governance of global trade and the multilateral trading system. The bibliography includes a

number of publications not directly cited in this report but which inform its content and analysis. Importantly, while there is a vast and growing literature on WTO reform, much of its emphasis is on analysis and critique, rather than on specific reform proposals or concrete alternative visions. The emphasis of this bibliography is on the latter.

III. A DIVERSITY OF OBJECTIVES

Across this mapping study, there are important differences in the objectives that motivate reform proposals. For instance, the key objectives informing commentary and proposals on the WTO's negotiation and rule-making function range from increasing the speed and efficiency with which WTO agreements are made, to boosting inclusiveness and fairness of WTO processes, particularly in the light of an expanded membership of developing countries.

In general, there appears to be little fundamental disagreement with the view that the WTO system should, in both its processes and outcomes, reflect such fundamental principles as legitimacy, inclusivity, fairness, and transparency, that coordination with other international fora and institutions should be pursued, and efficiency improved. Nevertheless, what these principles mean in terms of which reforms should be pursued differs greatly. For example, while some might view transparency as requiring the opening up of certain WTO processes to civil society input others approach the idea of civil society engagement at the international level more cautiously.

There also appears to be substantial consensus that trade policy generally, and the WTO specifically, have implications for development and sustainability, and broad acknowledgement that these are important global challenges that must be addressed. How the WTO currently impacts on development and sustainability, whether these issues should be yardsticks against which the value of various reform proposals are judged, and how these challenges should be addressed in the context of the WTO are all, however, the subject of diverse opinion. The extent of divergence in opinion varies among the WTO functions on which particular reforms are mooted.

On issues of environmental sustainability, for instance, some analysts see institutional reform as providing important options for reconciling trade and sustainability objectives, while other commentators believe that such issues should best be treated outside the WTO. Still others remain profoundly unconvinced - both on substantive and procedural grounds - arguing that the economic model on which trade negotiations is currently based limits the scope for progress.

Similarly, there are differences with respect to how strongly different reform proponents judge the importance of development as an objective of reform. And indeed, even advocates of a stronger development focus raise questions about whether reforms at the WTO will suffice. Many critics argue that it is impossible to significantly advance development in the WTO context without simultaneously addressing the links between trade, debt and finance; fixing shortcomings in financing for development and development assistance; reforming the activities of national export credit and investment insurance agencies; and taking up issues related to commodity trade, as well as the vagaries of the national trade policies of the most powerful trading nations.

There appears to be little overt disagreement about the importance of a rules-based multilateral trading system, but considerable differences about how the legitimacy of the WTO can be enhanced and sustained. Some emphasize that legitimacy cannot be won through architectural reform alone, but that this requires a renewed focus on political dialogue and ethics. Embedded in other proposals is the view that legitimacy is best derived from the improved participation of Member states and

through greater involvement of political leaders who bring authority to speak for their citizenry. Some suggest enhancing the WTO's legitimacy through improved transparency and public participation. Others argue for such reforms not to enhance the legitimacy of the system, but rather because they believe these would improve the outcome of trade negotiations and agreements in terms of global commitments to poverty reduction, sustainability and development.

IV. OVERVIEW OF PROPOSALS

Statements and proposals on reform have emerged on almost every aspect of the WTO's functioning. This section provides a brief overview of the range of reform proposals within each of the topic areas mooted above. Further details on each can be sought in the two Annexes and in the original materials.

1. WTO Management and Internal Administration

Proposals and statements on WTO management and internal administration have covered a diverse set of issues, including: the role and responsibilities of the Secretariat; the role of the Director-General and the appropriate selection process; structural reform to leadership; the quality of management, staffing and culture of the Secretariat, the appropriate scale and allocation of secretariat resources; sources and management of financing for the Secretariat's budget (including trust funds and contributions to the regular budget); internal transparency within the Secretariat (such the derestriction of documents); and, appropriate arrangements for the Secretariat's relationship with stakeholders, other international organizations and parliamentarians. Cross-cutting issues that have emerged in related debates include: the relationship of the Secretariat with member states; the geographic composition of Secretariat staff; the importance of Secretariat neutrality and concerns about bias (in favour of particularly negotiating perspectives or the interests of more powerful member states); whether the WTO should have some kind of management committee or executive board of members to oversee, among other matters, the budget and management of the Secretariat; and, the performance and function of the Director-General (see also Point 2 below). Issues related to the role of the Secretariat also arise in respect of many of the particular functions of the WTO system reviewed in the tables, such as in the trade policy review process, the dispute settlement process, the provision of technical assistance and training, and in the context of research functions.

2. Strategic Direction, Policy Deliberation and Problem-Solving

Proposals and statements on strategic direction, policy deliberation and problem-solving include those related to: the role, regularity and purpose of the Ministerial Conference; the role of Ministers and political leaders in the work of the WTO; the mandate of the Director-General and Secretariat; the role and operations of the General Council; and, the potential for greater involvement by stakeholders, experts, parliamentarians and other international organisations. In addition, there have been numerous proposals for new processes, structures and initiatives to strengthen the WTO's deliberative function and to provide a space for policy debate, problem-solving and thinking about long-term strategic direction and challenges facing the multilateral trading system. These include calls for greater use by the Director-General of initiatives (such as the Aid for Trade Initiative), stronger engagement by political leaders, greater use of expert groups, and the various proposals for the formation of consultative bodies - with opinions varying as to whether these should have any decision-making authority. On the latter point, some analysts have reiterated that the WTO should not establish sub-bodies for such purposes due to concerns about diluting transparency and representation of all members.

Proposals and statements in this area also concern the overall strategic direction and coherence of the multilateral trading system, including the appropriate scope and mandate of the WTO. Here, concerns about coherence at the global level emerge - and have provoked proposals about the place of trade in the global economic and financial architecture, how that architecture fits within the United Nations system, and how the trading system relates to international commitments to objectives in respect of human rights, development and sustainability.

3. Negotiation Function

The ambit of proposals and statements on the negotiation function includes: the process for negotiation agenda-setting and principles for forming agreement; the role of informal consultations (including Green Rooms and mini-Ministerials); the role of coalitions and other negotiating groups; the role of chairs in negotiations and the process of negotiations at Ministerial meetings; the role of Secretariat in negotiation processes; proposals related to ongoing negotiations conducted as part of the regular work of WTO committees; and, reforming the accession process, particularly for small and least developed countries.

Notably, there are a range of opinions on the costs and benefits of informal processes, and whether and how these should be reformed and/or formalized. In addition, there are proposals relating to expanded parliamentary input and/or oversight of negotiations as well as arrangements for stakeholder input in negotiations (e.g., NGOs, experts and business), both as part of national delegations and in trade strategy formulation at the national level. Proposals relating to enhancing the participation of developing countries, particularly those without permanent representation in Geneva, are taken up in Table 7 on the capacity building function.

4. Dispute Settlement Function

Proposals and statements on the dispute settlement function of the WTO tend to concern: the capacity of developing least developing country members to use and benefit from the system; the transparency of the dispute settlement system and opportunities for the public to observe and input into proceedings; the role of the Appellate Body and the panels; and the appropriate role for the Secretariat in the dispute settlement process. The table also covers a range of proposals for addressing asymmetry in compliance with dispute decisions, and for making greater use of mediation and alternative processes for resolving disputes. In addition, the table includes a small sampling of proposals related to the appropriate role of international organizations in WTO proceedings; the appropriate relationship between WTO dispute settlement processes and other international judicial bodies; and, the appropriate relationship between WTO law and other sources of international law.

5. Monitoring, Evaluation and Assessment Function

Proposals and statements on the surveillance function of the WTO concern the scope and effectiveness of the WTO's trade policy review (TPR) mechanism; improving compliance with the WTO's notifications requirements; increasing the surveillance of regional trade agreements; boosting the monitoring work of the WTO's regular committees, as well as proposals regarding the addition of further assessment and evaluation functions within the WTO's ambit, such as development and sustainability assessments of existing or proposed agreements.

There are a particularly high number of proposals that focus on harnessing the TPR as a tool for integrating development and other dimensions into trade policymaking (ranging from environment to labour, gender and human rights considerations), and that recommend stronger roles for

other international organisations, experts and stakeholders in the TPR process. Among these are proposals to link the TPR process more closely to the assessment of adjustment costs related to the implementation of WTO rules, to the appropriate legal obligations for different members, and to capacity building needs. There have also been calls to include in the TPR process reviews of trade policy-making processes at the national level and for monitoring developed country implementation of their commitments to capacity-building. A number of proposals have emerged suggesting a deeper role for the WTO in monitoring trade policies introduced by governments in response to the global financial crisis, and several commentators have suggested mechanisms for evaluating third party complaints about the impact of WTO rules.

6. Outreach Function

Proposals and statements on outreach and the WTO tend to concern issues such as: defining an appropriate role for non-state actors and public access to processes, information and documentation (often referred to as ‘external transparency’ considerations), the role of non-state actors at the national level, and issues around transparency and opportunities for public participation in domestic trade policymaking processes including in relation to the structure of national negotiating teams. While some proposals focus on improvements in public access and outreach at the international level, others highlight the need for action nationally.

7. Capacity Building Function and Aid for Trade

Proposals and statements related to the WTO system’s capacity building function cover issues ranging from the governance of Aid for Trade; ensuring appropriate content of Aid for Trade (including proposals regarding the nature of supply-side, adjustment assistance, technical assistance, legal advice and training); improving the quality of the WTO’s technical assistance and training; addressing developing country capacity to participate in negotiations; enhancing the monitoring and evaluation of technical assistance; boosting the role of South-South cooperation; and increasing the accountability of donors for the overall level and quality of Aid for Trade. While some recommendations focus on reforms to the various existing collaborative efforts among donors (such as the Integrated Framework, the Agency for International Trade Information and Cooperation (AITIC), the Joint Integrated Technical Assistance Program (JITAP) and the International Trade Centre), there have also been proposals for new independent mechanisms for channelling assistance that would give developing countries greater choice of providers and for a shift of support from bilateral initiatives to multilateral capacity building efforts. Further proposals relate to the appropriate role of the Bretton Woods Institutions, regional development banks and other international organizations in Aid for Trade and call for stronger links between trade-related capacity building and national development and poverty reduction strategies. Finally, a number of proposals have also been put forward setting out the case for a greater role for durable non-governmental, local actors in developing countries - such as civil society groups, research centres, and industry groups - as independent providers and recipients of capacity building.

8. International Coordination and Cooperation Function

Proposals and statements on international cooperation and coordination include those related to: the status of international organizations in the WTO and their role within its various processes; the role of the WTO in global governance more broadly; and the WTO’s relationship with other international organizations. They also include proposals related to the monitoring and management of preferential, regional and bilateral trade agreements. Further, there have been a diversity of proposals and political statements in favour of greater coherence within the international system - though views on what

values and principles should inform this agenda vary. Some proposals emphasize for instance that the challenge of coherence must be approached from the perspective of development, while others seek greater coherence around the end goal of a more liberalized global trading regime.

9. Research Function

Proposals and statements on the WTO system's research function focus both on the question of the appropriate role of the WTO Secretariat and the importance of building research capacity beyond the Secretariat. On the first point, a number of contributions debate whether the Secretariat should have a stronger role in research, data gathering and analytical support for negotiations and the level of resources required. On the second matter, proposals focus less on strengthening research capacity within the WTO Secretariat in favour of stronger collaboration with other international organizations or attention to building capacity at the regional or national level; the role of South-South cooperation; and the role of non-government actors in providing research, policy analysis and negotiating advice to governments.

V. WHERE TO NEXT? PERSPECTIVES ON THE PROCESS OF REFORM

There is a diversity of views on how to achieve reform and several proposals for various reform processes have been put forward. Moreover, there is considerable debate on how the goals and scope of any such process should be defined.

In terms of broad approach, some commentators argue for placing the issue of WTO reform within a "Bretton Woods II" type process or a more systematic and complete reform of the global economic architecture. Others focus on the WTO more specifically - some propose major structural reform, others highlight the advantages of a step-by-step but deliberate approach, while others advocate a gradual and incremental process of evolution. For the latter, patience and realistic expectations are required. Yet, some critics caution against what they characterize as mere 'tinkering' with the existing system. While some reforms may be desirable, they call for broader thinking about whether a dramatically different system for global trade regulation is in fact necessary. At one end of the spectrum are those who question the legitimacy, function and relevance of the WTO in the light of an expanded membership and a rapidly evolving global political economy. They are joined by those who emphasize the need for deep reforms in the global trade arena as a prerequisite for achieving significantly greater coherence global development and sustainability challenges. At the other are those who question the degree to which reform is feasible, desirable and necessary. Despite acknowledging lack of progress in negotiations and concern about threats to multilateralism in trade, they often hold the view that the WTO is essentially intact and working.

In terms of process, several proposals suggest the need for a systematic process of intergovernmental reflection, noting that the reform process should be delinked from the substantive agenda and day-to-day processes of the WTO. Some analysts focus on the roles that trade delegates could play in such reflection, while others emphasise the importance of leadership from political leaders and trade ministers. Still others promote a process that engages academics and/or stakeholders, either in a formal advisory capacity to the WTO members or that takes place completely outside the framework of the WTO.

This mapping study is presented as a contribution to these debates on the objectives, strategies and appropriate processes for discussion of how to strengthen the multilateral trading system. As a discussion draft, we trust that it will be a useful starting point for those interested in understanding the scope of previously-tabled proposals and statements for reform.

ANNEX I: SELECTED COMPENDIUM OF POLITICAL STATEMENTS AND DECISIONS ON WTO REFORM

Note: This table presents a selected compendium of political statements on matters related to institutional reform and governance of the WTO. It includes excerpts from WTO Ministerial Declarations, member state submissions to the WTO, member's statements at WTO General Council meetings, and General Council decisions as well as statements by ambassadors, trade ministers and other government officials in other fora, various coalitions and groupings of WTO member states, and statements by the various WTO Directors-General and several heads of other international organizations. The compendium is intended to be illustrative, not exhaustive. The specific excerpts were selected to illustrate the scope of debates and the range of countries that have expressed views on questions of institutional reform and governance. The scope of the issues covered in the compendium does not necessarily reflect the full range of debate on WTO reform. See the Overview of this report for a further explanation of the decisions taken in regard to scope.

The excerpts are divided into three eras, and organized by date in reverse order (2006-2009; 2000-2005; and 1995-1999).

2006-2009

| AUTHOR | DATE | KEY EXCERPT(S) | SOURCE |
|--|--------------------|---|--|
| General Council Statement by Cambodia | 20-21 October 2009 | <p>"I am hereby requesting that a process be established by you Chairman, the DG, and the General Council to consider and act on the proposals contained in the Phnom Penh Round Table statement. I appeal to all Members to constructively engage on this subject of LDC accessions..."</p> <p>We also believe that all Members and our Organization need to act to provide assistance to enable the accession of 40% of candidate countries knocking at the door of this Organization."</p> | Statement on Least Developed Countries Accession submitted as a document for the Ministerial Conference, amended documents submitted on 26 October 2009, WT/MIN(09)/1/Add.1 WT/L/769/Add.1 WT/COMTD/LDC/16/Add.1 |
| Communication from Gabon on behalf of the Informal Group of Developing Countries | 16 October 2009 | <p>"Given the current dynamics of negotiations to join the WTO, Members enjoy a much stronger negotiating position than the acceding developing countries. The lack of clear rules on the accession process, compounded by the stronger position of Members, may lead to Acceding countries being faced with demands that go beyond their level of development, and of current WTO rules. It is also worrying that in many cases the obstacles and delays that are encountered by some developing countries in their efforts to join the WTO are not technical in nature but are rather based on political considerations and issues that are not related to trade or economic policy.</p> <p>The type of problems outlined above, which have been repeatedly brought to the attention of the General Council by our Group, raise serious systemic questions. We believe that the time has come to start a dialogue on those issues as they may affect negatively the development of future developing country members..."</p> <p>Acceding developing countries have very few opportunities to make their views on the accession process known to Members. Therefore, it would seem important to provide the opportunity to acceding developing countries to voice their comments on the process they are going through..."</p> | Communication to the General Council 20-21 October on 'The WTO Accession Process - The Need for Dialogue' (Official WTO Document WT/GC/W/611). |

| AUTHOR | DATE | KEY EXCERPT(S) | SOURCE |
|--|-----------------|--|--|
| | | <p>The Informal Group of Developing Countries believes that the following proposal could lay the groundwork to stimulate a dialogue to understand better the problems of the acceding processes and their implications on future members:</p> <ul style="list-style-type: none"> - Improve the existing institutional mechanisms with the objective of providing the opportunity to acceding developing countries to make their views on the accession process known to Members. Progress reports shall be periodically sent to the General Council... <p>We believe that future partners within the organization need to have the chance to talk and exchange experiences and opinions inside as well as outside of the negotiating atmosphere of their respective Working Party meetings.</p> <p>Given that the approaching Ministerial Conference will be dealing with systemic issues we believe that the accession process with numerous identified systemic concerns needs to be on the agenda of the conference. In that context, a first exchange of ideas with the acceding countries would seem important in providing a necessary input for more substantive discussions at the conference.”</p> | |
| Communication from Australia, Brazil, Canada, China, Hong Kong China, European Communities, India, Japan, Korea, Malaysia, Mauritius, Mexico, Norway, South Africa, Switzerland, Turkey, United States and Uruguay | 16 October 2009 | <p>On the issue of systemic improvements to the WTO, we propose the following text for inclusion in the Chair’s summary to be issued at the conclusion of the 7th Ministerial Conference.</p> <p>“The rapid change in the global economic environment requires the WTO to be agile and responsive in order to preserve its central role in the global trading system. With a view to maintaining the effective functioning of the rules based multilateral trading system, the WTO needs to periodically engage in a process of review of its functioning, efficiency and transparency and consider systemic improvements, as appropriate. Ministers have invited the General Council therefore, to establish an appropriate deliberative process to review the organization’s functioning, efficiency and transparency and consider possible improvements, while bearing in mind the high priority we attach to the successful conclusion of the DDA negotiations. We look forward to reviewing the progress in this regard in our next meeting.”</p> | Proposal for the Chair’s summary of the Seventh Ministerial Conference to be held in Geneva, 30 November - 2 December 2009. WT/MIN(09)/W/1 |
| Submission by Cambodia and Tanzania | 5 October 2009 | <p>“There is much to be said in favour of the accession process. At the same time, there are practical adjustments that could be made for improvements. Participants welcomed the message from DG Lamy that each completed individual accession should be welfare-enhancing and strengthen the rules-based system. The enhanced systemic role of the Director-General will be indispensable to this process of improvement...”</p> <p>Following are excerpts from the attached ‘Statement from the Phnom Penh Round Table on LDCs’ Accession, Phnom Penh, Kingdom of Cambodia 28 - 29 September 2009.</p> <p>“The results of our collective analysis of the challenges we face and with full appreciation of the benefits of WTO membership, made evident to us the necessity for improving the implementation of the 2002 Guidelines on LDCs’ accessions so as to facilitate and accelerate the WTO accession negotiations with acceding LDCs...”</p> | Statement on Least Developed Countries Accession regarding outcomes of Round Table in Phnom Penh, on the Accession of Least Developed Countries, 28-29 September 2009, submitted as a document for the Ministerial Conference (WT/MIN(09)/1), the General Council (WT/L/769) and the Sub-Committee for Least Developed Countries (WT/COMTD/LDC/16) |

| AUTHOR | DATE | KEY EXCERPT(S) | SOURCE |
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| Robert Zoellick, World Bank President | 28 September 2009 | <p><i>In light of our accession negotiating experiences, we have identified essential steps to facilitate and accelerate our accession negotiations in accordance with existing mandates... Participants to the Round Table:</i></p> <ul style="list-style-type: none"> - <i>Called for improved transparency on LDC's accession.</i> - <i>Urged for strict respect for the 2002 Guidelines by the WTO Members when dealing with acceding LDCs.</i> - <i>Urged WTO Members to give the Director-General the mandate for an enhanced role as a facilitator and to present annual progress reports on LDCs' accessions to the WTO Membership.</i> - <i>Stressed the necessity of technical assistance for acceding and acceded LDCs and urged all technical assistance agencies to continue to provide targeted assistance in support of LDCs' accessions.</i> - <i>Recognized the long standing support provided by UNCTAD in support of LDCs' accessions.</i> - <i>Welcomed the efforts of the Executive Secretariat of the EIF, the International Trade Center, and the WTO Secretariat to coordinate and finalize the TA program for the private sector in acceding LDCs.</i> - <i>Urged donors to continue to provide, on a sustained and predictable basis, funding through multi-donor trust funds.</i> - <i>Reaffirmed the request by the United Republic of Tanzania, as Coordinator of the LDCs Group, that the subject of LDCs' accessions be placed as an item on the agenda of the Seventh WTO Ministerial Conference...</i> | |
| | | <p><i>"Another legacy of the Bretton Woods architects is our global trading system. Is it keeping up with the demands of the global economy? The answer is an unequivocal "no" ... Today the pedals are hardly moving the Doha Round in the WTO. Moreover, with an agenda framed almost a decade ago, the Doha Round is fast falling behind the new challenges. We should get the Doha Round done promptly - and then look ahead...</i></p> <p><i>Once Doha is achieved, we need to move quickly to a new agenda. Regional integration is part of globalization, but we need rules that enable countries to capture the benefits of deeper and comprehensive liberalization with others while encouraging an open regionalism. The WTO needs to support the climate change agenda without recourse to new carbon tariffs. We need counters against the financial and subsidy protectionism that arose out of the crisis. We need lower barriers to South-South trade. The services trade must be expanded to match the opportunities for development and growth. We need more help for the poorest countries that have been less able to seize growth opportunities from trade.</i></p> <p><i>The new agenda needs to build on early efforts by WTO's Director General, Pascal Lamy, supported by the World Bank Group, to link trade facilitation to aid for trade.</i></p> <p><i>The Bretton Woods system was forged by 44 countries at a time that power was concentrated in a small number of states. The great waves of decolonization were just stirring; the few developing countries were seen as objects, not subjects, of history. That world is long passed. The new realities of political economy demand a different system...</i></p> <p><i>We need a system of international political economy that reflects a new multipolarity of growth. It needs to integrate rising economic powers as "responsible stakeholders" while recognizing that these countries are still home to hundreds of millions of poor and face staggering challenges of development.</i></p> | Speech by Robert Zoellick at the Paul H. Nitze School of Advanced International Studies of the Johns Hopkins University |

| AUTHOR | DATE | KEY EXCERPT(S) | SOURCE |
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| Pascal Lamy, WTO Director-General | 14 August 2009 | <p><i>It needs to engage the energies and support of developed countries, whose publics feel the heavy burdens of debt, competitive anxieties, and feel that the new powers must share responsibilities. It needs to help offer a hand to the poorest and weakest countries, the 1.6 billion people who still live without electricity, and the “Bottom Billion” trapped in poverty because of conflict and broken governance...</i></p> <p><i>The countries of the world will never deal effectively with this agenda unless they cooperate. The economic multilateralism of another age does not reflect today’s realities. We need to modernize Multilateralism and Markets...</i></p> <p><i>To be effective and strengthen their legitimacy, the international institutions must also evolve. Their voting shares should reflect the weights and new responsibilities of emerging powers, while assuring a voice for the poor. They need the transparency and agility to work within networks of private businesses, foundations, and civil societies, as well as with one another.</i></p> <p><i>The old international economic order was struggling to keep up with change before the crisis. Today’s upheaval has revealed the stark gaps and compelling needs. It is time we caught up and moved ahead.”</i></p> <p><i>“My view is that the WTO doesn’t need structural reform, like the International Monetary Fund or the World Bank, because the decision-making systems are by consensus, not by majority.</i></p> <p><i>This consensus has to be built, and, inevitably, building consensus, like in any political process, starts with smaller groups, then bringing in a larger group, and then bringing in the whole membership...</i></p> <p><i>As long as developing countries are adequately involved in these smaller groups (and these smaller groups do involve smaller developing countries), their say around the table is there. Now . . . you may need the necessary transparency in between the smaller groups - you need various constituencies to be represented, and that’s the way it works in the WTO.”</i></p> | <p>Views expressed by Director-General Pascal Lamy in an interview with ‘Engineering News’ http://www.engineeringnews.co.za/article/wto-doesnt-need-structural-reform---lamy-2009-08-14</p> |
| Hillary Rodham Clinton, United States Secretary of State | 7 August 2009 | <p><i>“And I think it’s important that we take a hard look at the WTO rules at this point, because there are some that I think could use some rethinking and revising, in light of what’s happening in the world today. I also believe we should strengthen the ILO, the International Labor Organization’s rules, because we want to have a tide that lifts all boats and not have people taken advantage of in the labor market.</i></p> <p><i>So you asked a very important question, and I think it deserves the attention of a country like the United States and other economic leaders, like South Africa, to determine what [sic] we can make to the WTO for the future, as opposed to just continuing with policies of the past.”</i></p> | <p>Views expressed during question and answer session following address of the Secretary of State to the International Development Corporation gathering in South Africa http://www.america.gov/st/texttrans-english/2009/August/20090807204120ihecuor0.1798604.html</p> |
| Faizel Ismail, Head of South African Delegation to the WTO | 30 July 2009 | <p><i>“The agenda for the [Ministerial] conference is not yet clarified, but the focus will not be on the Doha Round. That will not be the main objective, although it will be an item on the agenda, we won’t try to conclude anything.”</i></p> <p><i>“We will try to address some of the more systemic issues, and the idea of systemic reform. For instance, India is tabling a proposal this week on some incremental systemic reform towards transparency, and to strengthen the WTO body. Some are looking at more fundamental reforms, for example the rules on accession, or rather the lack of rules on accession.”</i></p> | <p>Views expressed by Faizel Ismail in discussions of his draft paper “Reforming the WTO” at the Institute for Global Discussion Johannesburg, as reported by Christy Van der Merwe, Engineering News</p> |

| AUTHOR | DATE | KEY EXCERPT(S) | SOURCE |
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| Pascal Lamy, WTO Director-General | 28 July 2009 | <p>"I think the Ministerial conference to be held in Geneva provides a good opportunity for Ministers of Trade to debate and advance these reform proposals."</p> <p>"Lastly, I should also mention that many delegations re-affirmed our basic principles in those negotiations – multilateralism, development, and a bottom-up, inclusive and transparent process. As TNC Chair and as Director-General, I will do everything within my realm to uphold those principles."</p> | <p>http://www.tralac.org/cgi-bin/giga.cgi?cmd=cause_dir_news_item&cause_id=1694&news_id=70774&cat_id=1050</p> <p>Report by the Director-General to the General Council 28 July 2009 on the informal meeting of the Trade Negotiations Committee held 24 July 2009</p> <p>http://www.wto.org/english/news_e/news09_e/tnc_chair_report_28jul09_e.htm</p> |
| Pascal Lamy, WTO Director-General | 28 July 2009 | <p>"We held the second WTO Aid for Trade global review on 6-7 July. All our key partners were represented at this conference at the highest level, thereby reaffirming their continued support to this initiative even in these difficult times..."</p> <p>Our assessment is that this conference was successful in taking stock of overall progress achieved since the initiative was launched in 2005 and also in highlighting the need for additional and substantive commitments from donors, particularly at this juncture when developing countries are facing even higher challenges as a result of the current global economic crisis.</p> <p>The conference was also successful in stressing the leadership role now played by many developing countries in articulating their priorities, with the support of regional economic communities. In terms of moving forward on the Aid for Trade agenda, a few key issues were identified as priorities for our future work.</p> <p>In the first place, the need to reinforce the regional dimension of Aid for Trade. It is encouraging to see that our regional partners, the regional development banks, regional economic commissions and regional integration communities have reaffirmed their commitment to play a leading role in this regard.</p> <p>Secondly, the need to maintain momentum on commitments post 2010. To this end, I have already begun making this point to all donors in my interactions with them. I also raised this point in my interactions with leaders at the recently concluded G8 summit in Italy and intend to continue to do so in future bilateral contacts. I am happy to note that at least at this juncture, I have not heard any donor declaring their intention to scale down their Aid for Trade support. In fact, a number of them have already indicated additional pledges to their 2005 figures despite current budgetary constraints they are facing.</p> <p>Thirdly, the conference was also unanimous on the need to enhance the role of the private sector in this initiative. For my part, I will be consulting extensively with private sector groups on this and I have been assured by other Aid for Trade partners that they will be focusing on ensuring that the private sector is fully engaged.</p> | <p>Report by the Director-General to the General Council on the Second Global Review of Aid for Trade, 28 July 2009</p> <p>http://www.wto.org/english/news_e/news09_e/tnc_chair_report_28jul09_e.htm</p> |

| AUTHOR | DATE | KEY EXCERPT(S) | SOURCE |
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| Pascal Lamy, WTO Director-General | 24 July 2009 | <p>Lastly, the conference highlighted the need to focus our attention towards evaluating the impact of Aid for Trade interventions in developing countries. The rationale for this is very clear. For this initiative to maintain the current level of political support, we need to demonstrate clearly and convincingly that Aid for Trade is bearing fruit on the ground and that the capacity to trade in developing countries is effectively being enhanced. I have already begun consulting with our partners to borrow from their experiences in evaluation.”</p> <p>“On regional trade agreements, there are two issues that need to be discussed: one is a review of the Transparency Mechanism with a view to making it permanent, and the second is systemic issues...”</p> | <p>Statement to the Trade Negotiations Committee on 24 July 2009 http://www.wto.org/english/news_e/news09_e/tnc_dg_stat_24jul09_e.htm</p> |
| Ambassador Mario Matus, Chair of the WTO General Council | 22 July 2009 | <p>“I believe we have also made significant progress in my consultations so far on the overall structure of the Ministerial Conference. We have convergence on six basic principles which should apply to both the Conference itself and its preparation...”</p> <p>Our whole approach is based on the principle I suggested at the May Council meeting, summed up by FIT – Full participation, Inclusiveness, and Transparency...</p> <p>We have agreed to hold a regular Ministerial Conference, which means that it should not be structured around negotiating processes, but instead provide an opportunity for discussion and direction at Ministerial level across all the WTO’s activities...</p> <p>Firstly, possible issues for discussion. As I said earlier, the two sub-themes we have for the Working Sessions are broad enough to accommodate any issues Ministers want to raise, such as Aid for Trade, the LDCs’ issues, or any of the other matters raised in my consultations...</p> <p>Secondly, the possible issues for decision raised by some delegations. Members have, of course, every right to raise issues for decision by Ministers, but I have asked those delegations to bear in mind the principles I mentioned earlier, and I believe they are prepared to do that.”</p> | <p>Statement at an informal meeting of WTO ambassadors on 22 July 2009 http://www.wto.org/english/news_e/news09_e/mn09a_22jul09_e.htm</p> |
| G-77 and China | 6 July 2009 | <p>“The current crisis has further highlighted the urgent need for a substantive and comprehensive reform of the international economic and financial system and architecture, including mandates, scope and governance, to better enable it to respond and prevent financial and economic emergencies and effectively promote development. International Financial Institutions in particular must have a clear development orientation. In this context, G-77 and China considers it imperative to promote an open, inclusive and transparent dialogue for a new international economic and financial system and architecture...</p> <p>Notwithstanding the respective legal mandates and decision-making structures, G-77 and China believes that the unique perspectives and representativeness of the United Nations is critical for the legitimacy of the reform and the well functioning of the international economic and financial system and architecture. Accordingly, we call for enhanced policy cooperation, coordination and coherence between the United Nations, including its development system, the Bretton Woods Institutions and the World Trade Organization. The recently concluded United Nations Conference represents an important first step in this regard, but additional measures must be taken.”</p> | <p>Statement on Behalf of the Group of 77 and China by the Delegation of the Republic of the Sudan during the High-Level Policy Dialogue with the International Financial and Trade Institutions on Current Developments in the World Economy at the High-Level Segment of the 2009 Substantive Session of the United Nations Economic and Social Council, Geneva, 6 July 2009 http://www.g77.org/statement/getstatement.php?id=090706</p> |

| AUTHOR | DATE | KEY EXCERPT(S) | SOURCE |
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| Delegation of India to the WTO | 3 July 2009 | <p>“At the General Council meeting on 26 May 2009 India had stated its intention to submit a few proposals that it considers important from the perspective of improving the functioning and efficiency of the WTO as a rules-based system. In that context, India is submitting a set of five proposals which are intended to enhance the usefulness of the WTO and to make the system more relevant, vibrant and user friendly for both the member states and the larger trading community...The proposals made in this submission are not cast in stone. These are made to initiate discussion at the General Council... <u>Trade Information System Based on Member Notifications</u></p> <p><i>In the realm of trade information, there is a significant gap in the information available on non-tariff measures (NTMs). Closing this gap is of particular importance to governments as well as for trade operators...Revitalize WTO Committees: As a forum to discuss and resolve the specific trade concerns, it is important that members have access to at least a limited committee process right through the year and not just the periodical formal committee meetings. Working procedures that balance the need for confidentiality, to meaningfully discuss and resolve a specific trade concern, with that of transparency, i.e. information to the membership as a whole about the issue and its resolution, has to be devised and adopted...</i></p> <p><u>WTO's Engagement with RTAs</u></p> <p><i>The work in WTO on RTAs which earlier focused entirely on evaluating the RTAs for their compatibility with GATT/ WTO provisions was for long log-jammed. Members could neither definitively establish standards for the examination or evaluation, and even where they had clear yardsticks such as for ‘reasonable length of time’, they could not agree whether indeed the RTAs under examination met the standards or not...</i></p> <p><u>Omnibus Legal Instrument for Preferential Market Access for LDCs</u></p> <p><i>The multiple and sometimes overlapping instruments have different types of legal coverage and a variety of procedural requirements. This, combined with differential levels of market access commitments made in favour of LDCs, has created an environment of uncertainty both for the LDC preference receivers and the members granting or establishing such preferential market access schemes...</i></p> <p><u>Reaffirm Primacy of International Standards and Standard Setting for WTO Obligations</u></p> <p><i>Lack of common product standards and framing of technical regulations on national rather than international standards is increasingly a major hindrance to a smooth flow of trade. Arguably alignment of standards amongst the membership and reduction of costs related to adherence, i.e. conformity assessment procedures, will bring about the most significant benefit to world trade.”</i></p> | <p>Communication from India to the WTO General Council on Strengthening the WTO, 3 July 2009 (Official WTO Document WT/GC/W/605)</p> <p>http://www.tradeobservatory.org/library.cfm?RefID=106352</p> |
| Delegation of Uruguay to the WTO | 30 April 2009 | <p>“[W]e should not confuse the convening of the Seventh Session of the Ministerial Conference with the special sessions provided for under paragraph 45 of the Doha Declaration or those implicit in the negotiating process itself. There would be no justification for continuing to postpone the regular convocation of the topmost body of the WTO, particularly in the current world economic and trade environment, which requires international cooperation, direct political involvement at the multilateral level, and strong and credible institutions.”</p> | <p>Communication from Uruguay on the Seventh Ministerial Conference, 30 April 2009 (Official WTO Document WT/GC/W/599)</p> <p>http://docsonline.wto.org/DDFDocuments/t/WT/GC/W/599_doc</p> |

| AUTHOR | DATE | KEY EXCERPT(S) | SOURCE |
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| Pascal Lamy, WTO Director-General | 29 May 2009 | <p>“However, a big challenge that we all face in relation to Aid for Trade is to demonstrate its effectiveness. Our goal, post 2007, has therefore been to shift the focus of the Aid for Trade initiative from awareness-raising to implementation as a means of realizing the impact that this initiative can have on trade and development.</p> <p>More robust research is needed on the impact and effectiveness of Aid for Trade programs through better monitoring and evaluation....</p> <p>To conclude, I would like to leave you with what I believe should be the five golden rules for our future work: One, we must ensure that Aid for Trade promises are kept...Two, we must continue to evaluate and monitor global Aid for Trade flows...Three, we must foster South-South cooperation, a key instrument for achieving the Millennium Development Goals through promoting global interdependence. Four, private sector participation is key to the success of the initiative and we must ensure that private sector priorities emerge strongly from this meeting. Five and finally, we need to work together to conclude the Doha Round.”</p> | <p>Speech delivered 29 May 2009 at the Regional Meeting on Aid for Trade for Asia and the Pacific, in Siem Reap Cambodia</p> <p>http://www.wto.org/english/news_e/sppl_e/sppl126_e.htm</p> |
| Ambassador Mario Matus, Chair of the WTO General Council and Ambassador of Chile to the WTO | 26 May 2009 | <p>“In my recent consultations on this matter, I suggested that the Seventh Session of the Ministerial Conference could be based on three guiding principles which I termed ‘FTT’ – Full participation, Inclusiveness, and Transparency, and that for this reason, it should be centered around plenary sessions in which all Ministers may participate equally. This idea seemed to meet with widespread approval... Taking all these points into consideration, it is clear that we are planning a very different sort of Ministerial Conference from the recent past. One where the emphasis will be on transparency and open discussion rather than on small group processes and informal negotiating structures. It also follows that the aim need not be to negotiate a Ministerial Declaration, though of course we will have to consider the most effective way of recording the substance of the Ministers’ discussions and any convergence or conclusions they may reach...</p> <p>I think there is wide agreement that, given the global economic environment, this Conference should be a much more lean and economical event than in the past. At the present juncture, holding the sort of Conference Members have become accustomed to would not only be inappropriate, but would no doubt be seen as extravagance. This departure from past Ministerial Conferences could help us establish a new model of Ministerial-level meetings conducive to good governance and overall review of the WTO, and one that is not inextricably tied to any particular ongoing negotiations...</p> <p>In this context, the nature of this Conference should be kept firmly in mind – the meeting is not intended as a negotiating session, but rather a regular gathering of Ministers to engage in a broader evaluation of the functioning of the multilateral trading system.”</p> | <p>Statement to the General Council, Chairman Amb. Mario Matus 26 May 2009</p> <p>http://www.wto.org/english/news_e/news09_e/gc_chair_stat_26may09_e.htm</p> |
| WTO Secretariat Submission to the Committee on Budget, Finance and Administration | 1 May 2009 | <p>“The Secretariat is seeking approval to start implementing International Public Sector Accounting Standards (IPSAS) at the WTO with the aim of issuing IPSAS compliant financial statements for 2012.”</p> | <p>WT/BFA/W/183</p> |

| AUTHOR | DATE | KEY EXCERPT(S) | SOURCE |
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| Pascal Lamy, WTO Director-General | 29 April 2009 | <p>“Based on the experience of the last four years and on the consultations I have had with many of you in recent weeks, there are four areas which, in my view, we should work to improve. These four areas are: negotiations; implementation; coherence; and outreach...</p> <p>There are also a number of ideas being floated as far as the negotiating processes are concerned. Many have been explored in the Sutherland Report as well as in the Report of the Warwick Commission. We currently operate within three constraints: decision-making by consensus, all negotiating items bundled into a single undertaking and a bottom-up negotiating process...</p> <p>I do not think the ‘consensus about consensus’ should be reopened. Taking decisions by consensus increases the legitimacy of agreements reached in an international forum, which is necessary and welcome, as the degree of legitimacy decreases with distance from domestic political processes. The question then is how to build consensus. Resorting to the well-known concentric circles’ approach is probably the only efficient method available. But it demands a rigorous transparency commitment by all: everyone must do his/her part. We must recognize that there is not yet enough transparency in the way we currently work – hence, there is room for improvement. We also need to find ways to move faster to the centre of gravity on the negotiating topics, to increase efficiency. Here, in my view, there is something to be learnt from the negotiating processes of other international forums. Sectoral and plurilateral agreements or concepts such as ‘critical mass’ have already been tested. But again, I believe this should not be the focus of our work at this stage...</p> <p>The second area of future focus should be improving implementation of existing agreements. When one looks at the functions of the WTO, there is a striking contrast between the sophistication of the negotiations, the solidity of the Dispute Settlement Mechanism and the fragility of surveillance and transparency, which is nevertheless one of the pillars of the multilateral trading system. The mandates for notifications and peer review are there, but in my view not enough attention and resources have been given to their implementation. A certain lack of overall vision and of analytical capacity handicaps the surveillance function of the WTO...The challenge is how to improve this. We could make better use of technical assistance, focus more on the capacity of members to comply with their notification obligations and better prepare them for a more effective peer review. We could better operationalize Trade Policy Reviews. We could also redesign notification formats so that they become multipurpose. An improved surveillance process would surely increase trust in the system and avoid jamming the dispute settlement mechanism, through an ‘early warning’ system...</p> <p>...But there is more to do. In my consultations with civil society ahead of this meeting, a number of ideas were raised. For example, a greater opening of our Trade Policy Reviews or greater engagement of civil society on the ground during WTO Technical Assistance missions. These ideas are worth exploring together. Special attention, in my view, should be given to parliamentarians and staffers, who hold the keys to deciding agreements at the end of the day and adopting legislation in a WTO-consistent manner. Our most challenging outreach problem, though, remains with the general public. The WTO has very high notoriety – but low popularity, even if this is changing, in particular in developing countries...</p> <p>Also on the Secretariat, I believe we have to increase its services, its support and its analytical capacity... In conclusion, Mr. Chairman, no major surgery is needed in the WTO. No major overhaul of the system is required. But rather a long to-do list to strengthen the global trading system.”</p> | Statement to General Council by WTO Director-General Pascal Lamy delivered 29 April 2009 http://www.wto.org/english/news_e/news09_e/tnc_chair_report_29apr09_e.htm |

| AUTHOR | DATE | KEY EXCERPT(S) | SOURCE |
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| Dr. Robert Davies, Deputy Minister of Trade and Industry, South Africa | 2 March 2009 | <p><i>“The WTO negotiation process has been described as a schmorgasbord, where one puts something into the pot in order to take something out. Only the naïve would imagine that in such a process there would not be some payment for the reforms and demands sought by the developing world. The problem is, however, that the developmental adjustments offered have been extremely modest, whilst the price requested in return has been excessive...</i></p> <p><i>The long period in concluding the Doha Round, and the many breakdowns, crises, and impasses that have occurred in the process, has without a doubt damaged the credibility of the WTO and of the multilateral rules based trading system.”</i></p> | <p>Lecture on Reclaiming the Development Dimension of the Multilateral Trading System presented on 2 March 2009 http://www.globaleconomicgovernance.org/project-trade?id=2680</p> |
| Peter Mandelson, EU Trade Commissioner | 8 February 2008 | <p><i>“Strengthened by these new global powers, the WTO will continue to be the bedrock of an open global trading system. Beyond the current round, the WTO will be an obvious platform for future global policy-making on difficult questions like investment and trade in energy. I plan to return to the future of the global trade agenda before the summer, when we know how the Doha round is going to end.</i></p> <p><i>In the same way, the IMF provides much of the reach and expertise for better risk management in global financial flows. It should have a stronger role in overseeing macro financial stability and enforcing transparency. It should have a more clearly defined role as an independent international counselor to regulators and markets.</i></p> <p><i>Aside from these policy choices, the same essential political renovation will confront all the major international institutions and standard-setting bodies. The Bretton Woods machinery was rooted in what you might call “the Atlantic consensus” - the assumption that the global economic and political order could be governed largely by the Atlantic world. In the wake of the openness boom that assumption now no longer holds. The multilateral institutions that survive will be the ones able to adapt to the new 21st century landscape. Survival and continued legitimacy means effectively integrating the rising political heavyweights of the developing world. This is not just a mark of their new strength, but of their new responsibilities. There is no imaginable global problem in the twenty-first century to which China and India, for example, are not a necessary part of the solution. Integrating these new players into the machinery of global governance may force us to reassess some of our assumptions about the balance of global power, but we have far more to lose from Russia or China’s failure than we do from their success.”</i></p> | <p>The Alcuin Lecture, Cambridge, delivered by EU Trade Commissioner Peter Mandelson http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/08/64&format=HTML&aged=1&language=EN&guiLanguage=en</p> |
| Robert Zoellick, World Bank President | 20 November 2007 | <p><i>“Central to the task of promoting inclusive globalization is bringing down trade barriers to the products poor people produce. But Aid for Trade—assistance to help countries integrate into and benefit from global markets—is also a critical part of this picture. And there is a lot of work to do...</i></p> <p><i>In the agenda for this meeting, Pascal Lamy has highlighted three central tasks: Monitoring, implementation, and evaluation. The Bank can help on all these fronts...</i></p> <p><i>But the Bank’s main contribution - our comparative advantage - lies in implementation of the Aid for Trade agenda.”</i></p> | <p>Remarks by World Bank President Zoellick at WTO Ministerial Meeting for the Global Review for Aid for Trade</p> |
| WTO 2007 News Item on Dispute Settlement | 29 October 2007 | <p><i>“At the request of the parties in the dispute “EC – Bananas” dispute (complaint by the United States DS27) the compliance panel has agreed to open its meeting with the parties and third parties on Tuesday,</i></p> | <p>http://www.wto.org/english/news_e/news07_e/dispu_banana_7nov07_e.htm</p> |

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| | | <p>6 (am) and Wednesday, 7 November 2007, for observation by WTO Members and the general public at the WTO Headquarters in Geneva....The very limited number of places in the gallery above the meeting room reserved for the public will be allocated on a first-come first-served basis upon registration with either of the parties to the dispute i.e. the United States and the European Communities...”</p> | |
| WTO General Council Decision on Transparency Mechanism for Regional Trade Agreements | 14 December 2006 | <p>The WTO General Council established on a provisional basis a new transparency mechanism for all RTAs. The new transparency mechanism – negotiated in the Negotiating Group on Rules – provides for early announcement of any RTA and notification to the WTO. Members will consider the notified RTAs on the basis of a factual presentation by the WTO Secretariat. The Committee on Regional Trade Agreements will consider RTAs falling under Article XXIV of General Agreement on Tariffs and Trade (GATT) and Article V of the General Agreement on Trade in Services (GATS). The Committee on Trade and Development will consider RTAs falling under the Enabling Clause (trade arrangements between developing countries). The transparency mechanism is implemented on a provisional basis. Members are to review, and if necessary modify, the decision, and replace it by a permanent mechanism adopted as part of the overall results of the Doha Round.</p> | WT/L/671 |
| Communication from Brazil and India to the WTO General Council: Draft Decision on Transparency for Preferential Trade Arrangements | 30 November 2006 | <p>“Please find enclosed a draft decision proposing ‘Transparency for Preferential Trade Arrangements’. This draft proposes that the Committee on Trade and Development (CTD) be asked to consider the establishment of a similar transparency mechanism for preferential arrangements [under paragraph 2 of the Enabling Clause (other than RTAs)] that are presently not covered in the above decision [the provisional Transparency Mechanism for Regional Trade Agreements]”. This would be in keeping with the shared objective of enhancing the transparency level of all preferential arrangements notified to the WTO.”</p> | WT/GC/W/574 |
| H.E. Kamal Nath, Minister of Commerce & Industry, India | 4 October 2006 | <p>“It is important for the WTO to resolve the issue of inequitable integration through both political and institutional measures...”</p> <p>As far as institutional measures are concerned, there is a need for greater emphasis on capacity building and technical assistance to enable smaller developing countries to participate meaningfully in the negotiations. Supply side constraints in such countries have to be tackled through an effective Aid for Trade program that ensures additionality of resources, predictability and need-based programs that improve the capacity of the recipient countries to take advantage of increased opportunities. In order for Aid for Trade to be effective, it needs to be channeled multilaterally and integrated into country development strategies.</p> <p>In terms of decision making, this implies greater emphasis on transparency and openness. Considerations of efficiency alone cannot be allowed to prevail over the need for inclusive decision making procedures to ensure equity and sustainability of the decisions...As someone who has been deeply involved with the current Round of negotiations in the WTO, I cannot assert with any degree of confidence that these changes are being made in the WTO.”</p> | <p>Keynote address at the UNCTAD High Level Policy Dialogue</p> <p>http://meaindia.nic.in/speech/2006/10/04ss01.htm</p> |

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| <p>Ambassador Sergio Marchi, Former Canadian Ambassador to the WTO, Chairman of the WTO General Council and Council for Trade in Services</p> | <p>9 May 2006</p> | <p>“Beyond the challenges of the negotiations, which I call the ‘poetry’ side of the WTO, the organization is also facing some significant challenges on what I would refer to as the ‘plumbing’ side of the ledger... Finally, I would encourage you to push the case for WTO reform. Simply put, if the WTO is to win over international public opinion, the organization must, among other things, be prepared to reform its procedures and practices, making them more open and inviting to the outside world. As I said earlier, the WTO has sparked much passion and hostility in recent years. Why is that? From my own experience in Geneva, I would offer at least two major reasons: The first is a perception that the WTO is too much of a closed shop, and that its mode of operation is rooted in the past. Many have argued for renewal. I too, believe that the organization must adapt some of its practices, in keeping with the times we live in. In other words, would it really be fatal to its core mission, if the WTO was to usher in some modest changes? I think not... I’m sure that everyone has their favorite list of changes. The point is, I fully support the core mission of the WTO. However, its antiquated architecture worries me, for it is not sustainable. Some fresh thinking must emerge so as to reform and invigorate the institution, and enable the WTO to undertake its future work with confidence and credibility. You can help accelerate that kind of thinking... Simply put, if the WTO is to win over international public opinion, the organization must, among other things, be prepared to reform its procedures and practices, making them more open and inviting to the outside world.”</p> | <p>Address to the APEC Business Advisory Council titled “The WTO: An Urgent Need for Movement and Change,” Montreal</p> |
| <p>Communication from the United States to the Dispute Settlement Body - on Further Contribution of the United States to the Improvement of the Dispute Settlement Understanding of the WTO related to Transparency - Revised Legal Drafting</p> | <p>20 April 2006</p> | <p>“The United States recalls its pending proposals to help achieve a more open and transparent dispute settlement process...After further discussion with delegations related to the legal drafting of those proposals and in light of some of the legal drafting guidelines that have been suggested¹, the United States would propose revising the drafting of those proposals in certain places. These revisions are reflected in the following... (1) Open meetings ...The DSU should provide that the public may observe all substantive panel, Appellate Body and arbitration³ meetings with the parties except those portions dealing with confidential information (such as business confidential information or law enforcement methods). The DSU could provide a basic set of procedures for this purpose with some flexibility for the relevant body to refine these in light of the particular circumstances of a specific proceeding. For example, the procedures could provide a number of options for allowing the public to observe the meetings, such as broadcasting meetings to special viewing facilities. (2) Timely access to submissions ...The DSU should provide that parties’ submissions and written versions of oral statements in panel, Appellate Body, or arbitration proceedings are public, except those portions dealing with confidential information.”</p> | <p>TN/DS/W/86</p> |

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| | | <p>To help facilitate public access to these documents, the Secretariat should maintain them in a central location that would be responsible for making these documents available to the public.</p> <p>(3) Timely access to Final Reports</p> <p>...The WTO should make a final panel report available to WTO Members and the public once it is issued to the parties, although only circulation would trigger the relevant DSU deadlines.</p> <p>(4) Amicus curiae submissions</p> <p>In light of the experience to date with amicus curiae submissions to panels and the Appellate Body, Members may wish to consider whether it would be helpful to propose guideline procedures for handling amicus curiae submissions to address those procedural concerns that have been raised by Members, panels and the Appellate Body.</p> <p>The United States notes with interest the procedures proposed by the European Communities for handling amicus curiae submissions (TN/DS/W/11) and looks forward to working with the European Communities and other Members on this issue. The United States does not believe that an amendment to the Dispute Settlement Understanding is necessary for this purpose.”</p> | |

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| 2005 WTO Ministerial Declaration (Hong Kong) | 18 December 2005 | <p>“We emphasize the central importance of the development dimension in every aspect of the Doha Work Programme and recommit ourselves to making it a meaningful reality, in terms both of the results of the negotiations on market access and rule-making and of the specific development-related issues set out below...”</p> <p><u>LDCs</u></p> <p>We reaffirm our commitment to enhance effective trade-related technical assistance and capacity building to LDCs on a priority basis in helping to overcome their limited human and institutional trade-related capacity to enable LDCs to maximize the benefits resulting from the Doha Development Agenda (DDA).</p> <p><u>Integrated Framework</u></p> <p>We continue to attach high priority to the effective implementation of the Integrated Framework (IF) and reiterate our endorsement of the IF as a viable instrument for LDCs’ trade development, building on its principles of country ownership and partnership... We reaffirm our commitment made at Doha, and recognize the urgent need to make the IF more effective and timely in addressing the trade-related development needs of LDCs...</p> <p>...We welcome the establishment of a Task Force by the Integrated Framework Working Group as endorsed by the IF Steering Committee (IFSC) as well as an agreement on the three elements which together constitute an enhanced IF. The Task Force, composed of donor and LDC members, will provide recommendations to the IFSC by April 2006. The enhanced IF shall enter into force no later than 31 December 2006.</p> <p>We agree that the Task Force, in line with its Mandate and based on the three elements agreed to, shall provide recommendations on how the implementation of the IF can be improved, inter alia, by considering ways to:</p> <ol style="list-style-type: none"> 1. provide increased, predictable, and additional funding on a multi-year basis; 2. strengthen the IF in-country, including through mainstreaming trade into national development plans and poverty reduction strategies; more effective follow-up to diagnostic trade integration studies and implementation of action matrices; and achieving greater and more effective coordination amongst donors and IF stakeholders, including beneficiaries; 3. improve the IF decision-making and management structure to ensure an effective and timely delivery of the increased financial resources and programmes. <p>We welcome the increased commitment already expressed by some Members in the run-up to, and during, this Session. We urge other development partners to significantly increase their contribution to the IF Trust Fund. We also urge the six IF core agencies to continue to cooperate closely in the implementation of the IF, to increase their investments in this initiative and to intensify their assistance in trade-related infrastructure, private sector development and institution building to help LDCs expand and diversify their export base.</p> | WT/MIN(05)/DEC |

| AUTHOR | DATE | KEY EXCERPT(S) | SOURCE |
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| | | <p><u>Technical Cooperation</u></p> <p>We note with appreciation the substantial increase in trade-related technical assistance since our Fourth Session, which reflects the enhanced commitment of Members to address the increased demand for technical assistance, through both bilateral and multilateral programmes. We note the progress made in the current approach to planning and implementation of WTO's programmes, as embodied in the Technical Assistance and Training Plans adopted by Members, as well as the improved quality of those programmes. We note that a strategic review of WTO's technical assistance is to be carried out by Members, and expect that in future planning and implementation of training and technical assistance, the conclusions and recommendations of the review will be taken into account, as appropriate.</p> <p>We reaffirm the priorities established in paragraph 38 of the Doha Ministerial Declaration for the delivery of technical assistance and urge the Director-General to ensure that programmes focus accordingly on the needs of beneficiary countries and reflect the priorities and mandates adopted by Members. We endorse the application of appropriate needs assessment mechanisms and support the efforts to enhance ownership by beneficiaries, in order to ensure the sustainability of trade-related capacity building. We invite the Director-General to reinforce the partnerships and coordination with other agencies and regional bodies in the design and implementation of technical assistance programmes, so that all dimensions of trade-related capacity building are addressed, in a manner coherent with the programmes of other providers. In particular, we encourage all Members to cooperate with the International Trade Centre, which complements WTO work by providing a platform for business to interact with trade negotiators, and practical advice for small and medium-sized enterprises (SMEs) to benefit from the multilateral trading system. In this connection, we note the role of the Joint Integrated Technical Assistance Programme (JITAP) in building the capacity of participating countries.</p> <p>In order to continue progress in the effective and timely delivery of trade-related capacity building, in line with the priority Members attach to it, the relevant structures of the Secretariat should be strengthened and its resources enhanced. We reaffirm our commitment to ensure secure and adequate levels of funding for trade-related capacity building, including in the Doha Development Agenda Global Trust Fund, to conclude the Doha Work Programme and implement its results.</p> <p><u>Coherence</u></p> <p>We welcome the Director-General's actions to strengthen the WTO's cooperation with the IMF and the World Bank in the context of the WTO's Marrakesh mandate on Coherence, and invite him to continue to work closely with the General Council in this area. We value the General Council meetings that are held with the participation of the heads of the IMF and the World Bank to advance our Coherence mandate. We agree to continue building on that experience and expand the debate on international trade and development policymaking and inter-agency cooperation with the participation of relevant UN agencies. In that regard, we note the discussions taking place in the Working Group on Trade, Debt and Finance on, inter alia, the issue of Coherence, and look forward to any possible recommendations it may make on steps that might be taken within the mandate and competence of the WTO on this issue.</p> | |

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| | | <p><u>Aid for Trade</u></p> <p>We welcome the discussions of Finance and Development Ministers in various fora, including the Development Committee of the World Bank and IMF, that have taken place this year on expanding Aid for Trade... We invite the Director-General to create a task force that shall provide recommendations on how to operationalize Aid for Trade. The Task Force will provide recommendations to the General Council by July 2006 on how Aid for Trade might contribute most effectively to the development dimension of the DDA. We also invite the Director-General to consult with Members as well as with the IMF and World Bank, relevant international organisations and the regional development banks with a view to reporting to the General Council on appropriate mechanisms to secure additional financial resources for Aid for Trade, where appropriate through grants and concessional loans....</p> <p><u>Accessions</u></p> <p>...We stress the importance of facilitating and accelerating the accession negotiations of least-developed countries, taking due account of the guidelines on LDC accession adopted by the General Council in December 2002.”</p> | |
| H.E. Mr. Mandisi Mpahiwa, Minister of Trade and Industry, South Africa | 16 December 2005 | <p>“As we grapple with advancing the Doha Development Round to conclusion we must challenge ourselves with reflecting on the bigger purpose of our business in this Conference, and more generally on the business of the WTO as an organ of global economic governance. It is easy to lose a sense of the enormity of our task, the weight of our responsibility in the multiplicity of the issues before us and the diversity of our positions. In a sense, amidst the cacophony of voices both inside and outside this Conference, our task is singular and historic, and in short it is to take bold and decisive collective action for development.”</p> | WT/MIN(05)/ST/87 Statement to Hong Kong Ministerial Conference |
| Statement by Norway | 15 December 2005 | <p>“The Doha Development Agenda has a single overriding goal: to ensure that international trade boosts economic development and alleviates poverty. In order to reach this goal, we need to secure and improve a strong and fair multilateral trading system.</p> <p>Norway has benefited from the expansion of this trading system, which is built on rules and regulations and the principle of mutual advantage. Now our task and responsibility is to further expand the system and to facilitate the inclusion of developing countries in a way that will offer them real opportunities for trade, development and social progress.</p> <p>The stakes are high. Either we succeed in expanding the global trading system so that it safeguards the interests of all, or we will fail, and see the start of the total disintegration of the multilateral system.”</p> | WT/MIN(05)/ST/30/REV.1 Statement to Hong Kong Ministerial Conference |
| H.E. Mr. Celso Amorim, Minister of External Relations, Brazil | 14 December 2005 | <p>“It is widely accepted that the multilateral trading system suffers from a development deficit. The launching of the Doha Development Agenda four years ago was a recognition of this fact... For some time, even after Doha, developed countries tried to camouflage these realities. They attempted to sell to the rest of the world a round on the cheap... In Cancun, developing countries had to raise their voice against such a move. They stood firm against a meagre agreement that would not even scratch the structure of privileges and injustices built into world trade, notably in agriculture.”</p> | WT/MIN(05)/ST/8 Statement to Hong Kong Ministerial Conference |

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| Peter Mandelson, Commissioner for Trade European Communities | 14 December 2005 | "We need to agree a substantial new package of Aid for Trade - helping build the capacity to trade that must go with market opening. The EU gives more trade-related assistance than the rest of the world combined. It is time for others to make a similar commitment." | WT/MIN(05)/ST/5 Statement to Hong Kong Ministerial Conference |
| H.E. Mr. Robert Portman, United States Trade Representative | 14 December 2005 | <p>"Finally, we must be proactive in giving least-developed countries development assistance and support trade capacity building to complement the progress we are aiming to make in opening markets and unleashing trade.</p> <p>The United States is already the largest donor of Aid for Trade in the world. We provided \$1.3 billion to those efforts this year - up 46 per cent from last year. Our spending on trade-related assistance has more than doubled in the last five years...</p> <p>We believe in Aid for Trade and we believe we must do more. To put our resources behind that sentiment and to help make this Ministerial Meeting a success, I am announcing today the United States will double its contribution for aid for trade - from \$1.3 billion in 2005 to \$2.7 billion annually by 2010..."</p> | WT/MIN(05)/ST/3 Statement to Hong Kong Ministerial Conference |
| H.E. Dr. Mukhisa Kituyi, Minister for Trade and Industry, Kenya | 14 December 2005 | <p>"Indeed it is critical that we make progress on issues that are of importance to developing and least developed countries while at the same time recognizing the progress that our countries have made in regional economic and political integration..."</p> <p>Allow me to welcome 'Aid for Trade' which has been captured as an element of the draft text. This is a positive development that must be encouraged and harnessed. However if 'Aid for Trade' is to add value to our own efforts, it must be long term, sustainable, predictable and must come from new resources. It must be targeted to priority areas including improving our competitiveness. In this regard emphasis will have to be placed on productivity and product quality to access the global supply chains...</p> <p>I believe that time has come to establish an appropriate mechanism within which aid and trade can be nurtured and grown to full fruition. We see trade as a development tool which should be given special consideration and not relegated into other aid related programmes that were not designed for that purpose."</p> | WT/MIN(05)/ST/7 Statement to Hong Kong Ministerial Conference |
| Submission by Argentina, Brazil, India, Indonesia, Namibia, Pakistan, the Philippines, South Africa and Venezuela | 1 December 2005 | "WTO Members should launch an ambitious 'aid for trade' package in Hong Kong to address the trade related capacity building needs of developing countries. Such a package should include a commitment to strengthen the financial base for enhanced trade related capacity building that enables the most vulnerable WTO Members to meet international standards, to meet new WTO obligations (trade facilitation, for example), and to promote their efforts at diversification and enhancing their export competitiveness. In addition, WTO Members should agree to create a grant aid fund to assist developing countries to manage the impact of preference erosion that would arise from the Doha Round." | WT/COMTD/W/145 Reclaiming Development in the WTO Doha Development Round Submission to the Committee on Trade and Development (See also Kenya (WT/MIN(05)/21), ACP (WT/MIN(05)/26) Proposals on Aid for Trade to the Hong Kong Ministerial Conference) |

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| Committee on Budget, Finance and Administration, Recommendations of the Meetings Held on 17 October, 31 October, 8 November, 16 November and 18 November 2005 | 28 November 2005 | <p><u>“I. Doha Development Agenda Global Trust Fund: Setting Target Amount for 2006</u></p> <p>...the Committee recommends to the General Council that:...</p> <p>e) Governments be urged to make financial contributions in a manner which would preserve the global nature of the programme and facilitate the management and reporting with a view to greater transparency (i.e. making un-earmarked contributions and limiting the degree of constraints in earmarked contributions)...</p> <p><u>III. WTO Members in Arrears</u></p> <p>3. The Chairman reported that... he had undertaken bi-lateral contacts with Members in Category IV of the Administrative Measures, with a view to encouraging the payment of arrears. The contacts had resulted in some payments, but there were still many Members with outstanding, and in some cases, long outstanding contributions...</p> <p>He further indicated that... he would send a message to the General Council from the Committee recalling that Members in any category of the Administrative Measures are precluded from being nominated to preside over WTO bodies. This was particularly important for both the upcoming Ministerial Conference as well as for the process of selecting chairpersons of WTO bodies for 2006.</p> <p><u>V. WTO Secretariat and the Appellate Body and its Secretariat</u></p> <p>The Committee...notes in particular, the following:</p> <p>a) that the Director-General will undertake a critical review of the structure of the Secretariat in 2006 with the aim of streamlining the structure...”</p> | WT/BFA/82 |
| Pascal Lamy, WTO Director-General | 22-23 September 2005 | <p>“Let me now turn to the development dimension of the Doha Round. ‘Development’ is a theme that runs across all aspects of the negotiations. Its first pillar is to ensure greater market access for developing and least-developed countries in the areas that are of greatest interest to them. Its second pillar is to facilitate their adaptation to any new rules that would emerge from the Round. To do so would mean, looking into the careful ‘phasing-in’ of new obligations, and the provision of the necessary technical and other support. Developing countries must be aided in re-training or compensating those who lose from greater trade liberalization.”</p> | Speech to Steering Committee of the Parliamentary Conference on the WTO delivered 22-23 September 2005 http://www.wto.org/english/news_e/sppl_e/sppl02_e.htm |
| Communication from the Chairman of the Panels - United States - Continued Suspension of Obligations in the EC - Hormones Dispute | 1 August 2005 | <p>“With regard to the proceedings of the Panels in the two above-referenced cases, I am writing to advise you that following a common request made by the parties on 13 June 2005 and after careful consideration of the existing provisions of the DSU, we have decided that the panel meetings to which the parties are invited to appear will be open for observation by the public through a closed-circuit TV broadcast. The meeting of the Panels with the third parties will remain closed as not all the third parties have agreed to have it open for observation by the public.</p> <p>The first meeting of the Panels with the parties will take place on 12-15 September 2005. We are asking the Secretariat to make appropriate logistical arrangements for this meeting. We understand that this meeting could be broadcast through closed-circuit TV into the General Council Room, where other WTO Member delegations and the general public will be able to observe the broadcast.</p> | WT/DS320/8 WT/DS321/8 |

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| <p>(WT/DS320) and Canada - Continued Suspension of Obligations in the EC - Hormones Dispute (WT/DS321)</p> | | <p><i>With a view to ensuring full transparency and non-discriminatory access to the broadcast by all, in particular by all WTO Members, we are also requesting that each WTO Member delegation has at least two seats available in the room where the closed-circuit broadcast will be shown. Delegations interested in having more than two seats should indicate it to the Secretariat. In addition we will ask the Secretariat to provide further logistical information to Members as soon as possible.</i></p> | |
| <p>Supachai Panitchpakdi, WTO Director-General</p> | <p>20 April 2005</p> | <p><i>“Fourthly, our efforts are ongoing to integrate developing countries more fully into the multilateral trading system – through a significant investment in technical assistance and capacity building activities. We have also enhanced our cooperation and policy coherence with other international agencies. This has proved to be successful: just see how much more active developing countries have become in WTO life. Fifthly, the WTO’s Trade Policy Review mechanism continues to bring greater transparency and predictability to Members’ trade regimes. For many developing country Members, the review preparations have increasingly taken on more of a technical assistance dimension. And last, but not least, significant efforts have also been made to make the WTO more open to the outside world – through speedier and more automatic de-restriction of WTO official documents which can be easily accessed over the internet; through enhanced outreach activities to parliamentarians and through events such as this one. These are just some examples... No institution is perfect and I know, as you do, there is scope for further improving and strengthening the WTO – to make it more attuned to our common aspirations and today’s realities. This is the opportunity given to us all in the Doha Development Agenda. It is only through the traditional process of multilateral negotiations, through inclusiveness and transparency, that renewal of the system can be achieved.”</i></p> | <p>Introductory Remarks to WTO Public Symposium: “WTO After Ten Years: Global Problems and Multilateral Solutions” delivered 20 April 2005 http://www.wto.org/english/news_e/spsp_e/spsp38_e.htm</p> |
| <p>Supachai Panitchpakdi, WTO Director-General</p> | <p>11 March 2005</p> | <p><i>“But as important as these achievements are, there can be no doubting the fact that we can improve in all areas of our work including reforming the Dispute Settlement Understanding, improving our operating procedures and improving our links with other international organizations and with civil society. It’s probably fair to say as well that our image could use a bit of polishing... Not all our problems can be addressed through the Doha Round, I know. There are questions about our processes, our sometimes inefficient methods of decision making and our budget. These problems will need to be addressed through actions by governments after the Round has been concluded. You may know, that I commissioned a group of distinguished trade experts, chaired by Peter Sutherland and including the Council’s own Jagdish Bhagwati, to ponder these subjects and offer their recommendations for the future. These men have performed an extremely valuable service for which I thank them and congratulate them. As Director-General I cannot take a position on their suggestions – though I may have something to say about them after I step down from this position on 1 September. But I urge you all to read this report and form your own conclusions... I have no doubt that the next ten years will bring difficult times, but I am also confident that the lessons learned during our first decade will help future leaders to chart the course for greater equity, stability and prosperity.”</i></p> | <p>Speech delivered by Director-General Supachai Panitchpakdi on the occasion of the 10th Anniversary of the WTO titled “The WTO after 10 years: the lessons learned and the challenges ahead” http://www.wto.org/english/news_e/spsp_e/spsp35_e.htm</p> |

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| Supachai Panitchpakdi, WTO Director-General | 4 October 2004 | <p><i>“Your involvement and contribution is needed. Indeed, the WTO’s current drive to engage with Parliamentarians – through opportunities such as this gathering, through our technical assistance activities, workshops and seminars, and through participation in various parliamentary dialogues on trade – recognizes both the constitutional role you play in terms of considering and ratifying WTO agreements. It also recognizes the wider role you can play in terms of helping to explain the workings, challenges and benefits of the multilateral trading system.”</i></p> | <p>Speech delivered by Director-General Supachai Panitchpakdi to the Parliamentary Assembly of the Council of Europe “Beyond the crossroads: moving forward on the Doha Development Agenda”</p> <p>http://www.wto.org/english/news_e/spsp_e/spsp31_e.htm</p> |
| Supachai Panitchpakdi, WTO Director-General | 9 June 2004 | <p><i>“Another measure of the success of the trading system is its ability to adapt and respond to the needs of its Members. Today, the vast majority of WTO Members are developing countries and their ability to actively participate in the system has become a much higher priority than ever before – particularly with the launch of new trade negotiations under the Doha Development Agenda... Many developing countries expressed strong concerns about their capacity to participate in the negotiations, and more generally to exercise their WTO rights and obligations, because of limited human resources. The WTO has responded to this need, by significantly ramping up the number and range of technical assistance activities, and cooperating more closely with other international agencies. There is also emphasis being placed on capacity building.”</i></p> | <p>Speech delivered by Director-General Supachai Panitchpakdi Marrakesh, Morocco on the occasion of the ten year anniversary of the Marrakesh Agreement establishing the World Trade Organization titled “Ten Years After Marrakesh: The WTO and Developing Countries”</p> <p>http://www.wto.org/english/news_e/spsp_e/spsp29_e.htm</p> |
| Pascal Lamy, EU Trade Commissioner | 24 January 2004 | <p><i>“Finally on the need for improving the workings of the WTO as an organization, we have concluded first to pursue modest, but feasible reforms on the preparation and management of Ministerial conferences and other means to improve the efficiency and inclusiveness of WTO negotiations. More systemic questions, which are crucial in my view, will have to wait for the moment, given the limited appetite of other WTO members for changes in this field.”</i></p> <p><i>“Let me pick up in more detail the question of WTO reform, because progress on substance also requires, at least on some issues, progress on procedures and internal workings of the WTO. What we want is a modest, but feasible set of organizational improvements to the WTO, focusing first and foremost on the preparation and management of Ministerial conferences, and other means to improve the efficiency and inclusiveness of WTO negotiations and the decision-making process. The areas for short term improvement should be: the conduct/management of Ministerial Conferences; the facilitation of the participation of Members, notably smaller developing countries; the establishment of a consultative group to prepare work on behalf of Members.”</i></p> <p><i>“In relation to the conduct of Ministerial conferences a key point is to ensure an earlier start of the negotiations: In Cancun, we spent a total of 150 hours, among which only 3.5 hours of negotiations. Whichever view of efficiency one has, this ratio is appalling and deserves urgent attention. The negotiating forum was established too late so that conference days that could and should have been used to negotiate were effectively wasted in formal meetings that were used mainly to restate well-known national positions. This might have been avoided with a clear, advance decision on the meeting schedule to be followed during the Ministerial, i.e. a clear timetable indicating the start of discussions/negotiations for each agenda item and clear information for WTO Members on the meeting format.</i></p> | <p>Address of EU Trade Commissioner Pascal Lamy to the European Parliament Kangaroo Group on the on “The Future of the WTO” delivered Brussels 27 January 2004</p> <p>http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/04/42&format=HTML&aged=0&language=EN&guiLanguage=en</p> |

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| | | <p>For future Ministerial meetings, the EU suggests that the informal negotiations at Ministerial level start immediately. We also want that in future the structure for negotiations and the complete agenda be set in advance of the Ministerial Meeting and in a way that all necessary time is given to the actual negotiation of texts. This works well in other international organizations no reason why it should not work in the WTO.</p> <p>Another issue concerns the Ministerial facilitators. These persons have heavy responsibilities in steering specific issues towards balanced solutions. At Cancun there was no clear advance decision on the choice of Ministerial facilitators. It took place in Cancun itself, with the result that facilitators had to master their dossiers in an unreasonably short time and the legitimacy of some such appointments was questioned. In future the names of facilitators must be agreed well in advance of the start of the Conference to allow them to play their role.</p> <p>We also need a clear delineation of the role of the Chairperson, the Director-General and members: The Cancun 'experience' suggests that key substantive decisions should be taken in a more collective way so as to reflect the will of the WTO membership. The Director-General, the Chairman of the General Council, the Vice Chairs, the facilitators and the members could all have a stronger role in the management of the Ministerial meeting.</p> <p>We also need to address the challenge for many members, in particular those that do not have resident representatives in Geneva, to cover the many issues on the WTO agenda. In the short and medium term, progress can be achieved through practical measures for improved working methods, better management of meetings, and increased technical assistance with better indication from recipients of their needs.</p> <p>The final short term issue concerns the possible constitution of a consultative group. The Geneva-based preparatory and negotiating processes - before Cancun as before Seattle have not always proved adequate in reducing divergences sufficiently. The standard mixture of formal sessions punctuated by informal restricted negotiating sessions ('Green Rooms') does not seem to have provided an effective negotiating environment which can produce results - despite the man-hours dedicated. Some countries did not feel sufficiently involved or that their interests had really been taken into account. While formal transparency has increased, negotiations themselves have not gained in effectiveness. I think that a consultative group, with representatives that reflect the diverse membership of the WTO, could provide a good middle way between formal meetings of 148 delegations and the informal Green Room processes.</p> <p>You see that our ambitions for short term improvements in the working of the WTO are limited. This is because we do not want this debate to become a distraction from the substantive negotiations. But let me today flag at least some of the more medium-to-long term issues I personally believe should not lose sight of. I think that we need to take a hard look at the size of the WTO secretariat. Given the importance of the agreements that they administer and the organization that they service, it is a question whether a staff, roughly a quarter of the size of the OCED is really enough. Should the secretariat remain basically a note taker or should we at some point help to create a staff of the size and with the mandate required for some thinking and initiatives independent from members? This of course raises the question of whether the WTO should remain a purely member driven organization or whether some sort of 'supranationality' at least in terms of process and co-right of initiative should be given.</p> | |

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| | | <p>This evidently also beckons the question of what role the Director-General should have. Currently the Director-General of the WTO has only very limited formal power. He has no right of initiative, he cannot even convene a meeting of the General Council in Geneva and decide himself what the agenda of the meeting will be. He does not have the right to put a paper on the table on an issue that he thinks members need to address. In an organization of 150 members, I think there is no alternative to strengthening the formal powers of the Director-General, if we want to avoid paralysis.</p> <p>And what about better access and clearer rules for involvement of parliamentarians and civil society into the work of the WTO? As traditional trade barriers such as tariffs and quotas have been gradually dismantled through successive trade rounds, regulatory barriers (in the form of technical standards, environmental or consumer protection for example) have hit the radar screen of trade policy makers. These, however, are deeply embedded not only in the institutional infrastructure of an economy, but also reflect the collective preferences the moral choices or the values of a society.</p> <p>Trade policy today impinges on every area of public concern - and it therefore deserves the attention it now receives from people in all walks of life. The WTO needs to be able to interact in a structured manner with all those who today want a say in trade policy making. But we also need to know who these people and organizations are, who and what they stand for. This is of course self-evident for parliamentarians, but I think we will need to reflect on setting some rules of the game for NGOs.</p> <p><u>Global Governance: The Long-term Challenge</u></p> <p>So far I have focused on the short and medium-term future of the WTO. But let me at least point out some of the more fundamental challenges that I see ahead for the WTO. I have often said that our global governance system is unbalanced in several respects:</p> <ul style="list-style-type: none"> • Imbalance between economic versus social and environmental pillars • Imbalance between industrialized versus developing countries in the system. • Imbalance between mobility of goods, services, capital on the one side, and people on the other side. • Single issue institutions - no forum able to consider the broader picture and address the inter-linkages that exist, for instance between trade, environment, labor and development questions <p>These imbalances and deficiencies have contributed to undermining both the effectiveness and the legitimacy of many international institutions. We have not focused sufficiently in previous years on building political support for institutions or their rules. This has tended to leave the field entirely clear to anti-globalization protestors to claim that the WTO, the World Bank and the IMF are all part of the problem, not the solution, and that the ILO or UNEP are toothless tigers. I think that we need to work much harder to strengthen and rebalance the various pillars of global governance (for instance by considering the item of a World Environmental Organization) and to promote coherence between them. In short, the future of the WTO depends largely also on what happens elsewhere in global governance. Because the WTO has to steer clear of two mistakes: it cannot simply focus on trade</p> | |

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| Statement by Kenya | 14 September 2003 | <p>opening while ignoring the inter-linkages between trade and the environment, social development, health, corruption, corporate governance I could prolong the list. Nor is for the WTO to decide by itself on environmental rules or to define core labor standards. But an irresponsibly single-minded WTO that pursues trade opening without considering its impact on other policy areas, and a WTO suffering from imperial overreach, i.e. the ambition to become the World Governance Organization, is a chasm, and in between we need to find a better balance than we have at present.”</p> <p>“The draft modalities that were annexed to the text and that have found their way into the text were not negotiated nor discussed in any meaningful way. The fact that they were not developed in the working groups is telling and is a clear indication of the differences among us and we are therefore unable to agree to them.</p> <p>We believe that this Ministerial Conference should therefore focus on how to expand the space of understanding the Singapore Issues and launch a process of improving that understanding. Kenya cannot accept to the launching of negotiations on issues that we do not clearly understand and whose implications on [sic] our economies have not been assessed.</p> <p>Moreover, although Kenya attaches a lot of importance to Technical Assistance and Capacity Building, we are fully convinced this should be provided to enhance understanding of issues involved before negotiations are launched.”</p> | WT/MIN(03)/W/21 Comments by Kenya on the Second revision of the draft Cancun Ministerial Text |
| Antigua & Barbuda, Bangladesh (on behalf of the LDC Group), Barbados, Botswana, Belize, China, Cuba, Dominica, Egypt, Grenada, Guyana, Haiti, India, Indonesia, Jamaica, Kenya, Malaysia, Nigeria, Philippines, St Kitts & Nevis, St Lucia, St Vincent and Grenadines, Surinam, Tanzania, Trinidad and Tobago, Uganda, Venezuela, Zambia and Zimbabwe | 12 September 2003 | <p>“These delegations also consider that many developing countries do not have the capacity to implement obligations arising out of commitments such as multilateral rules will entail, and there were also doubts on the benefits of WTO frameworks on the new issues. A number of other countries, apart from the above, have also conveyed similar views at the open ended meeting of the facilitation group chaired by you. Hence, we note that there is no explicit consensus on the modalities for negotiations as per the Doha mandate.</p> <p>The above delegations also have concerns about the process through which such issues have been brought to this Ministerial without any prior discussion on the modalities.”</p> | Joint Letter to Pierre Pettigrew, Minister for International Trade of Canada and Facilitator for the Singapore Issues at the Cancun Ministerial Conference |

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| The Honourable Mpho Meli Malie, Minister of Trade, Industry and Marketing, Lesotho | 12 September 2003 | <p>“We welcome the efforts of the WTO Secretariat with regard to trade-related technical assistance. My country was and is still beneficiary to this technical assistance. We also welcome the setting up by the Director-General of the Doha Development Agenda Trust Fund, and urge continued, and increased contributions thereto. The general comment would be that there should be close coordination with recipient countries on the areas and form of assistance to be provided. In order for technical cooperation’s relevance to be enhanced, the increased involvement of local consultations and regional trade organizations must be encouraged.”</p> | WT/MIN(03)/ST/82 Statement to Fifth Ministerial Conference of the WTO, Cancun |
| Mauritius on behalf of the African Union, LDCs and ACP Group | 12 September 2003 | <p>“Since the Doha Ministerial Conference in 2001, there are divergent views on the New Issues, hence negotiations on the modalities should not start until there is ‘explicit consensus.’ We would also like to make it clear at this point that progress in New Issues should not be linked to progress in Agriculture or any other negotiation issues in the WTO.”</p> | WT/MIN(03)/W/19 Statement to Fifth Ministerial Conference of the WTO, Cancun |
| H.E. Celso Amorim, Minister of External Relations, Brazil | 11 September 2003 | <p>“Brazil remains a steadfast supporter of an equitable, rules-based, market-oriented multilateral trading system. The WTO is a linchpin of our integration into the world economy: expansion of trade is central to creating jobs and achieving higher rates of economic growth and therefore improving life conditions for hundreds of millions of people, who live below the poverty line. When this Round was launched in Doha two years ago, there was a shared sense of urgency which seems to have been lost. We must change this. And we must do it here: in the WTO. This Fifth Ministerial Conference is the proper place for us to show our commitment and to rededicate ourselves to the Doha mandate. Complacency is not an option. The greatest threat to the multilateral trading system comes from within. The WTO runs the risk of irrelevance. The danger of fragmentation is clearly there. This will be to no one’s benefit and certainly not to the benefit of developing countries.”</p> | WT/MIN(03)/ST/28 Statement to Fifth Ministerial Conference of the WTO, Cancun |
| H.E. Mrs. Rini M.S. Soewandi, Minister of Industry and Trade, Indonesia | 11 September 2003 | <p>“All of us have committed to the principle that an open, fair and predictable system of international trade is required to become the engine and propeller of economic growth to benefit all.”</p> | WT/MIN(03)/ST/24 Statement to Cancun Ministerial Conference |
| H.E. Mr. Humayun Akhtar Khan, Minister for Commerce, Pakistan | 11 September 2003 | <p>“It is obvious that there is a stalemate and because of this situation, we are already seeing serious cracks appearing in the multilateral trading system. As a result, bilateral and regional trading arrangements (RTAs) are proliferating. At the same time a large number of countries, particularly low income developing countries, are being left out and are getting marginalized. We have to get the multilateral trading system working to ensure that the trading system works for all. If we want to achieve the Millennium Development Goals, we have to translate rhetoric into reality and recommit ourselves towards the Development Agenda we agreed at Doha.”</p> | WT/MIN(03)/ST/18 Statement to Cancun Ministerial Conference |
| H.E. Dr. Adisai Bodharami, Minister of Commerce, Thailand | 10 September 2003 | <p>“...[T]his being the case, more time might be needed to ensure full and active participation by all members. I believe that by linking all of these issues together we are further complicating the negotiations and impeding any decisive actions.”</p> | WT/MIN(03)/ST/16 Statement to Cancun Ministerial Conference |

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| H.E. Mr. Jan Petersen, Minister of Foreign Affairs, Norway | 10 September 2003 | <p>In order to ensure that we will all achieve what we had set out to do at Doha, it is vital that we ensure that everyone here will have a say and a part in the outcome of our deliberations. I do not believe that we can call the WTO the global trade organization if only some members dictate the negotiations, while others are left on the sideline and forced to accept the outcome. We need to work together so that the outcome of our efforts will represent the needs and interests of all Members, large and small, rich and poor.”</p> <p>“In an increasingly globalized world, cooperation across borders through effective multilateral institutions is crucial. Economic growth and development in all nations - not least in the developing countries - depend on a strong and fair multilateral trading system. Therefore, coherence in policy formulation and coordination in day-to-day operations between the WTO, the Bretton Woods institutions and the UN system, is of the greatest importance. I am pleased to note that the Director-General of the WTO, the President of the World Bank, and the Managing Director of the IMF, are fully committed to maintaining the close cooperation between these three institutions.”</p> | WT/MIN(03)/ST/17 Statement to Cancun Ministerial Conference |
| The Honourable Pierre S. Pettigrew, Minister for International Trade, Canada | 10 September 2003 | <p>“As we heard Mr. Ricupero say on behalf of UN Secretary-General Kofi Annan, our actions in these negotiations must live up to our rhetoric.</p> <p>The WTO is only one piece of the puzzle. I have spoken many times about the need for coherence and coordination among our many international organizations such as the World Bank, regional development banks and the International Monetary Fund; the various UN agencies promoting development, environmental protection, health and human rights; and the International Labour Organization.</p> <p>We need all of these elements working in partnership with members to turn our vision of a better world into reality...</p> <p>I am very glad to say that we have made progress at home and in the WTO in increasing the transparency of what we do, in demystifying our processes and our objectives, and in helping the public to understand the benefits of trade and the importance of clear and equitable rules governing trade.</p> <p>Our efforts at internal transparency have also been rewarded, with a more open and inclusive decision-making process at the WTO, strengthening the organization.</p> <p>We need to continue these efforts to ensure that all can see the benefits of having a strong multilateral system underpinning our various trade relationships.”</p> | WT/MIN(03)/ST/9 Statement to Cancun Ministerial Conference |
| H.E. Mr. Arun Jaitley, Minister of Commerce and Industry and Law and Justice, India | 10 September 2003 | <p>“Over the years we have seen gradual increase in lack of internal transparency as well as reduced participation of developing countries in the decision-making process in the WTO. We should not let the developing countries perceive the decision-making process of the multilateral trading system to be discriminatory, opaque and unresponsive to their needs. We look forward to this Ministerial Conference moving towards more inclusive decision-making process. There is also a need for prescribing clear and fair guidelines for conducting the preparatory process for Ministerial Conferences. The practice followed before Doha - and now, again - of sending the Chairman's text to the Ministers on the Chairman's own responsibility is not a healthy one. We need to deliberate on these issues and take appropriate decisions so that specific guidelines can be finalized before the next session of the Ministerial Conference. The proposals made by a large number of Members including India could serve as the basis for such discussions.”</p> | WT/MIN(03)/ST/7 Statement to Cancun Ministerial Conference |

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| African, Caribbean and Pacific (ACP) Group of States | 1 August 2003 | <p>“Declare that with regard to... The Multilateral Trading System: we reiterate the importance of reforming the multilateral trading system to remove the existing imbalances which impact negatively on ACP Member States. Further, we call for flexibility in the rules and their application, and for greater policy space for developing countries and particularly the least developed, small and vulnerable among them... Decision-Making Process: We reiterate the critical importance of creating a transparent, democratic, all-inclusive and consultative decision-making process in the WTO, as this is vital to enhancing the credibility of the WTO and the multilateral trading system. We reiterate the importance of taking decisions by consensus, in accordance with paragraph 1 of Article 9 of the WTO Agreement... We urge the WTO Members to ensure that the decision-making process at the upcoming Ministerial Conference in Cancun is transparent and inclusive, through the adoption of procedural rules. Those rules should ensure, among other things, that: (a) proposals of the various members or groups of members are reflected in draft texts that form the basis of negotiations, (b) appointment of the Chairpersons of working groups is made by a decision of all WTO members; (c) all WTO members are informed of all meetings and are entitled to participate in them, and (d) issues of importance, including consideration of a proposal to extend the length of the Conference, should be put before all WTO Members for a decision.”</p> | <p>ACP Declaration on the Fifth Ministerial Conference of the WTO, Brussels, 1 August 2003 http://ictsd.net/downloads/2008/08/acp_decl.htm</p> |
| African Trade Ministers | 19-20 June 2003 | <p>“We, the Ministers of Trade of the Member States of the African Union (AU) met in Grand Baie, Mauritius, from 19 to 20 June, 2003 to consider a number of issues of developmental importance to Africa, including coordinating our position towards the Fifth Session of the WTO Ministerial Conference to be held in Cancun, Mexico from 10 to 14 September 2003... Are concerned about the lack of transparency and inclusiveness in the WTO negotiations and decision-making processes. We call for measures to ensure the effective participation of our countries in the processes leading to the Fifth WTO Ministerial Conference, at Cancun and beyond... Regret the deadlock over the issue of granting of Observer Status in the WTO bodies and in this regard, we pledge our support for the granting of Permanent Observer Status to the AU and other inter-governmental organizations in view of their trade policy mandate. We call upon other WTO Members to support us in this effort.”</p> | <p>Grand Baie Ministerial Declaration on the Fifth Ministerial Conference of the WTO http://ictsd.net/downloads/2008/08/african_decl.htm</p> |
| Parliamentary Conference on the WTO | 18 February 2003 | <p>“We, parliamentarians, assembled in Geneva for the Parliamentary Conference on the WTO to discuss matters relating to multilateral trade, are convinced of the need for a parliamentary dimension of WTO. Our objective is to enhance the transparency and accountability of WTO activities.” “The parliaments from the various nations of the world, as legitimate representatives of their populations, have played a pioneering role in the peaceful evolution of societies. A parliamentary interface is necessary to ensure a better representation of citizens in the multilateral negotiating process. Parliaments embody the sovereignty of the people and can, in all legitimacy, contribute to expressing the will of the people internationally. Their role is also to help citizens understand and cope with the challenges that globalization poses to their daily lives, and incorporate their concerns into national and multilateral policy.”</p> | <p>Declaration of the Parliamentary Conference on the WTO Geneva, 17-18 February 2003, Organized Jointly by the Inter-Parliamentary Union and the European Parliament http://www.ipu.org/splz-e/trade03/declaration.htm</p> |

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| WTO Director-General Supachai Panitchpakdi | 20 September 2002 | <p>“Let me start by explaining how this goal will be supported by the ‘four pillars’ that I intend to strengthen during my tenure as Director-General of the World Trade Organization. My first pillar is the legal framework which binds the multilateral trading system together. The WTO is the only international organization dealing with multilateral rules of trade between countries. These rules ensure that trade flows as smoothly, predictably and freely as possible. I intend to ensure that the Secretariat continues to be as helpful as possible to WTO Members to use this legal framework to their best mutual advantage.</p> <p>My second pillar is to assist developing and least developed countries through technical assistance and capacity building to be better equipped to participate in the multilateral trading system. The WTO has taken on an unprecedented level of commitment in providing technical assistance and capacity building to developing countries. It is one of my priorities to ensure that our technical assistance and capacity building activities are effective, well targeted and coordinated with other agencies to get the best results.</p> <p>As for my third pillar, I will seek to promote greater coherence in international economic policy-making. The reality of globalization is an increasingly interdependent world. The WTO cannot possibly achieve its goals working alone. The WTO, in keeping with its mandate, has to work closely along with other international agencies. Lastly but most importantly, I intend to strengthen the WTO as an institution, so as to be able to serve its membership even better. My approach as Director-General will be equitable, balanced and inclusive.”</p> | <p>Speech delivered by Director-General Supachai Panitchpakdi in Basel, 20 September 2002 to the General Assembly of the Swiss Bankers Association http://www.wto.org/english/news_e/spsp_e/spsp03_e.htm</p> |
| WTO Director-General Mike Moore | 31 July 2002 | <p>“We can all take pride in changes made to the way the WTO operates. Let us reflect briefly on some of these changes.</p> <p>First, we are now much more inclusive in our processes. It used to be difficult for smaller and poorer members to attend meetings in Geneva and follow our processes. Now, we are bringing these representatives here ourselves and scheduling training activities so they can also be present for key meetings of our General Council and Trade Negotiations Committee. We have also greatly expanded our technical assistance and training activities, both in Geneva and in capitals, and we are utilizing new technologies such as the internet and distance-learning facilities.</p> <p>Second, we are more transparent and accountable in the way we do things and in the way we take decisions. This shows in all areas of our work — in technical assistance where we have new systems for auditing and evaluation; in Councils and Committees where we now declassify documents with much greater urgency; and on our website where information on WTO activities flows freely to delegations and the public.</p> <p>Third, we are cooperating with international and regional agencies more closely than ever before. Also, the growing role of our institution in the management of the world economy continues to be recognized through invitations to participate in various UN Conferences, summits of the G-8 and many other ministerial-level meetings. It has been an honor to work closely with great international public servants like Kofi Annan, Jim Wolfensohn and Horst Kohler. I believe we have made real progress in our efforts to ensure coherence in the work of our respective institutions. I am pleased too at the progress that has been made in re-energizing the Integrated Framework and JTAP and in expanding our dialogue with regional and developmental institutions.</p> | <p>Speech of Director-General Mike Moore to the WTO General Council http://www.wto.org/english/news_e/spmm_e/spmm89_e.htm</p> |

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| Non-paper by Belgium, Canada and the Netherlands, submitted to the WTO Committee on Budget, Finance and Administration, regarding the Implementation of Results-based Management in the WTO | 26 June 2002 | <p>Fourth, I believe we have made real progress in our efforts to enhance the WTO's image and engage civil society. We are reaching out to NGOs through regular seminars and symposia. We have developed important new links with parliamentarians and policymakers. We are also seeking to encourage a greater level of engagement from business leaders, trade unions and other sectors of civil society.</p> <p>Finally, the Secretariat has re-positioned itself so we are better able to assist members in the work program. We have consolidated our internal structures and refocused our priorities clearly to reflect the Doha Development Agenda."</p> <p>"The co-authors are pleased to contribute this paper to the ongoing discussion by the Budget Committee of the proposal to introduce results-based management (RBM) into the WTO Secretariat. Building on the themes first introduced by the Netherlands in its 2000 non-paper CRP(00)08 and elaborated in the March 2002 report Performance Management Reform in the WTO Secretariat: Introduction of Results-based Management (WT/BFA/W/70) prepared by consultant Terry Slater at the request of the Director-General, this paper seeks to assist the Budget Committee in its consideration of this important issue by:</p> <ul style="list-style-type: none"> • highlighting the core elements of RBM; • suggesting a number of benefits for the WTO and its members that could be derived from RBM; • suggesting issues for further discussion; • addressing the relationship between RBM and TRTA; and • proposing some ways in which the Budget Committee could facilitate the transition of the WTO Secretariat towards a RBM approach to management." | WT/BFA/W/76 |
| 2001 WTO Ministerial Declaration (Doha) | 14 November 2001 | <p>"The majority of WTO Members are developing countries. We seek to place their needs and interests at the heart of the Work Programme adopted in this Declaration...</p> <p>We stress our commitment to the WTO as the unique forum for global trade rule-making and liberalization, while also recognizing that regional trade agreements can play an important role in promoting the liberalization and expansion of trade and in fostering development...</p> <p>...We shall continue to work with the Bretton Woods institutions for greater coherence in global economic policy-making.</p> <p>We strongly reaffirm our commitment to the objective of sustainable development, as stated in the Preamble to the Marrakesh Agreement. We are convinced that the aims of upholding and safeguarding an open and non-discriminatory multilateral trading system, and acting for the protection of the environment and the promotion of sustainable development can and must be mutually supportive. We take note of the efforts by Members to conduct national environmental assessments of trade policies on a voluntary basis. We recognize that under WTO rules no country should be prevented from taking measures for the protection of human, animal or plant life or health, or of the environment at the levels it considers appropriate, subject to the requirement that they are not applied in a manner</p> | WT/MIN(01)/DEC/1 |

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| | | <p>which would constitute a means of arbitrary or unjustifiable discrimination between countries where the same conditions prevail, or a disguised restriction on international trade, and are otherwise in accordance with the provisions of the WTO Agreements. We welcome the WTO's continued cooperation with UNEP and other inter-governmental environmental organizations. We encourage efforts to promote cooperation between the WTO and relevant international environmental and developmental organizations, especially in the lead-up to the World Summit on Sustainable Development to be held in Johannesburg, South Africa, in September 2002...</p> <p>Recognizing the challenges posed by an expanding WTO membership, we confirm our collective responsibility to ensure internal transparency and the effective participation of all Members. While emphasizing the intergovernmental character of the organization, we are committed to making the WTO's operations more transparent, including through more effective and prompt dissemination of information, and to improve dialogue with the public. We shall therefore at the national and multilateral levels continue to promote a better public understanding of the WTO and to communicate the benefits of a liberal, rules-based multilateral trading system...</p> <p><u>Implementation-Related Issues and Concerns</u></p> <p>We attach the utmost importance to the implementation-related issues and concerns raised by Members and are determined to find appropriate solutions to them. In this connection...we further adopt the Decision on Implementation-Related Issues and Concerns in document WT/MIN(01)/17 to address a number of implementation problems faced by Members...</p> <p><u>WTO Rules</u></p> <p>...We also agree to negotiations aimed at clarifying and improving disciplines and procedures under the existing WTO provisions applying to regional trade agreements. The negotiations shall take into account the developmental aspects of regional trade agreements.</p> <p><u>Dispute Settlement Understanding</u></p> <p>We agree to negotiations on improvements and clarifications of the Dispute Settlement Understanding.</p> <p><u>Trade and Environment</u></p> <p>With a view to enhancing the mutual supportiveness of trade and environment, we agree to negotiations, without prejudging their outcome, on:...</p> <p>(i) the relationship between existing WTO rules and specific trade obligations set out in multilateral environmental agreements (MEAs)...</p> <p>(ii) procedures for regular information exchange between MEA Secretariats and the relevant WTO committees, and the criteria for the granting of observer status...</p> <p>We recognize the importance of technical assistance and capacity building in the field of trade and environment to developing countries, in particular the least-developed among them. We also encourage that expertise and experience be shared with Members wishing to perform environmental reviews at the national level...</p> | |

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| | | <p><u>Technical Cooperation and Capacity Building</u></p> <p>We confirm that technical cooperation and capacity building are core elements of the development dimension of the multilateral trading system, and we welcome and endorse the New Strategy for WTO Technical Cooperation for Capacity Building, Growth and Integration. We instruct the Secretariat, in coordination with other relevant agencies, to support domestic efforts for mainstreaming trade into national plans for economic development and strategies for poverty reduction. The delivery of WTO technical assistance shall be designed to assist developing and least-developed countries and low-income countries in transition to adjust to WTO rules and disciplines, implement obligations and exercise the rights of membership, including drawing on the benefits of an open, rules-based multilateral trading system. Priority shall also be accorded to small, vulnerable, and transition economies, as well as to Members and Observers without representation in Geneva. We reaffirm our support for the valuable work of the International Trade Centre, which should be enhanced.</p> <p>We underscore the urgent necessity for the effective coordinated delivery of technical assistance with bilateral donors, in the OECD Development Assistance Committee and relevant international and regional intergovernmental institutions, within a coherent policy framework and timetable. In the coordinated delivery of technical assistance, we instruct the Director-General to consult with the relevant agencies, bilateral donors and beneficiaries, to identify ways of enhancing and rationalizing the Integrated Framework for Trade-Related Technical Assistance to Least-Developed Countries and the Joint Integrated Technical Assistance Programme (JITAP).</p> <p>We agree that there is a need for technical assistance to benefit from secure and predictable funding. We therefore instruct the Committee on Budget, Finance and Administration to develop a plan for adoption by the General Council in December 2001 that will ensure long-term funding for WTO technical assistance at an overall level no lower than that of the current year and commensurate with the activities outlined above.</p> <p><u>Least Developed Countries</u></p> <p>...We agree that the meaningful integration of LDCs into the trading system and the global economy will involve efforts by all WTO Members. We commit ourselves to the objective of duty-free, quota-free market access for products originating from LDCs. ... We further commit ourselves to consider additional measures for progressive improvements in market access for LDCs. Accession of LDCs remains a priority for the Membership. We agree to work to facilitate and accelerate negotiations with acceding LDCs. We instruct the Secretariat to reflect the priority we attach to LDCs' accessions in the annual plans for technical assistance. We reaffirm the commitments we undertook at LDC-III, and agree that the WTO should take into account, in designing its work programme for LDCs, the trade-related elements of the Brussels Declaration and Programme of Action, consistent with the WTO's mandate, adopted at LDC-III. We instruct the Sub-Committee for Least-Developed Countries to design such a work programme and to report on the agreed work programme to the General Council at its first meeting in 2002.</p> | |

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| | | <p>We endorse the Integrated Framework for Trade-Related Technical Assistance to Least-Developed Countries (IF) as a viable model for LDCs' trade development. We urge development partners to significantly increase contributions to the IF Trust Fund and WTO extra-budgetary trust funds in favour of LDCs. We urge the core agencies, in coordination with development partners, to explore the enhancement of the IF with a view to addressing the supply-side constraints of LDCs and the extension of the model to all LDCs, following the review of the IF and the appraisal of the ongoing Pilot Scheme in selected LDCs....</p> <p><u>Special and Differential Treatment</u></p> <p>...we also note that some Members have proposed a Framework Agreement on Special and Differential Treatment (WT/GC/W/442). We therefore agree that all special and differential treatment provisions shall be reviewed with a view to strengthening them and making them more precise, effective and operational. In this connection, we endorse the work programme on special and differential treatment set out in the Decision on Implementation-Related Issues and Concerns.</p> <p><u>Organization and Management of the Work Programme</u></p> <p>The negotiations to be pursued under the terms of this Declaration shall be concluded not later than 1 January 2005...</p> <p>With the exception of the improvements and clarifications of the Dispute Settlement Understanding, the conduct, conclusion and entry into force of the outcome of the negotiations shall be treated as parts of a single undertaking. However, agreements reached at an early stage may be implemented on a provisional or a definitive basis. Early agreements shall be taken into account in assessing the overall balance of the negotiations...</p> <p>The negotiations shall be conducted in a transparent manner among participants, in order to facilitate the effective participation of all. They shall be conducted with a view to ensuring benefits to all participants and to achieving an overall balance in the outcome of the negotiations.</p> <p>The negotiations and the other aspects of the Work Programme shall take fully into account the principle of special and differential treatment for developing and least-developed countries...</p> <p>The Committee on Trade and Development and the Committee on Trade and Environment shall, within their respective mandates, each act as a forum to identify and debate developmental and environmental aspects of the negotiations, in order to help achieve the objective of having sustainable development appropriately reflected."</p> | |
| WTO Director-General Mike Moore | 5 October 2001 | <p>"It is, therefore, fitting that, today, the official opening of the Advisory Centre for WTO Law marks the start of a true legal aid centre on an international scale..."</p> <p>The Centre, however, can go beyond the point at which Secretariat assistance to developing countries had to stop, and provide full-fledged, high-quality, legal aid in all stages of the DSU procedure, including the Panel and Appellate Body stages. As Director-General and as a person who has always believed in the importance of providing good legal aid in order to combat inequalities in access to justice at the national level, this gives me enormous pleasure and I wish the Centre all possible success in its endeavor."</p> | Speech of Director-General Mike Moore at the Official opening of the Advisory Centre for WTO Law |

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| WTO Director-General Mike Moore | 6 July 2001 | <p><i>“It would strengthen the hand of those who seek change if NGOs distance themselves from masked stone-throwers who claim to want more transparency, anti-globalization dot.com-types who trot out slogans that are trite, shallow and superficial. This will not do as a substitute for civilized discourse.</i></p> <p><i>Who is to blame? There is enough blame for all of us to share. Perhaps we could consider new principles of engagement. A debate should be held and understandings reached between civil society, the international institutions and governments for a code of conduct that could include: The rejection of violence; transparency from NGOs as to their membership, their finances, their rules of decision-making; and governments, business and foundations should insist on rules of transparency and adhere to an agreed ‘code’, before they provide funding.</i></p> <p><i>Governments and their institutions should, in return, give those who follow such rules a stake in the process. And we need to accept that there is a fundamental difference between transparency and participation on the one hand and negotiations on the other – which in the end only governments can do. If a group wishes to help draft such a set of guidelines, I promise to look at it and talk to other institutions and governments.”</i></p> | <p>Speech of Director-General Mike Moore “Open Societies, Freedom, Development and Trade” in the Plenary Opening WTO Symposium on Issues Confronting the World Trading System - Geneva http://www.wto.org/english/news_e/spmm_e/spmm67_e.htm</p> |
| WTO Director-General Mike Moore | 8 June 2001 | <p><i>“The current WTO drive to better relate with parliamentarians reflects my personal experience and beliefs. I have been a parliamentarian for most of my professional life and I believe strongly in its institutions. Early in my term, I suggested to the IPU that we should have a meeting on the WTO for parliamentarians...”</i></p> <p><i>But most of the job remains with governments and parliaments. This meeting is an important opportunity for members of parliament to commence bridging the gap between the institutions like the WTO, which you own and fund, and the people. You have the responsibility in your respective parliaments to act as a relay between the government and the people, and to provide the necessary political oversight. To do this, parliamentarians and legislators need to know about the necessary they own. Parliamentary select committees should aggressively scrutinize the WTO and other international organizations. We need this. It is healthy. The IPU, as the international organization of parliaments world-wide, can help provide a comprehensive and cohesive parliamentary response to the challenges of international governance. I welcome this debate and the greater scrutiny it implies. You have my support. We at the WTO have plenty to be proud of. I believe that your involvement can help us promote greater openness, fairness, balance and predictability in international trade.</i></p> <p><i>Can I suggest that we should assemble more often and that all the multilateral institutions that you have created, that you own, could do with your assistance and scrutiny. I would like to see a regular week put aside in Geneva with parliamentarians and NGOs to work with all the agencies and institutions. Parliaments, trade unions and Chambers of Commerce have unique contributions to make. Your deliberations should help us all achieve greater coherence between institutions, iron out difficulties of jurisdiction and therefore enable us to be more precise in delivery of our mandates, and thus better serve you and your owners, the people.”</i></p> | <p>Speech of Director-General Mike Moore to the Inter-Parliamentary Union meeting on international trade “Promoting openness, fairness and predictability in international trade for the benefit of humanity” http://www.wto.org/english/news_e/spmm_e/spmm64_e.htm</p> |

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| Submission from the United States to WTO General Council Information Consultations on External Transparency | 10 October 2000 | <p>“The United States welcomes continued attention to the issue of transparency and looks forward to consultations planned by the Chairman to make tangible progress in this area...Earlier discussions in the General Council have addressed communication among Members («internal transparency») and have resulted in improvements to our daily working environment. We believe that similar efforts are needed to improve communications between the WTO and the public («external transparency»), given the increasing importance that trade and trade agreements play in the global economy and the commitment to sustainable development. Such efforts are essential to ensuring public understanding and support of the WTO’s work. Advances in external transparency will also help internal transparency, particularly for Members with smaller delegations in Geneva. Progress in this area is clearly needed and can be accomplished while preserving the government-to-government character of the WTO, an institution driven by its Members.</p> <p>The United States intends to work constructively with the Chairman and other WTO Members to build a consensus to improve external transparency. U.S. comments here are focused in two areas: first, ways to enhance timely access to information about the WTO at the national level and by Members acting collectively; and second, important mechanisms to ensure the credibility of the dispute settlement system. These include:</p> <ul style="list-style-type: none"> - sharing respective Member experiences of efforts to exchange information and views on developments in the WTO at the national level; - further building upon the good work of the WTO Secretariat in developing the WTO website; - begin opening the various WTO council and committee meetings on an experimental basis, including webcasting at least some meetings of the Trade Policy Review Body; - building upon previous efforts to strengthen the 1996 Derestriction Decision, so that Members may consider experience to date and, as soon as possible, ensure that WTO documents that are most informative of WTO activities are circulated on an unrestricted basis or derestricted more quickly; - strengthening the 1996 Guidelines on relations with non-governmental organizations, undertaking a regular program of seminars and symposia, and considering the outreach practices of other international organizations, to the extent they may be relevant; and - in the dispute settlement area, ensuring that all parties’ submissions to panels and the Appellate Body are made available to the public, developing a mechanism to permit non-governmental stakeholders to present their views on disputes, and permitting the public to observe WTO panel and appellate proceedings.” | WT/GC/W/413/Rev.1 |

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| Charlene Barshefsky, U.S. Trade Representative | 3 December 1999 | “We found that the WTO has outgrown the processes appropriate to an earlier time. An increasing and necessary view, generally shared among the members, was that we needed a process which had a greater degree of internal transparency and inclusion to accommodate a larger and more diverse membership.” | Remarks at the Closing Plenary of the Third Ministerial Conference of the WTO, 3 December 1999 |
| Mike Moore, WTO Director-General | 3 December 1999 | “We’ve tried very hard in the new system. We’ve evolved to involve as many as we can, but it’s not good enough. We’re running an institution of over 130 members based on a culture 50 years old of 30 or so members, and that has been one of our difficulties, not only here but in Geneva. Some of you — it may come as a surprise, but 30 of our member nations do not have enough resources to have a mission in Geneva so we’ve organized links in information to try to engage. It’s never enough.” | Joint Press Conference conclusion of World Trade Organization Ministerial, 3 December 1999, Seattle |
| Pascal Lamy, European Trade Commissioner | 2 December 1999 | “We are deeply worried about the WTO process. The procedures are medieval, and I sympathize with Charlene Barshefsky, who will need to be a magician to produce a deal out of all this. We should consider holding a Ministerial Conference just to improve the WTO’s procedures. I support the idea of producing a parliamentary body that could scrutinize the WTO process, and welcome proposals to that effect from the European and other parliamentary members here.” | Pascal Lamy European Trade Commissioner Press Conference WTO Ministerial 2 December 1999 http://europa.eu/rapid/pressReleasesAction.do?reference=S_PEECH/99/203&format=HTML&aged=1&language=EN&guiLanguage=en |
| H.E. Mr. Jusuf Kalla, Minister of Industry and Trade, Indonesia | 2 December 1999 | <p>“With regard to WTO activities in the area of technical cooperation, Indonesia attaches great importance on the need to have immediate decision to reinforce technical cooperation to developing countries, taking into account the specific needs of recipient countries. Due to the fact that many developing countries lack the financial resources and administrative structures necessary to meet their WTO obligations, we believe that the basic concept of technical cooperation should be based on developed countries providing assistance to the developing countries in need, since they have the means to do so...</p> <p>As a principle, Indonesia fully supports the efforts to improve transparency and to enhance public understanding of the work in the WTO. While increasing public awareness of the WTO and improving access to information are applaudable objectives, given the contractual nature and the inter-governmental character of the WTO, Indonesia is of the view that it is the responsibility of individual governments to involve various sectors in their society before entering into agreements in the WTO...</p> <p>Trade expansion is also an essential part for economic development of developing countries. However, the capacity of these countries to benefit market opportunities is still limited. To best help these countries in enhancing utilization of trade opportunities offered by the WTO Agreements, better collaboration between the secretariats of the WTO and the Bretton Woods institutions is desirable. The WTO Secretariat, in collaboration with the secretariats of the World Bank, IMF and UNCTAD, should design specific integrated programmes for human and institutional capacity which is critical to developing countries in their efforts to achieve their economic development objectives and to participate fuller in the world trading system. Such a programme should be designed in such a way as to enable developing countries to make gradual and sound structural changes in order to adapt to the market changes as well as to the new technologies.”</p> | WT/MIN(99)/ST/94 Statement to the Seattle Ministerial Conference of the WTO |

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| H.E. Dr. Javier Murillo de la Rocha, Minister for Foreign Affairs and Worship, Bolivia | 1 December 1999 | <p><i>"This Ministerial Conference must take committed decisions vis-à-vis contemporary society. In advocating a world of freedom, there can be no restrictions on the progress of economy and trade. However, we have to work to ensure that all participate and benefit from these freedoms. It is not enough to note that some countries are better prepared than others and that many may be marginalized. The obligation and meaning of these joint efforts are mutual support, they imply effective protection for disadvantaged countries until they can become active participants in current trade flows. This is the only way to ensure that the international trading system has solid and stable bases... The WTO will then have dealt with its unfinished business, it will have made its results more democratic and will also have made its decision-making more democratic. It is dangerous for the stability of the system to impose rules and then obligations. A situation in which some States decide the rules and others, the majority, must obey or adapt cannot be allowed to continue... We are concerned that this Conference has not yet shown open and responsive attitudes to permit agreement."</i></p> | WT/MIN(99)/ST/58 Statement to the Seattle Ministerial Conference of the WTO |
| H.E. Mr. Alec Erwin, Minister of Trade and Industry, South Africa | 1 December 1999 | <p><i>"How we can bridge this tension between inclusivity and effective processes that deal with the detail is a real issue that requires careful thought. This matter is now being clouded by the incoherent response of the USA to their own domestic pressures. The right to protest is, in our view, sacrosanct. However, this should not have been allowed to disrespect our own democratic processes. It is not clear to any of us whether this whole badly managed exercise was designed to give us some insight into the pressures that the United States and, to a lesser extent, the European Union experience. If it was, then it has convinced us that we should not allow the workings of the WTO to be held hostage to this inchoate process. It is the responsibility of the USA process to allow expression to these multiplicity of interests; they cannot hold the WTO hostage to this. In the South African delegation we have representatives of business, labor, community organizations and government. We have worked together for months trying to accommodate the differing views and perspectives of the groups. As the democratically elected representatives of the citizens, it is government that, at the end of the day, has to articulate a position and answer to parliament. As a new democracy, we are acutely conscious of the need to involve all our various interest groups in the complexities of trade and trade reform. We do not have agreement on all issues but we have a far better understanding of what is at stake in this complex process. This is more than can be said about the demonstrators outside over the last few days. It is clear that the USA has a lot of basic educational work to do, and they should not ask the WTO to do it for them. The involvement of civil society is of concern to all of us in our own domestic contexts. It is not a concern for the WTO only. The challenge of how best to involve civil society is not new. When we figure out how best to incorporate the diverse concerns of civil society in our own domestic processes, we will have figured out how to incorporate their concerns into the WTO. Only through that will we make the WTO transparent."</i></p> | WT/MIN(99)/ST/45 Statement to the Seattle Ministerial Conference of the WTO |

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| H.E. Dr. Supachai Panitchapakdi, Deputy Prime Minister and Minister of Commerce, Thailand | 1 December 1999 | <p>“However, notwithstanding these achievements, much more needs to be done if the WTO is to maintain its significance in the international arena - especially at this critical juncture of economic turbulence wherein protectionistic tendencies are strong. The WTO needs to prove to the world that the multilateral trading system which is based on WTO rules can and will contribute to the long term welfare and prosperity of the world economies as a whole. For instance, efforts must be intensified to develop the WTO into a universal organization wherein all can participate on an equal footing. Equally important is the need to improve the modus operandi of the WTO through transparent rules and well-defined procedures. And last but not least, every attempt must be made to ensure that all WTO decisions are based on a multilateral approach, rather than a unilateral or bilateral one, so that it is a truly democratic organization. And, indeed, it is in successfully meeting these challenges that I believe, and I think that you will all agree with me, that this Ministerial Conference will ultimately be judged...</p> <p>And last but not least, in today's complex and globalized international economic structure, the importance of a coherent policy coordination among the world institutions cannot be overestimated. Given the garmot [sic] of interrelated policy issues ranging from trade and finance to health and education and the numerous challenges and problems that we all need to face, a coherent global policy is required to make sure that the agreements reached in all the major international forum complement one another. To this end, all efforts should be made to increase the level of collaboration between the WTO and the various international institutions and agencies, such as the IMF, the World Bank, and UNCTAD, as well as ESCAP. Certainly, one seemingly effective measure in this area is to establish an apparatus which would ensure greater coherence in the plans and policies of these entities. And this is the main reason as to why Thailand, along with other ASEAN member countries, has proposed that a Work Programme on Trade and Finance should be set up under the WTO. Such an apparatus would not only help to ascertain that international trade, finance, and development plans and policies will complement one another but also, and more importantly, make sure that agreements adopted in other international fora serve to augment, rather than impede, WTO multilateral liberalization processes, and vice versa.”</p> | WT /MIN(99)/ST/133 Statement to the Seattle Ministerial Conference of the WTO |
| Pierre S. Pettigrew, Minister for International Trade, Canada | 1 December 1999 | <p>“Coherence and coordination among our many international organizations is also vitally important. Too often, countries are caught in a tug-of-war between widely different, even contradictory visions or policies of the key international organizations...</p> <p>That is why Canada has proposed a working party on globalization to ensure that the WTO works in coordination with UNCTAD (UN Conference on Trade and Development), the ILO (International Labour Organization), UNEP (UN Environment Programme), the IMF (International Monetary Fund) and others...</p> <p>Lastly, we must ensure that the WTO becomes an organization where the world's citizens feel at home. We have to release more information to our citizens, more quickly. We must continue to invite them in and to listen to their ideas...</p> <p>Transparency, therefore, should be a guiding principle. We made a good start this week, but there is still much work to be done on this front. The WTO cannot solve all of the world's problems, but the more it draws upon the wisdom, energy and innovation of the world's citizens, the stronger and more representative it will become.”</p> | WT /MIN(99)/ST/13 Statement to the Seattle Ministerial Conference of the WTO |

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| H.E. Mr. Mohammed Benaissa, Minister for Foreign Affairs and Cooperation, Morocco and President of the Ninth Ministerial Meeting G-77 and China | 1 December 1999 | <p>“Concerning the WTO itself, the Ministers call for a universal organization and for assistance for developing countries seeking accession. They stress that developing countries should be offered terms that neither exceed nor are unrelated to the commitments of developing country and LDC members of WTO. They emphasize that the accession process should be transparent, streamlined and accelerated and that it should be in keeping with WTO rules and disciplines.</p> <p>Finally, the Ministers recognize the importance of regional and sub-regional integration. They consider that such arrangements facilitate trade and investment flows, economies of scale, economic liberalization and the integration of their members into the system of international economic relations within a framework of open regionalism, enabling progress towards a more open multilateral system.”</p> | WT/MIN(99)/ST/22 Statement to the Seattle Ministerial Conference of the WTO |
| H.E. Mr. Gerrit Ybema, Minister for Foreign Trade, The Netherlands | 1 December 1999 | <p>“In my view, we need to address four challenges that are of utmost importance for our common future. First of all, we need to strengthen the World Trade Organization as the backbone of the multilateral trading system, in order to make sure that international trade is not based on the rules of the jungle but on international law that safeguards the interests of all. To this end, we should increase the transparency and accountability of the organization, we should see how we can make its rules more responsive to the needs of all Member States and - not in the last place - we should work hard at the early accession of those countries that have not yet joined our organization.”</p> <p>“Last but not least, I wish to stress that trade policy cannot be pursued in isolation from other fields of policy. It is very harmful for public acceptance of the important work of the WTO, if its rules are perceived as being an obstacle for effective policy-making in - for example - environmental, health or social matters. I am convinced that we can find ways to ensure that we can proceed on the course of trade liberalization without reducing our capacities for effective policy-making in other fields. Therefore, I hope that we can reach common ground here in Seattle on how to address these issues.”</p> | WT/MIN(99)/ST/38 Statement to the Seattle Ministerial Conference of the WTO |
| Daniel Glickman, Secretary of Agriculture, United States | 1 December 1999 | <p>“Fifty years after the foundation of the trading system, therefore, we can take pride in the work we have done together. But we also must not let pride in our accomplishment make us complacent in the face of the challenges and opportunities before us in this Ministerial Conference...</p> <p>Development: the opportunity to fully integrate the people of the developing world, and in particular the least developed countries, and ensure that they reap all the benefit they should from the world economy...</p> <p>And institutional reform: the opportunity to improve and update the institutional structures of the trading system, to ensure that it continues to enjoy the strongest possible base of public support...</p> <p>At the same time, as we prepared for our role as Chair of the Ministerial and consensus grew for the launch of a new Round, we devoted much of this year to the development of an agenda for the Round. Our goals are a negotiating agenda which is ambitious enough to meet the challenges of a new century and address the top priorities of all participants; focused enough to complete within a reasonable period; and able to achieve results that meet the standard our predecessors have set. If we approve a Ministerial Declaration that meets these tests, we can:</p> | WT/MIN(99)/ST/12 Statement to the Seattle Ministerial Conference of the WTO |

| AUTHOR | DATE | KEY EXCERPT(S) | SOURCE |
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| Mr. Donald J. Johnston, Secretary-General, OECD (Speaking as an Observer) | 30 November 1999 | <p>Promote development world-wide, by opening markets more fully to products especially from the least-developed countries, and offering significantly expanded technical assistance to ensure that all Members can meet their commitments, use the WTO and its dispute settlement mechanism as appropriate, and take greater advantage of market access opportunities.</p> <p>Ensure that the WTO itself meets the test of a more open and democratic world, by improving transparency and accessibility to the public throughout the organization. This is a broad, ambitious, and achievable agenda.”</p> | WT/MIN(99)/ST/21 |
| | | <p>“One move that is long overdue is to end the restrictive terms still imposed by a number of countries on their development assistance. Untying aid, by restoring choice to the impoverished recipient countries would, at one swoop, increase the value of aid, remove a distortion to world commerce and enhance the dignity of the aid process that has been sullied by the mercantilist attitudes of some in the developed world...”</p> <p>Finally, as a concerned ‘outside’ observer, I would like to call for a reassessment of something that many rightly regard as one of the chief achievements of the Uruguay Round. I refer to the procedure for dispute settlement that lies at the heart of the WTO rules.</p> <p>I should say, first, that I share the view that the dispute settlement procedure, as it stands now, has been an essential building block in the creation of the current world trade system. As such, it must be preserved, protected and nurtured.</p> <p>But that should not prevent us from considering how it might also be improved. In that regard, let me confine myself to three concerns: First, albeit only in matters of last resort, we find that through retaliatory measures the system can lead to raising trade barriers, rather than to lowering them. Second, the dispute settlement procedure can result in an extension of barriers to the targets of retaliation - frequently products and traders that are far removed from the products and traders at the heart of the original dispute. Third, it ultimately relies on the exercise of credible retaliatory pressure - and this may not be within the capacity of all members.</p> <p>Now, I acknowledge that there are many who will be able to find sound economic justification for supporting the present system. I by no means discount their reasons. But my concern is of a more political, systemic nature. Are we sure that by continuing within the confines of this set of arrangements we will be doing the best that we can to nurture an effective dispute settlement procedure - the mechanism that is perhaps the most valuable fruit of the Uruguay Round? Are we confident that this is the best way to build the public support that we all need for the multilateral system? Or do we not risk the threat of a possible backlash?</p> <p>I am not naïve about this. I recognize that many difficulties would have to be overcome to move beyond the present situation. Concepts such as compensation are easier to talk about than to turn into workable reality. But this is a moment when the future of the multilateral trading system is at the centre of our attention. We should not put aside important questions on how to improve it. At the very least, I would suggest, this is an issue that merits careful study among WTO members. The OECD would be able to contribute to WTO reflection on this topic.”</p> | Statement to the Seattle Ministerial Conference of the WTO |

| AUTHOR | DATE | KEY EXCERPT(S) | SOURCE |
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| Mr. Rubens Ricupero, Secretary-General, UNCTAD (Speaking as an Observer) | 30 November 1999 | <p>“The developing countries in the past have been likened to the ‘free-riders’ in the system. This was never true, and by their actions, the developing countries have shown how wrong is this view. They have liberalized faster and further than any other countries. And in the preparatory process for Seattle, they have submitted more than 110 detailed and concrete proposals for dealing with the specific problems, which they have identified as impeding their ability to participate fully, and effectively in the multilateral trading system...</p> <p>For any international organization, legitimacy depends on three main components: universal membership, participatory and effective decision-making, fair sharing in the benefits of the system... But as the organization grows more universal, it also gains in size, complexity, heterogeneity. The club-like decision-making process of the old GATT served well an entity of a few like-minded countries but it can no longer fit one with 140 nations, China among them, with different interests and development levels. As a former participant in the green-room system of the Uruguay Round, I have to admit that it was less than fair or transparent to the many excluded contracting parties. Since the end of that Round and because of the way it ended, complaints have been accumulating against lack of participation and transparency in decisions. There has been a clear pattern of complaints leading to disappointment and this in its turn generating a feeling of a «legitimacy deficit» for the whole system in the public eye. The net result has been a growing perception that the system could become more and more difficult to manage as suggested by a series of painful episodes culminating in the inconclusive pre-Seattle preparatory process in Geneva...</p> <p>A sure way of making things even worse would be to produce an artificial consensus on the basis of texts negotiated by a few key players. In due course, this will only turn disappointment into disaffection. In effect, it is not size that makes the process cumbersome but the one-sided promotion of the interests of just one group of countries and the persistent refusal to acknowledge the legitimate interests and well-founded concerns of developing nations.”</p> | WT/MIN(99)/ST/136 Statement to the Seattle Ministerial Conference of the WTO |
| H.E. Mr. Knut Vollebæk, Minister for Foreign Affairs, Norway | 30 November 1999 | <p>“The system also faces some important systemic challenges which we collectively will have to tackle when charting the course of the organization. These could broadly be characterized by the following three words: cohesion, credibility and legitimacy...</p> <p>The cohesion of the system needs to be enhanced through firm action aimed at further integration of the developing countries into the world economy. As an important step we must secure the effective participation of all developing country Members in the WTO, with a particular attention to the needs of the LDCs.</p> <p>We agree that we should extend duty-free market access to products originating in the LDCs. We are also prepared to take the necessary steps to improve implementation of the Uruguay accords...</p> <p>We must improve the provision of trade-related technical assistance. The aim must be the development of human resources and capacity-building in developing countries. I strongly urge Members to support the proposal to secure that the technical assistance provided by the WTO be financed over the regular budgets of the organization. We must make a decision regarding special and differential treatment for developing countries. We are prepared to make existing and new provisions operational. Being one of the founders of the Advisory Centre of WTO Law, I would encourage other Members to join this important initiative...</p> | WT/MIN(99)/ST/15 Statement to the Seattle Ministerial Conference of the WTO |

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| H.E. Mr. Tofail Ahmed, M.P. Minister for Commerce and Industry, Bangladesh (Speaking on behalf of the LDC Group) | 30 November 1999 | <p>The credibility of the system requires a more transparent and open system. Furthermore, the concerns expressed in the public opinion in the fields of environment, health, employment, culture and consumer interests must be taken seriously...</p> <p>The trading system must also develop an increased awareness of core labour standards, while securing that these concerns are not misused for protectionist purposes. There is therefore a need for a dialogue between industrialized countries and developing countries about core labour standards...</p> <p>Furthermore, it is necessary to expand the horizons of the rules based multilateral trading system. The legitimacy of the system rests in it being relevant to all aspects of international trade. There is a need for the system to develop in parallel with a rapidly changing world."</p> | WT/MIN(99)/ST/17 Statement to the Seattle Ministerial Conference of the WTO |
| H.E. Mr. Murasoli Maran, Minister of Commerce and Industry, India | 30 November 1999 | <p>"A WTO Plan of Action was adopted in the Singapore Ministerial Declaration. Subsequently, the High-Level Meeting on LDCs held in Geneva in 1997 called for the creation of an Integrated Framework for Trade-Related Technical Assistance to LDCs. The Follow-Up to the High-Level Meeting on LDCs urged for speedy action relating to the Integrated Framework. Despite its importance, trade-related technical assistance under the Integrated Framework is yet to be effectively implemented. We urge the speedy implementation of all technical assistance programmes."</p> | WT/MIN(99)/ST/16 Statement to the Seattle Ministerial Conference of the WTO |
| Communication from Canada on Canadian Approach to trade and Environment in the New Wto Round | 4 October 1999 | <p>"The international civil society has shown keen interest in the activities of the WTO. While they have a vital role to play in any democratic polity, it is really for national governments to deal with civil society within their domestic domain. This responsibility cannot be and should not be transferred to the WTO. What we can and should do is to spread greater global awareness about WTO's activities."</p> <p>"We must ensure that trade policies support sustainable development and do not restrict legitimate actions to protect and preserve the environment and, at the same time, make certain that environmental policies are developed and implemented in the least trade restrictive manner necessary to accomplish the policy objective.</p> <p>The WTO Committee on Trade and Environment (CTE) has carried out a useful ongoing discussion of the relationship between trade and environmental protection...It should also apply the understanding gained during these discussions by serving as a focal point for the integration of environmental considerations in the WTO negotiations without coming to conclusions or negotiating the issues. Each negotiating group should take environmental issues into consideration to make certain that liberalized trade is consistent with, and supportive of, the achievement of sustainable development (i.e. "mainstreaming").</p> <p>The success of the GATT and the WTO has heightened public awareness of the linkages between multilateral trade agreements and domestic interests. Openness and consultation are fundamental to Canadian trade and environment policy. Canada and a number of other WTO Members are engaged in a broad range of domestic stakeholder consultations and support further outreach efforts by the WTO. Increased transparency of WTO operations, including more outreach by the Secretariat, will help maintain and build public support for the multilateral trading system. In this regard, Canada also believes that WTO Members have a responsibility to inform their domestic stakeholders with respect to the WTO negotiations and provide adequate opportunities for consultation.</p> | WT/GC/W/358 |

| AUTHOR | DATE | KEY EXCERPT(S) | SOURCE |
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| Submission by Cuba, the Dominican Republic, Egypt, El Salvador, Honduras, India, Indonesia, Malaysia, Nigeria, Pakistan, Sri Lanka and Uganda | 1 October 1999 | <p>Canada is committed to integrating sustainable development into domestic and foreign policy. The environmental review of policies and programmes, known as Strategic Environmental Assessment, is an important decision-making tool for promoting sustainable development. Canada will conduct a national Strategic Environmental Assessment of the upcoming round of multilateral trade negotiations at the WTO. We believe it would be useful for Members undertaking environmental assessments of the new round to exchange information on their approaches and their findings with other WTO Members. The benefit of this information exchange would be to highlight possible environmental impacts of the upcoming negotiations, both positive and negative, without focussing on specific countries. Another benefit would be to avoid duplication of activity between various countries and maximize the use of scarce resources. Information exchange could also be useful in increasing policy coordination between trade and environment ministries in both developed and developing countries.”</p> <p>“On implementation issues to be addressed before/at Seattle...</p> <p>In many areas of the WTO provisions, special and differential provisions are phrased only as best endeavour clauses, the implementation of which has remained ineffectual and has therefore been difficult to assess. All S&D provisions shall be converted into concrete commitments, specially to address the constraints on the supply side of developing countries.”</p> | WT/GC/W/354 |
| Mike Moore, WTO Director-General | 29 September 1999 | <p>“Even if duty free and quota free access is achieved, the supply side must be there. At present, this is often not the case in LDCs. Building up supply capacity requires investment, and investment requires interest by investors, and human and administrative capacity is needed to attract interest by investors. That’s the ‘coherence’ argument that every leader from President Clinton to President Mandela have instructed us to work on. When some in rich countries say «its too tough» to move on traditional products, I think of a country that UNCTAD named who pays up to nine times more on debt, than on public health.</p> <p>The WTO must take this into account and create, with other organizations and with bilateral donors, the capacity for LDCs to participate well in world trade. We already have a potential ‘one-stop shop’ in the so-called Integrated Framework for Trade-Related Technical Assistance to LDCs, in which WTO works with the IMF, ITC, UNCTAD, UNDP and World Bank. My task is to work with the other agencies, and if need be push them, to make the ‘IF’ a framework in which trade-related projects of real use to LDCs are carried out. A practical reality, not a promise...</p> <p>Technical assistance: At present, [the] WTO spends about 12 per cent of its budget on supporting the trade promotion and trade facilitation work of the International Trade Centre. This is important, down-to-earth, practical work. But our own core technical cooperation budget remains extremely low: CHF 741,000 (or 0.05 per cent of the WTO budget), compared to demands for technical assistance which have rocketed.</p> | Address to the Ministerial Meeting of Least-Developed Countries, United Nations, New York 29 September 1999 http://www.wto.org/english/news_e/spmm_e/spmm12_e.htm |

| AUTHOR | DATE | KEY EXCERPT(S) | SOURCE |
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| Mike Moore, WTO Director-General | 28 September 1999 | <p>Currently, part of the balance is made up from bilateral trust funds by a few donors, mostly smaller developed countries. We are grateful for this. But we need to put the whole TA budget on a more solid footing. To that end I am going to ask the Seattle meeting to approve a budget allocation of CHF 10 million annually for technical cooperation. This will mean an increase in the contribution of all Members, but in strict proportion to their ability to pay. We need this assistance not as a «honey pot» to get people to Seattle but to engage thereafter. It's in everyone's interests.</p> <p>“(iv) A reduction in the minimum assessed contribution of small economies and LDCs from 0.03 to 0.015 per cent of world trade in goods and services. This will help LDCs and other small, vulnerable economies. It has been agreed in principle by the Budget Committee and we are only awaiting final agreement by the members.</p> <p>(v) Better communication with members that do not have representation in Geneva (most of which are LDCs). As a first step, I have appointed a senior, respected, retired Ambassador from an island developing country to be a Special Representative for non-resident Members and observers and to audit our work to ensure that it is ‘development friendly’. As a second step, a ‘Geneva Briefing Week’ will be held from 1 to 5 November for non-resident members and observers. This will allow us to brief non-residents on what is going on here in Geneva, and also to hear what their needs are. It will go beyond WTO, it will involve UNCTAD, ITC, the Bank, the Fund, ILO, WIPO and ITU. I hope these will be regular meetings.</p> <p>I attach enormous importance to these initiatives, which are not a PR exercise but intended to put flesh on the bones of expressed concerns for LDCs. I believe it is crucial to achieve decisions at Seattle at least on the duty and quota free initiative and on a substantial upgrading of the Integrated Framework to a real ‘one-stop shop’ for assistance at Seattle and beyond Seattle.</p> <p>I know that Seattle is now only 61 days away and that there are hard decisions to be taken by our members. However, I am very encouraged by the statements made in Washington this weekend at the joint session of the Interim and Development Committees of the IMF and World Bank. I can see everyone gaining if we can move on ‘Good Governance’ issues such as even more transparent arrangements on government purchasing and trade facilitation.”</p> | |
| Mike Moore, WTO Director-General | 28 September 1999 | <p>“Civil society is not always civil. However, they deserve to be listened to. If we are not inclusive, we cannot expect public support.</p> <p>Not all of our critics are wrong. We can do more to make our work transparent and open. This requires the assent of governments, and there will always be a legitimate place for confidentiality, as there is in any system of law. Governments need also to engage with civil society effectively at the national level. Public opinion is as important in India as it is in the United States. Engaging civil society is the responsibility of sovereign governments, but we can do our share as well. And finally, I would like to appeal to the supporters of the system, those that see and live its benefits, to take an active role in supporting governments as they work to preserve and strengthen the multilateral trading system. Both sides of the argument need to be heard. The case for our cause should not be taken as self-evident. On the contrary, we badly need to explain ourselves.”</p> | Speech delivered by Director-General Mike Moore in Washington, D.C. to the Council on Foreign Relations. http://www.wto.org/english/news_e/spmm_e/spmm08_e.htm |

| AUTHOR | DATE | KEY EXCERPT(S) | SOURCE |
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| Mike Moore, WTO Director-General | 14 September 1999 | <p>"I would like to restate the three aims that I gave myself on my first day as Director-General:... to strengthen the WTO and its rules, to build on and maintain its reputation for integrity and fairness, and to reshape the organization to reflect the reality of its membership and their needs.</p> <p>What do these three aims mean in practice?... Second, to ensure that rules are developed in a way that developing countries can use them... Many Ministers and Ambassadors of developing countries tell me that their problems stem from the complexity of international rules, or their inability to apply them. They are correct. This is a serious concern that must be addressed... We must therefore make sure that negotiated rules are fair, well understood, and applicable, and that both time and help are given to developing countries to apply them. This will require a substantial increase in both technical and financial assistance...</p> <p>Fourth, to ensure that access to the dispute settlement mechanism is available on an equitable basis. Many of you have complained about the cost of DSU procedures and it is clear that there is an imbalance here. This must be addressed. One option is the creation of a Legal Advisory Centre, which many of our members support. There are some other good ideas as well. The instrument to achieve a better outcome is debatable, the objective is not.</p> <p>Fifth, to make sure that information about the WTO and its activities is readily available to all members, including the most vulnerable...</p> <p>The rapid growth and the complexity of the WTO's activities have become a problem for many members who have either small delegations in Geneva or none at all. We must improve the effectiveness of our communications with small delegations in Geneva and with non-residents in other European stations, and at home. We need to be sure that our information is accurate and appropriate, that it gets to the right people, and that it is usable by the Ministers and advisers who need it...</p> <p>But what the LDCs also need - like many other developing countries, but more so - is capacity building to enable them to trade, grow and diversify... Since the WTO was formed, demand for technical assistance has rocketed. We are doing our best to respond to these demands, on our own and in cooperation with other international organizations, as well as with experts from individual WTO members. We have already strengthened and diversified our training programs, which are recognized as a quality product, and these are now again under review. Anything can be improved. In this we need your advice... There can never be enough technical assistance. Success breeds new demands that have to be satisfied. We need to be able to plan for a steady increase in technical assistance to meet the new demands that will undoubtedly result from Seattle."</p> | Address by Director-General Mike Moore in Marrakesh, 14 September 1999 to the Group of 77 Ministerial Meeting http://www.wto.org/english/news_e/spmm_e/spmm04_e.htm |
| Communication by Australia to the WTO General Council - Proposal on Regional Trade Agreements | 19 May 1999 | <p>Proposes "[t]hat a new understanding of regionalism and its relationship to the multilateral trade system, involving greater precision of rules governing regional trade agreements, be established as one of the goals of a new round. Australia proposes that two bodies of work addressing systemic and procedural issues associated with regional trade agreements be completed within three years, in line with the time-frame agreed for key sectoral negotiations.</p> <p>One body of work would examine the systemic issues associated with RTAs. The relationship between RTAs and the multilateral trading system should be scrutinized, leading to clarification of the legal rights and obligations of WTO Members when negotiating RTAs.</p> | WT/GC/W/183 |

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| Communication by Norway to the WTO General Council - Proposal on Trade and Environment | 29 April 1999 | <p>The other body of work would relate to improving the procedures for the WTO's work on RTAs. Following are issues which Australia considers should be addressed in any review of WTO's rules on regionalism.</p> <ul style="list-style-type: none"> • Systemic issues - Clarifying the rights and obligations of WTO Members in establishing RTAs... • Procedural issues - Improving the efficiency and effectiveness of the WTO's Work on RTAs" ... including clarifying "the notification requirements, particularly in terms of time-frames." <p>"Environmental reviews of draft trade agreements/provisions should also be carried out in conjunction with negotiations on rules and disciplines. Economic and technical support should be given to countries that have difficulty in carrying out such reviews at national level...</p> <p>Environmental reviews should be conducted early in the negotiation process and/or near the end of the process, when draft agreements are available...</p> <p>To ensure that horizontal issues are properly considered, such as developing country concerns and aspects relating to Multilateral Environmental Agreements (MEAs), other international organizations such as UNEP, FAO and UNCTAD should be invited to attend meetings of negotiating bodies and to provide contributions...</p> <p>International organizations, especially UNEP and ISO, should be invited to attend meetings of negotiating bodies and to provide contributions...</p> <p>The responsiveness of the WTO system should be increased through integration of environmental concerns and by fostering cooperative action between WTO and other international organizations with a view to promoting sustainable development..."</p> | WT/GC/W/176 |
| Communication by Hong Kong, China to the WTO General Council - Recommendation Concerning Implementation of WTO Agreements and Decisions Relating to Regional Trade Agreements | 28 April 1999 | <p>"...proposes that the recommendations to the Third Ministerial Conference regarding the new round of multilateral trade negotiations should include the following:</p> <p>'In order to modernize the legal framework for RTAs, to provide greater security and predictability, to sustain the primacy of the multilateral trading system, and further to promote the complementarity of RTAs with it, Ministers agree that existing WTO rules and decisions relating to RTAs should be clarified and, where appropriate, reinforced.'</p> | WT/GC/W/174 |
| G-15 Ministers | 17-18 August 1999 | <p>"It was noted that some WTO members are pressing for institutional reforms and greater 'transparency' in the dispute settlement proceedings of WTO and for unrestricted access to WTO documents. It was observed that the dispute settlement process is a government to government exercise and therefore,</p> | G-15 Ministerial Communiqué on WTO Ministerial Bangalore, India, Chairman's Summary |

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| | | <p>there is a need to maintain confidentiality at all stages of the proceedings. Allowing observers to be present in the meetings of the Panel and the Appellate Body, making it obligatory to publicize the various submissions of the parties during the hearing and allowing submission of amicus curiae briefs would prejudice an objective and legal examination of issues as well as result in a situation where non-members acquire better rights than members not parties to the dispute. Thus, the issue here is not as much of 'transparency' as of the timing of disclosure of documents and of dispute settlement proceedings...</p> <p>The call by some developed countries for a greater coherence between WTO and other intergovernmental organizations was noted. It was noted that the Marrakesh Ministerial Declaration ruled against the imposition of any cross conditionalities or additional conditions being imposed by such organizations. Delegates observed that initiatives towards greater coherence need to be viewed with caution. It was agreed that closer relationship between institutions can not relieve members of the WTO from their own responsibility to keep markets open and avoid recourse to trade distorting measures. In particular, it cannot discharge the obligation of the membership to build the development dimension into the fabric of trade agreements, as undertaken in the preamble of the Marrakesh Declaration. It was also agreed that initiatives on coherence should not be used to reduce the policy options now open to developing countries to pursue their developmental needs."</p> | <p>http://ictsd.net/downloads/2008/04/g-15.pdf</p> |
| Communication from the United States to the WTO General Council on Trade and Sustainable Development | 30 July 1999 | <p>Proposes that "Ministers call upon the Committee on Trade and Environment, acting within its mandate, to serve as a forum for the identification and discussion of links between elements of the negotiating agenda and the environment and public health. The CTE should look systematically and transparently at all the areas under negotiation on a rolling basis. After an initial run through of all the areas under negotiation, the CTE would continue to look at all of the issues so that the work of the CTE could evolve as the negotiations evolve. The CTE would identify and discuss issues, but not try to reach conclusions or negotiate these issues in the CTE itself. Rather, it would provide a report of its discussions to Members and the relevant negotiating groups. Negotiations on these issues would be the responsibility of the relevant negotiating groups.</p> <p>At the national level, reviews of the round's potential environmental effects, both positive and negative, are an important means of identifying trade and environment interlinkages. The United States will be performing a written review for the new round, sufficiently early in the process to be taken into account in formulating our national positions, based, among other things, on public input. We would encourage all WTO Members to do so and are pleased to note that a number of other Members have announced their intention to conduct such reviews. We believe that it would be useful to share the results of these reviews with one another."</p> | WT/GC/W/304 |
| Mike Moore, WTO Director-General | 1 July 1999 | <p>"To gain the confidence of countries and people that have yet to be convinced, we have to reform the WTO itself. It must look like the world it represents. Many countries cannot even afford to have representatives in Geneva. Others are overwhelmed by the technical details and thousands of pieces of paper. One Ambassador from an economy in transition, when I asked him what he did, replied: 'Everything. Therefore nothing.' Equipping smaller economies with the technical and research capacity cannot wait until the Ministerial meeting in Seattle. That's the down payment they want now. This year. Capacity to engage must be built-up. That's in everybody's interest, the mighty and the modest. There can be no back-tracking on agreements already entered into. That's equally true of the biggest and the smallest nation involved.</p> | Address by Director-General Mike Moore to the New Zealand Institute of International Affairs 1 July 1999 http://www.wto.org/english/news_e/spmm_e/spmm01_e.htm |

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| OECD Ministerial Communiqué | 27 May 1999 | <p>We are proud of our disputes settlement system, where contracting parties commit themselves to the outcome. That's something we could wish were a model for other areas of international conflict. But some small economies cannot afford, nor do they have the technical skills, to pursue their legitimate self-interest. The powerful can say they are free to do so. They are. We are all free to shop at Tiffany's, but some never will."</p> <p>"The WTO must also remain fully responsive to the changing needs of the global economy and society. Ministers consider it essential that the WTO contribute to sustainable development as agreed in Marrakech, including through appropriate account being taken of environmental issues in the future trade negotiations..."</p> <p>Ministers supported continued cooperation between the ILO, WTO and OECD Secretariats and stressed the importance of facilitating a broader understanding on the issues concerned, in and among member countries...</p> <p>Ministers stressed the importance of ensuring enhanced transparency and clarity in the functioning of the WTO system. Active and constructive communication and consultation with civil society are essential for public understand of the benefits and challenges of liberalization."</p> | <p>http://www.oecd.org</p> |
| Renato Ruggiero, WTO Director-General | 13 April 1999 | <p>"Eliminating trade barriers will not be enough unless we also reduce the very serious supply-side barriers these countries face - from infrastructure and institution building, to health care, education, and social policy. This is why we have launched with UNCTAD, the ITC, the World Bank, UNDP, and the IMF a new approach to technical assistance - an integrated framework where these international institutions ask the countries themselves to design a results-oriented program tailored to their needs... Last but not least we need to strengthen the multilateral trading system by ensuring that developing countries have an equal voice in the system - and an equal stake in its success..."</p> <p>Against this background, I want to make a general but very important observation. It is absolutely vital that the WTO's negotiating agenda should be a balanced one, and should be seen to be so from a developing country perspective."</p> | <p>Address by Director-General Renato Ruggiero to the Group of 77 Preparatory Committee for UNCTAD X in Geneva</p> <p>http://www.wto.org/english/news_e/sprr_e/unct77_e.htm</p> |
| Note by WTO Secretariat on Proposals made by Delegations Regarding Review of Procedures for the Circulation and Derestriction of WTO Documents | 25 January 1999 | <p>"This note reflects the present state-of-play of the discussions and reproduces the written proposals of US/Canada (WT/GC/W/106), the European Communities (WT/GC/W/92), and Mexico (WT/GC/W/113), as well as the oral proposals for changes in the Procedures for the Circulation and Derestriction of WTO Documents (WT/L/160/Rev.1) which have been made by delegations in the course of discussions during the October General Council meeting."</p> | <p>WT/GC/W/117/Rev.1</p> |
| Statement by the European Union | 24 September 1998 | <p>"As in the Uruguay Round, we envisage future negotiations as a single undertaking, with a single timeframe as the best means to achieve results of interest to all Members. In our view, we should seek to conclude within a relatively short period of time - say, for example, within three years."</p> | <p>Statement to the General Council</p> <p>http://ictsd.net/i/news/bridges/19139</p> |

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| Statement by India | 24 September 1998 | <p>[The EU also highlighted the role of civil society as a 'systemic issue' for the WTO, together with coherence in international economic policymaking, the relationship between trade and sustainable development, and the need for cooperation between the WTO and the ILO on relevant trade and labour issues.]</p> <p>"Until the developed countries have proved the genuineness of their intentions by engaging themselves in commitments in the area of international conventions, no weight could be given, in our view, to their professed interest in safeguarding the environment through action limited to the trade and environment interface...</p> <p>As regards new issues to be raised by members, such as the proposals for initiating a new round of reduction of industrial tariffs, a High Level initiative in the sphere of Trade and Environment, an initiative to introduce greater transparency in the WTO functioning, <i>inter alia</i>, through greater involvement of 'stakeholders', or the proposal for launching a comprehensive round of trade talks, it is our perception that these initiatives are premature... Let us first address implementation problems and the built-in agenda."</p> | Statement to the General Council http://ictsd.net/i/news/bridges/19139 |
| Statement by Australia | 24 September 1998 | Negotiators "should be open to early harvests within the framework of a single undertaking." | Statement to the General Council http://ictsd.net/i/news/bridges/19139 |
| Statement by the United States to the WTO General Council | 24 September 1998 | "We should explore whether there is a way to tear down barriers without waiting for every issue in every sector to be resolved before any issue in any sector is resolved." | Statement to the General Council http://ictsd.net/i/news/bridges/19139 |
| Statement by Canadian Ambassador at the WTO General Council | 24-25 September 1998 | <p>Consideration should be given to "packaging groups of issues together for concluding negotiations at different times [to allow for an] "early harvest" of sectoral deals to be made and implemented before the conclusion of broader negotiations."</p> <p>Canada proposed that the WTO move quickly on derestricting draft agendas (airgrams), official minutes (M series), Secretariat working documents (W series) and Members' formal contributions (W series), unless the member in question objects.</p> <p>Canada also proposed that the WTO's regular budget be increased to cover enhanced outreach to civil society in the form of symposia and workshops.</p> <p>Canada also emphasized the importance of taking into account the views of civil society when developing its detailed positions.</p> | Statement to the General Council http://ictsd.net/i/news/bridges/19139 and http://ictsd.net/i/news/bridges/19133/ |
| Statement by the U.S. Ambassador at the WTO General Council | 15 July 1998 | Proposed speedier and more widespread document derestriction, calling for meeting agendas and minutes, submissions by members and Secretariat background notes to be circulated as unrestricted. | Statement to the General Council http://ictsd.net/i/news/bridges/19133/ |

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| Statement by Renato Ruggiero, WTO Director-General To WTO General Council | 15-16 July 1998 | Proposed holding regular briefings for NGOs, setting up an 'NGO forum' on the WTO website, and compilation by the WTO secretariat of a monthly list of documents received from NGOs to be circulated to member governments. | Statement to WTO General Council http://ictsd.net/i/news/bridges/19133/ |
| Communication from the European Union Regarding High Level Trade and Environment Meeting | 10 July 1998 | <p>"The main objective of holding a High-Level Meeting (HLM) of those involved in trade and environment would be to help move the policy debate forward at a political level by contributing to confidence-building and highlighting the importance of trade and environment for the WTO's present and future work as well as supporting the work to devise concrete solutions to relevant problems at the trade and environment interface...</p> <p>The HLM should be an informal and ad hoc meeting under the auspices of the WTO, convened by the WTO's Director-General. The WTO General Council, in liaison with the CTE and its chairman would play a role in the preparation of the meeting including consideration of the HLM's agenda, the timing, the participants and the choice of venue...</p> <p>The agenda should aim to stimulate a free ranging debate among participants which could enable them to make progress and provide clear political guidance on particular issues where these are ripe...</p> <p>[The submission then lists three 'horizontal subjects' for discussion, including:]</p> <p>Dialogue between trade and environment communities: This item would encompass not only the issue of co-ordination between trade and environment policy makers, but also other matters such as transparency in the WTO and relations with civil society and NGOs the extent and modalities of openness towards whom merits particular attention. Outreach to the business community also needs careful consideration...</p> <p>Greater transparency is essential to reinforce the WTO as an institution and to strengthen support for the multilateral trading system. This issue is also being dealt with at a more general policy level. Nevertheless, some aspects of this discussion, for instance the means of enhancing interaction with organizations of civil society, could still be taken up for political discussion in the HLM given their particular importance to trade and environment issues and in particular to public perception and support for the WTO."</p> | WT/L/273 |
| 1998 WTO Ministerial Declaration (Geneva) | 20 May 1998 | "The fiftieth anniversary comes at a time when the economies of a number of WTO Members are experiencing difficulties as a result of disturbances in financial markets. We take this opportunity to underline that keeping all markets open must be a key element in a durable solution to these difficulties. With this in mind, we reject the use of any protectionist measures and agree to work together in the WTO as in the IMF and the World Bank to improve the coherence of international economic policy-making with a view to maximizing the contribution that an open, rule-based trading system can make to fostering stable growth for economies at all levels of development." | WT/MIN(98)/DEC/1 |

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| | | <p>We recognize the importance of enhancing public understanding of the benefits of the multilateral trading system in order to build support for it and agree to work towards this end. In this context we will consider how to improve the transparency of WTO operations. We shall also continue to improve our efforts towards the objectives of sustained economic growth and sustainable development...We renew our commitment to ensuring that the benefits of the multilateral trading system are extended as widely as possible. We recognize the need for the system to make its own contribution in response to the particular trade interests and development needs of developing-country Members. We welcome the work already underway in the Committee on Trade and Development for reviewing the application of special provisions in the Multilateral Trade Agreements and related Ministerial Decisions in favour of developing country Members, and in particular the least-developed among them. We agree on the need for effective implementation of these special provisions.</p> <p>We remain deeply concerned over the marginalization of least-developed countries and certain small economies, and recognize the urgent need to address this issue which has been compounded by the chronic foreign debt problem facing many of them. In this context we welcome the initiatives taken by the WTO in cooperation with other agencies to implement in an integrated manner the Plan of Action for the least-developed countries which we agreed at Singapore, especially through the High-Level Meeting on Least-Developed Countries held in Geneva in October 1997. We also welcome the report of the Director-General on the follow-up of this initiative, to which we attach great importance. We commit ourselves to continue to improve market access conditions for products exported by the least-developed countries on as broad and liberal a basis as possible. We urge Members to implement the market-access commitments that they have undertaken at the High-Level Meeting...</p> <p>Full and faithful implementation of the WTO Agreement and Ministerial Decisions is imperative for the credibility of the multilateral trading system and indispensable for maintaining the momentum for expanding global trade, fostering job creation and raising standards of living in all parts of the world. When we meet at the Third Session we shall further pursue our evaluation of the implementation of individual agreements and the realization of their objectives. Such evaluation would cover, inter alia, the problems encountered in implementation and the consequent impact on the trade and development prospects of Members. We reaffirm our commitment to respect the existing schedules for reviews, negotiations and other work to which we have already agreed...</p> <p>We decide that a process will be established under the direction of the General Council to ensure full and faithful implementation of existing agreements, and to prepare for the Third Session of the Ministerial Conference. This process shall enable the General Council to submit recommendations regarding the WTO's work programme, including further liberalization sufficiently broad-based to respond to the range of interests and concerns of all Members, within the WTO framework, that will enable us to take decisions at the Third Session of the Ministerial Conference. In this regard, the General Council will meet in special session in September 1998 and periodically thereafter to ensure full and timely completion of its work, fully respecting the principle of decision-making by consensus."</p> | |

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| <p>Report by WTO Director-General To the General Council on its Decision of 24 April 2007 Regarding WTO Secretariat and Senior Management Structure</p> | <p>18 December 1997</p> | <p>“B. Current and Future Challenges</p> <p>3. There are three major challenges ahead of us:</p> <p>(a) The first arises from the fact that the composition of this new organization, in addition to being larger than that of the GATT, is very different from it. 80% of the WTO Members are developing countries or economies in transition, and among them 28 are least-developed countries. We have to find the best ways to help these countries implement their undertakings, make use of their rights and participate fully in the evolution of the system. An in-depth reflection on this matter seems imperative.</p> <p>(b) The second major challenge can be found in the accession within the next few years of 29 current candidates, including a number of major trading partners. Nearly all of them are also either developing countries or economies in transition. The problems to be faced by the Organization as a result of the accession of these candidates will call, in due course, for an overall reflection on both the human and financial resources needed to facilitate their adjustment to the complex reality of the multilateral trading system.</p> <p>(c) Moreover, to these major challenges one must add that represented by the evolution of the system itself. Through eight negotiating rounds the multilateral trading system has become both more effective and more complex. It is perhaps useful to recall here the 27’000 pages of commitments of the Uruguay Round, the creation of the new WTO, the introduction into the system of new subjects such as services and intellectual property, and - in particular - the significantly improved dispute settlement system. The Singapore Conference has reaffirmed the agenda which had emerged from the Uruguay Round, as well as the importance Members place on verifying the implementation of the commitments undertaken. Finally, a reflection has been initiated in new directions such as investment, the relationship between trade and competition, and transparency in government procurement. At the turn of the century lie the negotiations foreseen in agriculture, services, and certain aspects of TRIPS on the one hand, and reviews of agreements and commitments on the other.</p> <p>Concurrently, the evolution of the system and its effectiveness in settling disputes is drawing more and more attention from public opinion worldwide to the activities of the WTO.</p> <p>Lastly, the ongoing technological revolution - especially in digital and communications technologies - will have a strong impact on the evolution of the trading system. At this stage it is still difficult to foresee all the major changes that this will imply. However, one of the major implications of this revolution is likely to be the development of electronic commerce which will itself bring about numerous fundamental changes in the way business is conducted and the way multilateral trade rules are applied.</p> <p>4. These three challenges are fundamental to the system as a whole. They underlie a series of specific issues, including the following:</p> <p>(a) Continuing to service with the usual high level of efficiency the agreements concluded in the Uruguay Round, not the least the Dispute Settlement Understanding, and those recently concluded or under negotiation.</p> | <p>WT/GC/W/74</p> |

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| | | <p>(b) Providing both general and specific technical assistance to a growing number of Members and acceding candidates. During negotiations a growing role in assisting delegations and clarifying issues (as in Telecommunications and Financial Services), and, once negotiations are concluded, providing implementation-related assistance to Members, because of the growth in the number and diversity of Members, combined with the high level of sophistication required to legislate and implement WTO requirements, which have resulted in an ever-increasing demand for implementation assistance.</p> <p>(c) The provision of continuously improving services to Members: new facilities are being introduced and existing ones are being improved on a regular basis. In this respect adequate integration of cost-efficient, rapidly-evolving technological tools into day-to-day operations will continue to require our closest attention.</p> <p>(d) The combination of an ever-increasing number of meetings - both formal and informal - of the very large number of official WTO bodies with the associated expansion in documentation requests from Members poses a serious challenge to the capacity of the Secretariat to maintain the quality of its services while at the same time fulfilling the imperative need for maintaining cost-effectiveness. Members themselves are also facing increasing difficulties in following the activities of these meetings. The wider range of Members who have become active participants in nearly all the meetings is also worth noting in this respect.</p> <p>(e) In the immediate future, there is the organization of the Ministerial Conference in 1998 and the concurrent 50th anniversary celebrations. This will be followed by the preparation for the Ministerial Meeting which will take place at the end of 1999 or the beginning of 2000. The servicing of the negotiations and reviews which are foreseen will put a major strain on the resources of the Members and Secretariat alike.</p> <p>(f) The achievement, as a result of the agreements signed among them, of new cooperation arrangements between the WTO and major international organizations requires increased activity in liaison and cooperation, in particular in the field of technical assistance.</p> <p>(g) Pursuing and developing the dialogue with Non-Governmental Organizations (NGOs) and the private sector is a task which is absorbing significantly more resources.</p> <p>5. This enumeration of the challenges facing the Organization and its Secretariat is not intended to be exhaustive - and we can certainly count on other unforeseen challenges arising. It clearly shows, however, the scope and difficulty of the tasks involved in ensuring that the Secretariat continues to provide the service that Members expect of it.</p> <p><u>C. Management Structure</u></p> <p>...It is therefore important to define a strategy and procedures which should enable us gradually to adapt the structure of the Secretariat to emerging as well as future requirements. The first step in that direction, as it was rightly identified by the General Council, must be a review of the senior management structure.</p> | |

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| | | <p>7. The reform of the senior management structure is very much part of the manner in which the identified challenges will be addressed, as it will also condition the future organization of the Secretariat. As pointed out above, the evolution of the multilateral trading system following the conclusion of the Uruguay Round, the creation of the WTO, the rapid progress toward more interdependence and a borderless world economy have had a significant impact on the functioning of the institution. These factors have been particularly important for the senior management structure of the Secretariat, as both governmental and non-governmental entities exert more and more pressure on senior management to participate in relevant international meetings, or to explain to national constituencies the role and the agenda of the WTO. This growing external role of senior management was partially recognized by Members with regard to the NGOs. It has become quite clear that the role of senior managers has evolved from what it used to be in the GATT days. This external dimension thus should be kept in mind when examining the senior management structure of the Secretariat...</p> <p>10. I believe that the above considerations should be borne in mind in examining what is the desirable number for the second hierarchical level of the Secretariat. One also has to take into account that an important contribution of DDGs is handling, or advising the DG on, questions of significant institutional or political sensitivity. ..</p> <p>...My own preference, therefore, would go to the 1DG/2DDGs/ 1ADG-Senior Director approach...</p> <p>19. Lastly, I believe that, as was the general practice under GATT, any future DDG(s) should be retained for at least two terms of three years, subject, of course, to satisfactory service and availability. The perspective of one term only is not likely to attract and bring in the best senior candidates.</p> <p><u>D. Functioning and Operational Efficiency of the Secretariat</u></p> <p>...we are in a position to indicate a number of improvements to the functioning of the Secretariat 1) which have already been realized; 2) which are being implemented; or 3) which are being considered...</p> <p>23. Any further measures to be envisaged would have to be based on the assumptions that in our attempt at maintaining, and improving wherever feasible, the high quality of our services:</p> <p>(a) The primary consideration is efficiency and consequently staff resources are retained on the basis of performance and acquired on the basis of qualifications and expertise;</p> <p>(b) the number of DDGs will be reduced significantly, as expressed in the Decision under discussion in this report;</p> <p>(c) the right package of conditions of service are put into place upon the establishment of the WTO Secretariat;</p> <p>(d) ... it would make a great difference, both cost- and efficiency-wise, if the Secretariat were not to continue to deal only with the existing three official languages...It can be estimated that any additional language would represent additional costs of more than one third of the same budget, because the Secretariat would be starting from zero in any of them, a large increase in personnel would be needed, as would additional office space and eventually a new building; and</p> | |

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| | | <p>(e) Members can and will exercise maximum self-restraint in their documentation requests on the one hand and work with each other and chairmen to limit also the demands for meetings. This is clearly one area where Members can help the Secretariat remain small, that is by scaling down their documentary expectations and the number of meetings.</p> <p>Specific Improvements:</p> <p>(1) Improvements which have already been realized</p> <p>24. Members have been offered a whole series of documentation facilities, whether through computer networking improvements or physical arrangements in the Centre William Rappard. The development of the WTO World Wide Web site has given even greater satisfaction than expected...</p> <p>25. The recruitment policy we have been pursuing recently has gone a long way in meeting Members' concern about broadening the base of representation in the Secretariat without having recourse to geographical quotas...</p> <p>26. We have also been for some time now progressively implementing results of the management audit performed for the GATT/WTO by the management consultants 'Deloitte and Touche' in December 1994, as they emerged from the discussion of their report with Members. You will recall that these consultants had come up with similar conclusions to those arrived at by other organizations regarding the three main phases of the planning cycle, namely: (1) setting the strategic objectives; (2) allocating resources; and (3) measuring the outcome. We have in this respect implemented budget decentralization giving each division a set of objectives to fulfil; we are currently exploring ways of carrying the process further. We are equally looking closely at the allocation of human resources and all aspects of personnel policy, including the balance between professional and general service staff.</p> <p>27. Serious efforts have already been made in containing increases in expenditures, notably in certain areas such as travel, communications, documentation, etc., and these will continue.</p> <p>(2) Measures which are being or are about to be implemented...</p> <p>(a) Reorganization of functions and measures for allocation of human resources: e.g., allowing for maximum flexibility in redeploying resources and re-allocating functions among Divisions and Departments; and recourse to Task Forces. We are currently considering various ways of reorganizing the Secretariat with a view to making any desired organizational changes sufficiently in advance of the various important commitments facing us from next year onward, and in light of the Members' expected decision on the senior management structure. The approaches being considered include:</p> <p>(i) Refocusing divisions' mandates in certain areas to respond to evolving needs;</p> <p>(ii) adopting a flexible approach to regrouping complementary activities, relocating functions, or, as appropriate, creating new units for more focused handling of issues; and</p> <p>(iii) increased coordination of certain functions through the creation of special task forces.</p> | |

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| | | <p>(b) General managerial measures: e.g., continued reliance on management by objectives, developing and refining our methods for assessing the performance of the organization's output; improving coordination of overall activity and communications; and seeking further productivity increases through continued improvements of facilities and methods of work. Special efforts are also being made to strengthen team work and collegial spirit.</p> <p>(c) Finance- and budget-related measures: e.g., continuing to seek cost-effectiveness in all areas of activity; pursuing as far as justifiable and practicable the internal budget decentralization process; designing or further refining analytical tools (the recent acquisition of new software will help to improve the procedures for controlling and reporting). We are currently examining various ways of improving cost-effectiveness by giving a more commercial orientation to our activities where appropriate, in particular in the area of publications sales. We have also been experimenting with outsourcing in some areas of our activities, e.g. contracting out some aspects of translation and publication. Further recourse to this practice is awaiting the results of this experiment.</p> <p>(d) Staff-related measures: I should stress here that we attach great importance to internal staff mobility, which we consider as an important responsibility of the Management of the Organization... These measures will also include repeating management training courses for directorate and other senior professional echelons; and increasing the availability and diversity of training for all staff. Even if the adoption of definitive conditions of service of the Secretariat is still pending, we have already tightened and improved our staff performance evaluation procedures. Lastly, we are in the process of completing a major job classification exercise, the results of which will provide a useful complementary management tool, in particular in the area of promotion and recruitment.</p> <p>(3) Other measures being considered</p> <p>29. In addressing the operational efficiency of the WTO Secretariat, we are carefully studying and will be drawing on, as appropriate, relevant measures which have emerged from recent reform audits in other international organizations. This is particularly the case in administrative, budgetary and personnel management and our efforts at putting some of our operations on a more commercial basis.</p> <p>30. At the same time, I also firmly believe that the additional efficiency measures we should envisage first and foremost are those that have been built into the package of proposed conditions of service for an independent Secretariat outside the UN common system. A close examination of these measures shows clearly how their implementation would have a strongly positive effect on the functioning of the Secretariat...</p> <p>31. We see these efficiency measures as part of a comprehensive package which encompasses all of the following: putting in place an appropriate senior management structure; preserving proven methods of work acquired in several areas over many years, introducing modernized and cost-effective conditions of service, and implementing more detailed management reforms in the conduct of our operations. We have the opportunity to secure this package of reforms, account being taken of reforms in other organizations and fully in line with preoccupations expressed elsewhere. I believe this whole package is only possible in an independent Secretariat and outside the Common System, as the response from the ICSC, which you have seen separately, has shown. Moreover, the package can be implemented under cost-neutral conditions, as certified by the UK Government Actuary.</p> | |

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| | | <p>32. I would also like to stress that in examining the operational efficiency of the Secretariat, Members should also bear in mind the following considerations. The Secretariat's workload is largely, if not entirely, demand-driven - by meetings that are requested, by requests for technical assistance, by the establishment of panels and by the length of delegations' submissions and WTO bodies' reports requiring translation and distribution. We, in the Secretariat, have little control over these aspects. Other decisions, also, clearly belong to the Members such as on the senior management structure and the selection of a new Director-General. On the other hand, however, we see a primary responsibility of the Secretariat for the detailed management of its functioning and in the implementation of measures aimed at the smooth and cost-effective conduct of its operations. We can seek economies and better use of the resources at our disposal. This is what we are doing.</p> <p>...If, indeed, Members can come relatively quickly to the right decisions on the Secretariat's conditions of service and the number of DDGs, I would expect that the Secretariat will continue to deliver on Members' expectations concerning cost-effectiveness and efficiency. Members now have a unique opportunity to create the necessary healthy environment and set in place all the conditions for efficient management of the WTO's resources in the important years to come and on the eve of another era of negotiations, reviews, etc. This is the first time that Members are in a position to address simultaneously all the key elements of the functioning of the Organization: establishing the Secretariat and its conditions of service and determining the senior structure; and providing general strategic and policy guidance to the Secretariat..."</p> | |
| WTO General Council Decision on WTO Secretariat and Senior Management Structure | 24 April 1997 | <p>The members decide to "...request the Director-General to submit a report with his recommendations to the General Council as soon as possible but not later than October 1997 on how the functioning and operational efficiency of the Secretariat might be enhanced to meet challenges facing the organization, including through a rationalization of the senior management structure in the light of Members' intention to reduce significantly the number of Deputy Directors-General."</p> | WT/L/207 |
| 1996 WTO Ministerial Declaration (Singapore) | 13 December 1996 | <p>"We, the Ministers, have met in Singapore from 9 to 13 December 1996 for the first regular biennial meeting of the WTO at Ministerial level, as called for in Article IV of the Agreement Establishing the World Trade Organization, to further strengthen the WTO as a forum for negotiation, the continuing liberalization of trade within a rule-based system, and the multilateral review and assessment of trade policies, and in particular to:</p> <ul style="list-style-type: none"> • assess the implementation of our commitments under the WTO Agreements and decisions; • review the ongoing negotiations and Work Programme; • examine developments in world trade; and • address the challenges of an evolving world economy... | WT/MIN(96)/DEC |

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| | | <p><u>Marginalization</u></p> <p>We commit ourselves to address the problem of marginalization for least-developed countries, and the risk of it for certain developing countries. We will also continue to work for greater coherence in international economic policy-making and for improved coordination between the WTO and other agencies in providing technical assistance...</p> <p><u>Role of the WTO</u></p> <p>... The expansion and extent of regional trade agreements make it important to analyse whether the system of WTO rights and obligations as it relates to regional trade agreements needs to be further clarified. We reaffirm the primacy of the multilateral trading system, which includes a framework for the development of regional trade agreements, and we renew our commitment to ensure that regional trade agreements are complementary to it and consistent with its rules. In this regard, we welcome the establishment and endorse the work of the new Committee on Regional Trade Agreements. We shall continue to work through progressive liberalization in the WTO as we are committed in the WTO Agreement and Decisions adopted at Marrakesh, and in so doing facilitate mutually supportive processes of global and regional trade liberalization.</p> <p><u>Notifications</u></p> <p>Compliance with notification requirements has not been fully satisfactory. Because the WTO system relies on mutual monitoring as a means to assess implementation, those Members which have not submitted notifications in a timely manner, or whose notifications are not complete, should renew their efforts. At the same time, the relevant bodies should take appropriate steps to promote full compliance while considering practical proposals for simplifying the notification process.</p> <p><u>Developing Countries</u></p> <p>...we recall that the WTO Agreement embodies provisions conferring differential and more favourable treatment for developing countries, including special attention to the particular situation of least-developed countries. We acknowledge the fact that developing country Members have undertaken significant new commitments, both substantive and procedural, and we recognize the range and complexity of the efforts that they are making to comply with them. In order to assist them in these efforts, including those with respect to notification and legislative requirements, we will improve the availability of technical assistance under the agreed guidelines...</p> <p><u>Least Developed Countries</u></p> <p>We remain concerned by the problems of the least-developed countries and have agreed to:</p> <ul style="list-style-type: none"> • a Plan of Action, including provision for taking positive measures, for example duty-free access, on an autonomous basis, aimed at improving their overall capacity to respond to the opportunities offered by the trading system; | |

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| WTO General Council Decision | 18 July 1996 | <ul style="list-style-type: none"> • seek to give operational content to the Plan of Action, for example, by enhancing conditions for investment and providing predictable and favourable market access conditions for LDCs' products, to foster the expansion and diversification of their exports to the markets of all developed countries; and in the case of relevant developing countries in the context of the Global System of Trade Preferences; and • organize a meeting with UNCTAD and the International Trade Centre as soon as possible in 1997, with the participation of aid agencies, multilateral financial institutions and least-developed countries to foster an integrated approach to assisting these countries in enhancing their trading opportunities. <p>....In the organization of the work referred to in paragraphs 20 and 21, careful attention will be given to minimizing the burdens on delegations, especially those with more limited resources, and to coordinating meetings with those of relevant UNCTAD bodies. The technical cooperation programme of the Secretariat will be available to developing and, in particular, least-developed country Members to facilitate their participation in this work."</p> | WTO/L/162 WTO's Guidelines for Arrangements with NGOs according to Article V:2 of the Agreement Establishing the WTO |

| AUTHOR | DATE | KEY EXCERPT(S) | SOURCE |
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| General Council Decision on Procedures for the Circulation and Derestriction of WTO Documents | 18 July 1996 | <p>“Documents circulated after the date of entry into force of the Marrakesh Agreement Establishing the World Trade Organization (hereinafter referred to as «WTO Agreement») in any WTO document series shall be circulated as unrestricted with the exception of documents specified in the attached Appendix, which shall be circulated as restricted and subject to derestriction, or consideration thereof, as provided. Notwithstanding the exceptions specified in the Appendix, any document that contains only information that is publicly available or information that is required to be published under any agreement in Annex 1, 2 or 3 of the WTO Agreement shall be circulated on an unrestricted basis.</p> <p>Notwithstanding the exceptions to paragraph 1 set forth in the Appendix,</p> <p>(a) any Member may, at the time it submits any document for circulation, indicate to the Secretariat that the document be issued as unrestricted ; and</p> <p>(b) any restricted document circulated after the date of entry into force of the WTO Agreement may be considered for derestriction at any time by the Ministerial Conference, the General Council, or the body under the auspices of which the document was circulated, or may be considered for derestriction at the request of any Member.</p> <p>Requests for consideration for derestriction shall be made in writing and shall be directed to the Chairman of the Ministerial Conference, the General Council or the relevant WTO body. Such requests shall be circulated to all Members and placed on the agenda of a forthcoming meeting of the body concerned for consideration...</p> <p>The Secretariat shall prepare and circulate a list of all documents eligible for consideration for derestriction, indicating the proposed date of derestriction, which shall normally be sixty days after the circulation of the list. These documents shall be derestricted on the date set forth in the notice unless, prior to that date, a Member notifies the Secretariat in writing of its objection to the derestriction of a document, or any portion of a document. If a document⁴ considered for derestriction is not derestricted because of an objection by any Member, and remains restricted at the end of the first year following the year in which an objection was raised, the document shall be considered for derestriction at that time.</p> <p>The Secretariat will circulate periodically (e.g., every six months) a list of newly derestricted documents, as well as a list of all documents remaining restricted.”</p> | WT/L/160/Rev.1 |

ANNEX II: SELECTED MAPPING OF A SAMPLE OF WTO REFORM PROPOSALS

Note: This Annex is intended to offer an illustrative not systematic sample of WTO reform proposals. As part of a paper in Discussion Draft format, it remains a work-in-progress. The samples were selected from a vast and growing literature. The Annex focuses on eight core areas of the WTO system's functioning as well as on the WTO's general management and internal administration. It is notable that no similar comprehensive review of proposals across the range of WTO functions exists. As with any task of this nature, choices were necessary in respect of what to include and the categorization of proposals, with the attendant risk that some important topics or proposals may have been omitted or diluted or may recur across categories. Further, many WTO reform proposals are linked to wider debates on the reform of the global governance of trade and indeed on global economic governance more broadly. While this Annex does capture some of this broader concern, our focus was more narrowly on the specific proposals for reforms to the WTO's functioning (or what is often called 'institutional reform'). For further explanation of the purpose and scope of this Annex - and the approach to categorization of proposals - please see the Overview of this report.

In brief, the Annex does not aim to cover all of the issues and challenges facing the WTO, nor the issues on the current Doha negotiating agenda, nor questions surrounding the appropriate substantive 'post-Doha' agenda at the WTO. That said, some of the topics addressed are simultaneously the subject of negotiations in the Doha Round (e.g., DSU reform, the challenges associated with Regional Trade Agreements, and the operationalisation of Special and Differential Treatment provisions). On these matters, the Annex does not aim to summarize or cover the range of negotiating proposals in play, but rather to highlight the breadth of proposals, including those not under negotiation.

For each of the topics covered in the Annex, the respective tables present only a sample of the diversity of proposals and many of these have been made concurrently by a number of different advocates, sometimes in written form but also in presentations and workshops. As a supplement to proposals included in the Annex, an extensive bibliography provides suggestions of further reading and contributions. Importantly, while many of the works relevant to WTO reform contain detailed analysis and critique, but less by the way of specific reform proposals or concrete alternative visions. The emphasis of the bibliography is on those latter works. Some issues included in the Annex have been subject to much greater reflection (e.g., the DSU and the WTO negotiating process) than others (e.g., the WTO's research function). In many areas, there has been considerable evolution of the policy debate. Several earlier proposals have, for instance, now been taken on board to varying degrees (and with varying impact) by WTO members or by the WTO Secretariat.

In terms of the organization of the Annex, there is some overlap between the tables and issues. There is, for instance, a section on proposals related to WTO decision-making in Table 2, and many similar proposals also arise in Table 3 on the negotiation function. We have signaled some of this overlap by cross-referencing tables. Within each table, proposals are listed in reverse date order. Due to space requirements, some proposals have been paraphrased and others excerpted directly from their original source. In order to capture the diversity of perspectives that prompt reform proposals, we have included where stated relevant comments from the authors of proposals, as well as their stated objectives and assumptions. Input from readers regarding additional proposals and relevant references is welcome.

| AREA OF REFORM | SPECIFIC FOCUS |
|--|---|
| Table 1. WTO Management and Internal Administration | Secretariat Role and Responsibilities |
| | Role and Election of Director-General |
| | Internal Management |
| | Secretariat Resources and Budgetary Process |
| | Internal Transparency |
| | Secretariat Relationship with Stakeholders |
| WTO System Functions | |
| Table 2. Strategic Direction, Policy Dialogue and Problem-solving Function | The Ministerial Conference |
| | Proposals for Additional Mechanisms for Political Leadership as well as Expert and Stakeholder Fora |
| | WTO Decision-making Process |
| | WTO Mandate, Scope and the Role of Principles |
| | Negotiation Process |
| | Role of Chairs in Negotiations |
| Table 3. Negotiation Function | Accession Process |
| | Regular Work of WTO Committees |
| | Assessment of Negotiations and Agreements |
| | Involvement of Parliamentarians and Stakeholders in Negotiations |
| | Developing Country Capacity to Use and Benefit from the Dispute Settlement System |
| | Mediation and Alternative Processes |
| Table 4. Dispute Settlement Function | Transparency and Publication Participation |
| | Role of Panels and the Appellate Body |
| | Compliance |
| | Relationship with other sources of international law, international tribunals and international organizations |
| | The Trade Policy Review Mechanism |
| | Notifications |
| Table 5. Monitoring and Evaluation Function | Monitoring Work in WTO Regular Committees |
| | Possible Additional Monitoring, Assessment and Evaluation Mechanisms |
| | Governance of Aid for Trade and Capacity Building |
| | Content of Aid for Trade, Capacity Building, Technical Assistance and Training |
| | Monitoring of Aid for Trade and Capacity Building |
| | Assistance for Improving Developing Country Representation at WTO |
| Table 7. Outreach Function | Transparency, Public Participation and Access to Information |
| | Transparency and the Role of Non-State Actors and Transparency at National Level |
| Table 8. International Cooperation and Coordination Function | Managing Preferential, Regional and Bilateral Trade Agreements |
| | WTO's Relationship with other International Organizations |
| table 9. Research Function | |

TABLE 1: WTO MANAGEMENT AND INTERNAL ADMINISTRATION

| SPECIFIC FOCUS | PROPOSAL | PROPOSER/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
|--|--|--------------------------------|--|--|
| <i>Secretariat Role and Responsibilities</i> | <p>Introduce conflict of interest rules, lobbying limits and post-employment work restrictions for Secretariat staff to isolate decision-makers from politics.</p> <p>Require disclosure of Secretariat staff's involvement in negotiations, policymaking discussions, advice in dispute settlement proceedings, or forbidden private contacts with parties (p.23).</p> | Alvarez, 2009 | <p>To enhance the actual and perceived neutrality of the Secretariat.</p> <p>To ensure the WTO Secretariat is seen to be promoting shared global values not those of the most powerful members.</p> | <p>Note also the discussion of culture of the Secretariat and its relationship to the reform agenda in Van den Bossche and Alexivicova, 2005 (p. 687).</p> |
| | <p>Permit and encourage the Secretariat to take a more proactive role, such as in conducting research and developing proposals for negotiations and rule-making.</p> <p>Prepare a comparative analysis on the functions of Secretariats and heads of other international organizations (p. 32).</p> <p>“We do not agree...that it is a proper role for the Secretariat to be the defenders of the WTO system and the public voice of the WTO to the outside world” (p. 26).</p> | Steger and Shpilkovskaya, 2009 | <p>To enable the Secretariat to play a much stronger intellectual role in negotiations and rule-making.</p> <p>To promote more effective use of the knowledge and technical capacity of the Secretariat.</p> | |
| | <p>Reconsider the most appropriate decision-making processes for the distinct functions the WTO system serves (e.g., negotiation, capacity-building, problem-solving, monitoring, research and information-exchange, and dispute settlement). Each function may demand different roles for the WTO Secretariat, its Director-General, coalitions of WTO Members, and non-state stakeholders, whether from business, academia, or civil society.</p> <p>Calls to expand the WTO Secretariat should be approached cautiously; governments should carefully identify which particular aspects of the WTO's functions warrant the investment of greater resources in the Secretariat over other multilateral organizations or actors at the regional and national level.</p> | Deere-Birkbeck, 2009 | | |
| | <p>Argues for a stronger role for the Secretariat but notes that more analytical work is needed to overcome the cultural obstacles of delegating supplementary power to the Secretariat (p. 10).</p> | Elsig, 2008 | <p>Making negotiation processes more efficient and improving organizational performance.</p> | |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
|----------------|---|------------------------------------|---|---|
| | <p>Expand the WTO Secretariat by creating two new bodies. The first would be responsible for assessing the impacts of proposed trade agreements on development and developing countries, and could also assess the impact of proposed new bilateral or regional trade agreements on the multilateral system. The second ‘independent’ body would assess countries in crisis, to adjudicate and approve the imposition of trade restrictions (‘safeguard measures’) and to investigate dumping charges, countervailing duties, and phytosanitary conditions.</p> | <p>Stiglitz and Charlton, 2005</p> | | <p>Also see Table 5 on monitoring, assessment and evaluation.</p> |
| | <p>The Sutherland Reports recommendations on strengthening the role of the Director-General and the Secretariat should be supported and taken forward by members. ‘However, the WTO must converge internally on a minimum set of trade policy guidelines and a broad vision in order to build up an <i>acqui</i> that the Director-General and secretariat can advance on behalf of the memberships (p. 145).</p> | <p>Ismail, 2007</p> | | |
| | <p>The role of the Secretariat as the guardian of the WTO system should be reaffirmed.</p> <p>“The WTO needs a convincing and persistent institutional voice of its own. If members are not prepared to defend and promote the principles they subscribe to, then the Secretariat must be free to do so. Indeed, it should be encouraged, even required, to do so” (para 361).</p> <p>The Director-General and Secretariat should have the capacity and the standing to be at the center of negotiations during Ministerial meetings. Deputy Directors-General and divisional Directors should work alongside facilitators throughout the proceedings (see conclusions p. 79-86).</p> | <p>Sutherland Report, 2004</p> | <p>Getting the best out of the Director-General and Secretariat (see conclusions p. 79-86).</p> | |
| | <p>The WTO Secretariat could be enabled to provide better support to members who need it most, if the membership priorities and properly resources this objective. Enhancing the role of the Secretariat could increase its capacity to respond to the analysis and capacity development needs of developing countries. But there are concerns that the WTO’s technical assistance does not pay adequate attention to the development costs and benefits of the WTO’s agreements, and to the opportunity costs of complying with them. As such,</p> | <p>UNDP, 2003</p> | | |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| | <p>any boost in resources would need to be accompanied by stronger mechanisms for monitoring and evaluation. Further, attention should also be paid to boosting the roles of other organizations, such as UNCTAD, UNDP, the South Centre and some NGOs already involved in working to strengthen developing countries' capacity in this area.</p> | | | |
| | <p>The Secretariat must maintain neutrality during preparations for Ministerial Conferences.</p> | TWN et al, 2003 | | |
| | <p>The neutrality and impartiality of the Secretariat should be observed during Ministerial Conferences.</p> <p>The WTO should be impartial and should be seen to be impartial in all decision making. In particular it should not be seen to be taking sides with more powerful countries at the expense of the interests of developing countries.</p> <p>There should be institutional and structural separation between the WTO Secretariat and the work of servicing panels and the Appellate Body (which can be carried out by an independent bureaucracy); restrictions on the behind-the-scenes role of the WTO Secretariat (it should play its role, if any, in the open, before the panel and in the presence of parties to the dispute); Appellate Body members should receive legal advice from the pleadings and arguments of the parties about the law, not from the Secretariat.</p> | TWN, 2001 | | <p>The author argues that the WTO Secretariat has been playing a major and inappropriate role in guiding the dispute settlement system, raising questions about the impartiality of the Secretariat and the System.</p> <p><i>Also see further proposals from author in Table 4 on dispute settlement function.</i></p> |
| | <p>The way in which the Director General and some staff of the secretariat have pushed the trade liberalisation agenda and the idea of launching a new trade round at Doha, despite opposition from many developing country members, has raised questions on the consistency and "neutrality" of the WTO secretariat in this so-called "member-driven" organisation.</p> <p><i>For further discussion of the appropriate role of the Secretariat in negotiations, see Table 3.</i></p> | WWF et al, 2001 | | |
| Role and Election of Director-General | <p>Enhance the role of the Director-General, modeled according to the role of the IMF's Managing Director (p. 22).</p> | Alvarez, 2009 | <p>To increase the autonomy of the Director-General and enable the DG to serve as a co-agenda setter of the organization (see p. 22).</p> | |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
|----------------|--|---|--|--|
| | <p>Even where there is only nominee for the post of Director-General, WTO Members must use the appointment process to ensure that there is vigorous debate on the challenges facing the organization and the changes the Director-General should pursue. They must then provide a clear mandate to the Director-General. The candidate should seize the opportunity to explicitly and publicly present a forward-looking vision for the multilateral trading system, the WTO system and its Secretariat, and propose a comprehensive action plan for his or her term for Members to consider.</p> <p>The election/appointment process must include a consultative process with member states and with stakeholders - including business communities and NGOs across the world, as well as academics - to reflect on the performance of the organization and debate how the multilateral trading system should address the myriad social, development and environmental challenges and expectations it confronts.</p> | <p>Deere-Birkbeck, 2009</p> | <p>To build public understanding of the institution, boost public accountability, and bolster the legitimacy of the multilateral trading system.</p> | |
| | <p>Enhance the ability of the WTO DG to play a more effective role leading and guiding policy debate (p.32).</p> <p>The DG's function should be limited to a relatively non-political role, which many developed countries think should be the proper role of the DG, as being head of a neutral service-oriented WTO Secretariat (p. 1).</p> | <p>Steger, 2009</p> <p>South Centre, 2008</p> | | <p>"The role of the Director-General, as the Chair of the Trade Negotiations Committee (TNC), as a central figure in the negotiations has seen a resurgence with the DG raising textual suggestions reflecting his sense of the negotiating balance and ministers responding to such suggestions...In these negotiations, the DG has become an active negotiating participant. In such a role, the DG will have difficulty remaining neutral with respect to the competing interests of his negotiating partners".</p> |
| | <p>Identifying and appointing the best candidate for the post is crucial, especially in light of the difficulties that Members have experienced in the past in selecting previous WTO DGs.</p> | <p>South Centre, 2005</p> | | |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
|----------------|--|-------------------------|---|------------------------------|
| | <p>The development of developing countries through trade is a major institutional objective of the WTO. Hence, the successful candidate's willingness and commitment to put the development of developing countries at the core of his and the WTO's agenda once appointed should be a primary consideration for his appointment. Candidates should, therefore, have: (i) A demonstrated commitment to trade for development; (ii) Strong principled convictions and personal integrity to withstand political pressure; (iii) A global vision of peace and prosperity; (iv) Consensus building capacity (diplomatic skills); (v) Intellectual and leadership qualities; (vi) Energy (fitness); (vii) Public image (relationships with media, civil society, etc.)</p> | Sutherland Report, 2004 | To get the best out of the Director-General and Secretariat (see conclusions p. 79-83). | |
| | <p>Furthermore, the process of selecting from among the candidates the best person for the post is as important as selecting the appointee himself. A flawed process may result in a flawed appointment and engender future organizational difficulties. Hence, it is very important that the process is transparent, participatory, and inclusive of the views of all Members. "Active" consensus on the selection should be sought and there should not be any changes in the one Member-one vote rule should any voting take place.</p> | Barfield, 2001 | | |
| | <p>Give more authority and political stature to the WTO Director-General (p. 114).</p> <p>The WTO is missing the "legitimizing activity of broadly based politicians speaking directly to domestic publics. This may have mattered less when [nontrade] issues were less linked. . . . But with the linkage of issues, there is a need for the involvement of politicians who can link specific organizations and policies with a broader range of issues through electoral accountability."</p> <p>Create a strong office of the Director-General—a move that would surely be resisted by many governments. But having an institutionally empowered Director-General would not be sufficient. Somehow, that Director-General would have to identify the constituencies that would be relevant, and develop institutionalized ties with them."</p> | Keohane and Nye, 2000 | To address the WTO's democratic deficit. | |
| | <p><i>For more on role of the Director-General in negotiations, see Table 3.</i></p> | | | |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
|--|--|-------------------------|--|------------------------------|
| <i>Internal Management</i> | <p>A formal, limited-membership management committee or executive board within the WTO should be established (p.32). Suggested functions of this committee include supervising the general administration of the budget and the Secretariat, planning for Ministerial Conferences and important meetings, priority-setting for future negotiations, and selection of future Directors-General and Deputy-Directors-General.</p> | Steger, 2009 | | |
| | <p>Strengthen the management culture in the Secretariat, perhaps through the appointment of a Chief Executive Officer who would be the equivalent of a deputy to the Director-General (see conclusions p.79-83).</p> | Sutherland Report, 2004 | To get the best out of the Director-General and Secretariat (see conclusions p.79-83). | |
| | <p>Address the “Anglo Saxon” atmosphere of the WTO, and the very weak representation of developing countries in the composition of the Secretariat staff. Of the current 512 staff, 410 are from developed countries compared to 94 from developing countries.</p> | WWF et al, 2001 | | |
| | <p>The creation of any permanent body, such as an executive body, should be opposed by the UK Government as it would reduce, rather than increase, internal democracy.</p> | Action Aid et al, 2000 | | |
| | <p>Ensure a Secretariat with equitable geographic representation</p> | SEATINI, 2000 | | |
| <i>Secretariat Resources and Budgetary Process</i> | <p>Proposals for boosting the Secretariat’s resources and size should only be made after consideration on a function-by-function basis of the distribution among members of the benefits of increased Secretariat resources, the mechanisms for ensuring Secretariat neutrality, oversight by members of the Secretariat’s activities and alternative options and mechanisms for providing the services under consideration. In many cases, there may be a case for improving how the multilateral trading system delivers on its functions, but without the need for resorting to the Secretariat as the key ‘supplier’ but rather the role of that other international organizations and independent bodies, research centres, NGOs, etc at the international, regional and national level might play in helping to improve how the WTO system’s functions are provided.</p> <p>In particular, efforts should be made to ensure that where possible efforts are made to channel resources to boost regional and national capacity - and the initiatives of developing countries - rather than building a larger cadre of Geneva-based bureaucrats and international consultants.</p> | Deere-Birkbeck, 2009 | | |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
|-------------------------------------|--|---|---|---|
| | <p>A vast increase in the WTO budget may not be realistic in the current climate but there will certainly need to be meaningful increases and annual growth rates in excess of other better-funded institutions (see conclusions p. 79-86).</p> <p>The administrative and financial implications of a more active program of civil society engagement should be carefully assessed (see conclusions p.79-83).</p> <p>Improved WTO relationships with civil society cannot be achieved without more resources (see conclusions p. 79-83).</p> | <p>Sutherland Report, 2004</p> | <p>To get the best out of the Director-General and Secretariat (see conclusions p. 79-86).</p> <p>To improve relations with civil society</p> | |
| | <p>Strengthen the WTO Secretariat TPRM division with resources to enable it to broaden the scope of the TPRM (such as to include a review of the domestic policymaking process).</p> <p>Also see <i>Table 5 on Monitoring, Assessment and Evaluation</i>.</p> | <p>Ostry, 2002</p> | | <p>The author notes that the review would need to recognize that the trade policy process will vary according to the a country's history, culture, institutions, etc.</p> |
| | <p>Enhance the Regular Budget of the WTO to greatly increase the technical assistance resources available to developing countries.</p> | <p>Sampson, 2000</p> | <p>To enable developing countries to have the capacity to engage in and benefit from future negotiations.</p> | |
| | <p>Boost WTO Secretariat resources to help lower-income members to deal with the new system and prepare for the next round of negotiations.</p> <p>Boost resources available for the Trade Policy Review process and for research.</p> | <p>Blackhurst, 1997, 2001</p> | <p>To improve implementation and prepare countries for further negotiations.</p> | <p>The author notes that the need for technical assistance among the WTO's low-income members exceeds by a 'wide margin' anything seen under the GATT (p. 65).</p> |
| | <p>For further proposals related to the use of trust funds the WTO regular budget for technical assistance, see <i>Table 7</i>.</p> | | | |
| <p><i>Internal Transparency</i></p> | <p>All WTO documents should be declassified and published immediately on presentation, so as to increase the organisation's transparency worldwide.</p> <p>All WTO documents should be available for public circulation via the WTO website as derestricted at the time governments receive them. The only exceptions should be those that contain genuine secrets or where public access to their contents would jeopardize the negotiating position of individual members.</p> | <p>CAFOD et al, 2002</p> <p>Sampson, 2000</p> | | |

| SPECIFIC FOCUS | PROPOSAL | PROPOSER/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
|--|--|------------------|------------------|------------------------------|
| | <p>Secretariat background notes, minutes and agendas of meetings should be derestricted at the time they are circulated to governments.</p> <p>Documents related to the TPRM should continue to be subject to current procedures, whereby they are derestricted upon expiration of the press embargo.</p> <p>Make WTO dispute panel and Appellate Body Reports available more quickly.</p> | | | |
| <p>Secretariat Relationship with Stakeholders</p> | <p>See <i>Table 6 on Outreach and External Transparency below and Table 2 on Strategic Direction.</i></p> | | | |

TABLE 2: STRATEGIC DIRECTION, POLICY DIALOGUE AND PROBLEM-SOLVING

| SPECIFIC FOCUS | PROPOSAL | PROPOSER/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
|-------------------------------|---|-------------------------|---|---|
| <i>Ministerial Conference</i> | <p>WTO members should fulfil their mandate to meet every WTO years at a Ministerial Conference. Regularizing the holding of the Conference will help ensure that trade ministers fulfill their board responsibilities to set the WTO's strategic direction, provide budgetary oversight, approve work programs, and supply political leadership to address critical economic, political, social, and environmental challenges.</p> <p>The regularity and predictability of ministerial-level meetings are vital to the good governance of any international organization, most of which have boards that meet at least annually. Effective governance demands attention to processes that foster dialogue, accountability and transparency. These processes matter most when tensions are highest. The absence of regularity breeds anxiety about unequal participation in decision-making and creates unhelpful expectations that ministerial meetings must have momentous outcomes.</p> | Deere-Birkbeck, 2009 | To provide an opportunity for political leaders to build public understanding of the importance of multilateral trade rules and the public credibility of the World Trade Organization (WTO) as their guardian. | The Ministerial Conference is the only formal forum the WTO system currently has for ministerial-level policy discussion and agenda-setting that engages all members. Over the past decade, WTO Ministerial meetings have been dominated by efforts to launch and conclude the Doha Round or bypassed altogether in favor of informal mini-ministerials, usually focused on limited aspects of the negotiations, and sometimes hosted not so informally by the WTO Secretariat. |
| | <p>WTO Ministerial Conferences should normally take place on an annual basis.</p> <p>The Director-General should be required to report on trade policy developments to ministers, in writing, on a six-monthly basis.</p> <p>A WTO Summit of World Leaders should be held every five years.</p> | Sutherland Report, 2004 | To secure political reinforcement, more efficient processes, and enhanced WTO performance. | The report notes that the performance of the WTO would be enhanced by more intensive political involvement. |
| | <p>Return to the old GATT-style diplomacy that was led by the bureaucrat. This, in turn, would imply attaching lesser importance to the Ministerial Conference, ensuring that agreements are negotiated carefully in Geneva itself by involving negotiators who actually understand the issues, and then holding the bureaucrats accountable not only through national processes but also through institutions of horizontal accountability within the organization. This would involve the evolution of the WTO into a more technocratic organization, based on more detailed and continuous rules and accordingly less likely to behave like a juggernaut led by the inflexible time-tables of biennial conferences (p. 426).</p> | Narlikar, 2004 | To improve accountability and improve outcomes for developing countries | The author argues that "as far as developing countries are concerned, a system of more elaborate rules and more cautious, technocrat-led negotiations may be no bad thing" (p. 426). |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
|--|--|--|--|---|
| | <p>The author offers an alternative vision, but argues that its political feasibility in developing countries is limited. She proposes that if Ministerial responsiveness to popular concerns improved; were national electorates able to sanction ministers for their decisions in the WTO; were ministers to be better informed about WTO agreements and technicalities; and were there to be an interaction so intimate between Geneva and capitals that the two levels came to understand an represent the same positions; then the Ministerial process might actually, as a result of these changes, begin to deliver some of the goods that it was intended to help achieve. She argues, however, that this vision is not realizable in developing countries in the near term (p. 426)</p> | | | |
| | <p>Proposals for the extension of the Ministerial conference, amendment of agenda and other process issues should be decided on by all members.</p> <p>The neutrality and impartiality of the Secretariat should be observed during Ministerial Conferences.</p> <p>See also TWN <i>et al</i> in Table 3 on the negotiating function.</p> | TWN <i>et al</i> , 2003 | | |
| | <p>Governments should use their plenary statements, their interventions in working groups and their communications materials to assert that sustainable development should be the guiding principle in shaping and applying WTO rules - even where this may seem to conflict with expanding trade in goods and services.</p> | WWF, 2003 | | |
| <p>Proposals for Additional Mechanisms for Political Leadership as well as Expert and Stakeholder For a</p> | <p>Establish a formal, limited-membership management committee or executive board within the WTO (p.32).</p> <p>Suggested functions of this committee include supervising the general administration of the budget and the Secretariat, planning for Ministerial Conferences and important meetings, priority-setting for future negotiations, and selection of future Directors-General and Deputy-Directors-General.</p> | Steger and Shpilkovskaya, 2009; Steger, 2009 | <p>To respond to diversification and the growing number of different informal groupings that have been used by WTO members for seeking consensus (p.21 -22).</p> | <p>The authors observe that when one compares the WTO to other international organizations or to domestic governments, the WTO lacks many of the management structures that are taken for granted in any other rules making system (p. 18 -19).</p> |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
|----------------|---|--|---|---|
| | <p>Suggested features could include 25-30 members selected from formal regional groups on a rotational basis. Rather than selecting the members based on factors such as percentage of world trade, GDP, population, and economic power, the suggestion is to use a more geographic, representative approach based on regional groupings and allowing members, regardless of size, to rotate.</p> <p>The details of how the Board or committee would be selected, on what basis membership would rotate, and its precise functions and <i>modus operandi</i> could be the subject of further useful research and discussion (p. 24).</p> <p>In addition, establish an advisory body to the Director-General that would not possess real decision-making power or authority.</p> | | <p>To address lack of transparency and legitimacy, especially for those members that are outside the doors of the small group meetings, such as informal ‘Green Room’ meetings and consultations, even though these may have positive outcomes (p. 21 -22).</p> | <p>The authors note the U.S. proposals for a Management Board in the Functioning of the GATT System (FOGS) Negotiating Group, observing that the proposal did not receive a positive response from other Uruguay Round participants, mainly because of concerns about the limited membership of the Management Board and the broad range of functions that were proposed (as described fully on p. 20 -21).</p> |
| | <p>Establish a Standing Consultative Committee which bridges academia, NGOs, governments and the Secretariat, essentially assuming the role of a think tank. Subsequently, a Standing WTO Committee on Legal and Institutional Affairs could be established (p. 20)</p> | Cottier, 2009 | <p>To improve the multilateral trade system</p> <p>To correct the lack of attention and interest paid to decision-making and structures of decision-making beyond the arena of dispute-settlement.</p> | <p>The author notes that these proposals would build on “the lost traditions of the FOG Committee during the Uruguay Round” (p. 20) and similar calls made by the International Law Association (2006).</p> |
| | <p>Regarding proposals for a Board or management committee, there is a need to examine how it would be isolated from special interest groups and how to ensure the accountability of any such board. There is a need to consider whether Board members would be selected to serve the organization as a whole or to represent specific countries during the new stage of decision making that the existence of a Consultative Board would create (p. 23).</p> | Alvarez, 2009 | | |
| | <p>Propose the creation of an ‘Executive Body’ of the General Council that would have the authority to make decisions. It would be comprised both of permanent members and a rotating group of members who would serve fixed terms. Selection of the members of the Executive Body would be based on objective criteria such as their country’s level of gross domestic product, share of world trade and population.</p> | Matsushita, Schoenbaum and Mavroidis, 2006 | <p>To provide a more efficient yet fair method of decision-making</p> | <p>The authors argue that both voting and consensus are too cumbersome.</p> |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| | <p>In addition, other criteria may be used in order to ensure appropriate representation of less developed countries and geographical balance. The authors argue that this system would provide every WTO member with an opportunity to be on the Executive Body (p. 23-24).</p> <p>A weighted voting system could be devised to replace consensus decision-making.</p> <p>Create ad hoc advisory boards of experts in specialized areas to provide non-binding advance to the WTO membership on issues, such as trade and sustainable development.</p> | | | |
| | <p>Create a Functioning of the WTO System (FOWTOS) Group where governments would examine and make recommendations on how to bring greater coherence to policymaking at the global level. It should review and make proposals on collaboration between the WTO and other international bodies, such as UN agencies, with an eye to restructuring their relationship.</p> <p>Establish an eminent persons group of scholars and well-informed individuals to conduct a scholarly review of the issues on the trade and sustainable development agenda, and to provide guidance on how the WTO might deal with these challenges. The Group should have the blessings of the Director-General who would input into discussions but would not need to be formally launched by WTO members or funded from the WTO's regular budget. Official status of the report could, however, be acquired if a government thought it useful to table at the WTO for discussion.</p> | <p>Sampson, 2005</p> | | <p>Also see Sampson, 2000, proposal below.</p> |
| | <p>Proposes an Advisory Economic and Social Committee which would have a suitable link to the WTO. This Committee could, while fully respecting governmental prerogatives, allow civil society to contribute to the "furtherance of world trade and to its links with other areas of endeavor, which are of interest to the world community" (p. 685).</p> | <p>Lacarte, 2004</p> | <p>Increased worldwide public awareness of the full importance of WTO decisions would almost certainly generate new pressures and demands on governments. This could very well complicate an already complex panorama for them, but it would certainly put the organization in closer touch with the real world (p.683).</p> | <p>NGOs are an important segment of civil society and should be able to contribute fresh ideas and innovative responses to trade issues. Indeed, governments routinely maintain close contacts with national NGOs and this is not seen as that should be objectionable. On the contrary, the lack of such inter-communication would seem out of place. However, there are practical and political obstacles that need to</p> |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| | <p>Propose the creation of a formal 'WTO Consultative Board'. As with green room meetings, a WTO Consultative Board would not be empowered to take decisions that bind the general membership. Meetings of the consultative body would take place only in situations where the Green Room cannot accommodate all members wishing to participate in the debate. In contrast with the World Bank and IMF Executive Boards, a WTO consultative body would not have authority to take decisions that bind all members, but it would be able to consult, debate and negotiate. The WTO Consultative Board would instead prepare recommendations and present them for members' approval.</p> | <p>Blackhurst and Hartridge, 2004</p> | <p>To deal with the 'Green Room' problem.</p> | <p>be surmounted properly if NGOs are to occupy a more significant place in WTO affairs. Ways suggested up to now fulfill completely the essential requirement of acceptability by the full membership.</p> |
| | <p>Proposes that a senior officials' consultative body chaired and convened by the Director-General be established to meet on a quarterly or six-monthly basis without executive powers and with a broad agenda. Membership should be limited and composed on a partly rotating basis. Funding should be available to ensure senior officials from the capitals of developing countries attend. When necessary, the consultative body could meet wholly or partially at the Ministerial level (see conclusions p. 79-83).</p> <p>Proposes that such a senior officials' consultative body should meet prior to Ministerial meetings to ease the working transition between the two levels (see conclusions p. 79-86).</p> | <p>Sutherland Report, 2004</p> | <p>To secure political reinforcement and efficient processes (see conclusions p. 79-86).</p> <p>To replace informal 'mini-ministerial' meetings.</p> <p>To increase the level of participation of senior policymakers from capitals in the activities of the WTO.</p> | <p>There is a need to place WTO negotiations and other activities in a much broader policy environment than is currently the case. Work in Geneva is, necessarily, tightly focused and not always clearly related to the large-scale political, economic and development issues with which governments must deal with domestically (see conclusions p. 79-83).</p> <p>The report also proposes formalizing some senior officials' groups, (but it does not propose establishing a formal limited-membership decision making and priority setting body similar to the executive boards of the IMF and the World Bank) (p.23).</p> |
| | <p>As elected representatives of the people, we have a duty to follow and oversee government action in the field of international trade, seeking to promote the fairness of trade liberalization in the interests of our citizens. We observe that</p> | <p>Steering Committee of the Parliamentary Conference on the WTO, 2006</p> | <p>To improve parliamentary oversight of government action on international trade.</p> | |

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| | <p>government negotiators and WTO officials alike show signs of growing openness to the idea of using the Parliamentary Conference on the WTO as a <i>de facto</i> parliamentary dimension of this important intergovernmental body. With the constructive engagement of all parties, achievement of this objective <i>de jure</i> should also be within reach.</p> | | <p>To promote fairness of trade liberalization in the interests of our citizens.</p> | |
| | <p>Establish a policy forum as a locus for discussion and debate among senior officials from capitals on basic issues (such as linkages between trade and environment; the relationship between trade, growth and poverty, and domestic policy space). Policy options could be proposed and if consensus is reached the proposal could be sent to the General Council. (p.7-8).</p> <p>Support the policy forum with stronger research.</p> <p>Also see <i>Table 9 on the Research Function</i>.</p> | <p>Ostry, 2002</p> | <p>To energize and facilitate the rule-making capability of the WTO.</p> <p>To improve coordination of policies at home.</p> <p>To provide an opportunity to analyze, explain and debate contentious issues without a commitment to specific negotiating positions.</p> | <p>Author notes that there was an attempt toward the end of the Round to establish a forum similar to the Consultative Group of 18, which was established in 1975 under the GATT.</p> <p>Author notes that negotiating committees inhibit discussion because rules are at stake.</p> <p>Author notes that a formula for membership would need to be determined.</p> |
| | <p>Ministers should decide at the Doha Ministerial Conference to instruct the General Council at its first meeting, to develop a comprehensive work program on Institutional Reform, covering both internal issues (capacity building, meetings, decision-making, reform of dispute settlement measures) and external issues (NGO accreditation, cooperation mechanisms with IGOs, parliamentary oversight, national consultation guidelines). The General Council should develop recommendations for reform and report back to Ministers at the Fifth Ministerial.</p> | <p>WWF et al, 2001</p> | | <p>The authors note that “[t]here is a need to recognise the concerns of developing countries that wider public participation in the WTO will play into the hands of Northern economic interests. This would disadvantage the weaker members of the system, and further imbalance the policy-making process, which increased participation, is supposed to correct. We therefore urge developing countries to put forward proposals to advance discussions on institutional reform and systemic issues in consultation with civil society groups in their countries.”</p> |
| | <p>Create an eminent persons group to look at the broader question of the role of the WTO in global governance, which would consider issues that address the effective operation of the trading system while dealing with ethical and other concerns that go beyond the purview of trade policy and negotiators working to briefs that only reflect national interests. The work of the group would be conducted outside of</p> | <p>Sampson, 2000</p> | | <p>The author notes that during the GATT period, the Functioning of the GATT System (FOGS) group resulted in the WTO’s Declaration on Achieving Greater Coherence in Global Economic Policymaking, and that a similar approach could be taken with</p> |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| | <p>the negotiating context and would be conducted by those with the capacity to adopt a broader vision of the role of the WTO in world economic and political affairs. It could address issues such as concerns related to trade measures related to 'like products' made with different production processes, the role of precaution in the absence of scientific evidence, and use of national trade measures to enforce preferred environmental and labour standards.</p> <p>Create a Functioning of the World Trade Organization Group (FOWTOG) group to examine the coherence between multilateral trade agreements and multilateral environment agreements.</p> <p>Establish a group to consider the appropriate understanding and interpretation of Article XX of the GATT, so that policy is decided through debate and consensus rather than litigation.</p> | | | <p>respect to the environment. The Declaration served as the basis for formal agreements between to the WTO and the IMF and World Bank.</p> |
| | <p>The creation of a permanent body, such as an executive body, should be opposed by the UK Government as it would reduce, rather than increase, internal democracy.</p> | Action Aid et al, 2000 | | |
| | <p>A greater reliance on one or more groups (or fora) composed of a relatively small subset of WTO members will be necessary. The general function of such a group would be to provide a forum for discussing and debating major management issues, important trade issues, and new policy areas. Depending on the nature of the topic, the group could also attempt to reach a consensus that would be presented to the entire membership for approval (p. 62).</p> | Blackhurst, 1997 | <p>To respond to unwieldy nature of meetings with larger numbers of delegates on an expanding number of issues.</p> | <p>The author notes two competing models. One would be a formally structured group similar to the CG18, although not necessarily limited to 18 members). Advantages would include its ability to attract representatives from capitals; it would enable the many small delegations to participate on a rotating basis. The second option is a 'concentric circles' model, whereby an inner circle of countries serves as the basic discussion, debate and (where necessary) negotiating group. Results would then be provide to a second circle or to all other members, often with a recommendation that a consensus decision be taken on one or more issues. The author argues that model would have more flexibility in the membership of the inner circle than the CG18 model, allowing more custom-designed inner circles depending on the issue and the members with a strong stake in it (p. 62).</p> |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| | <p><i>For further proposals related to stakeholder and parliamentary participation, see Table 7.</i></p> | | | |
| <p>WTO Decision-making Process</p> | <p>Argues that processes of decision making are important for the overall “attainment of legitimate outcomes commensurate with the substantive goals of the organization. They provide the input legitimacy on the basis of which outputs and output legitimacy and thus the overall authority and respect for the institution is based”. The author argues that the authority and legitimacy of the institution relies upon appropriate substance-structure pairings (p.1).</p> <p>Review the workings of the consensus principle. Changes could include increasing the size of the quorum required for decisions and allowing countries without representation in Geneva to participate through video conferencing or other arrangements.</p> <p>Voting could be encouraged for some types of decisions (governance, budget, management, and administrative issues), including by mail or electronically, especially for members without Geneva representation (p. 76).</p> <p>Adopt a more democratic and participatory system of decision making based on secret voting and decision by majority.</p> <p>The consensus system should be applied in a manner that fully respects the views of developing country members.</p> <p>The views of every member must be respected in a decision involving consensus and explicit consensus, especially in the case of important issues.</p> <p>The WTO should adopt a realistic agenda and work schedule that is fair especially for smaller delegations.</p> <p>Developing countries should not be subjected to economic and political pressure relating to negotiations.</p> <p>Decisions should not be made until all members are technically ready.</p> | <p>Cottier, 2009</p> <p>UNDP, 2003</p> <p>Kumar, 2007</p> <p>TWN et al, 2003</p> | <p>To ensure that with the evolution of substance of negotiations, the structures and procedures also change, adapt and evolve.</p> <p>To improve participation of developing countries</p> | |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| <p><i>WTO Mandate, Scope and the Role of Principles</i></p> | <p>Produce in-depth economic analysis to identify measurable criteria for granting special and differential treatment to particular countries under specific provisions. If these criteria can be agreed and incorporated into the WTO agreements, no new independent bodies will be required to assess individual cases separate from the established dispute settlement system.</p> | <p>Mitchell and Voon, 2009</p> | <p>To better account for the different needs of developing countries</p> | |
| | <p>Any final WTO outcomes should place developing countries 'needs and interests at the heart' of the negotiations, as expressed in the Doha Development Agenda.</p> | <p>South Centre, 2008</p> | | |
| | <p>Provide aid and technical assistance for developing countries without any conditions and not as a substitute for Special and Differential Treatment (p3-4).</p> | <p>Kumar, 2007</p> | <p>To strengthen special and differential treatment. To promote a fair world trade system.</p> | <p>SDT will need to be part of a broader approach that recognizes the fundamental interests of developing countries in the trading system to seek fair trade, capacity building, balanced rules and good governance in WTO (p 3-4).</p> |
| | <p>Recognize that the new bargaining power of the developing countries means that the negotiating goals of the developing countries must be given much more consideration if the negotiations can achieve a successful conclusion. At the same time, the developing countries must appreciate that a successful negotiation is not possible by simply applying concepts of 'fairness' to establish new rules. They must appreciate more fully the political reality that they too must be willing to undertake liberalizing actions (p. 695).</p> | <p>Baldwin, 2006</p> | | |
| <p>Develop a recast development framework that could include elements such as: Acceptance of the core rules by all WTO Members, i.e. MFN, national treatment, etc, as well as engagement in the market access dimension of WTO negotiating rounds; greater reliance on explicit cost benefit analysis to identify net implementation benefits for countries; movement towards the adoption of mechanisms that strengthen the consultative and 'pre-panel' dimensions of WTO dispute settlement by mandating a focus not just on</p> | <p>Hoekman, 2005</p> | <p>To promote better development outcomes at the WTO.</p> | <p>The traditional approach to SDT in the GATT/WTO has not been a success in promoting development. Indeed, it has been fundamentally flawed (p. 421). See also discussion of Hoekman in Petersmann, 2005 There is a basic choice to be made between the pursuit of universal rules that in principle apply to all members, and that will by necessity require SDT-type provisions to account for</p> | |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| | <p>the legality of a policy instrument but consideration of the rationale and impact of policies used by developing countries that may be inconsistent with WTO disciplines, with the aim of assisting governments to attain their objectives in an efficient way;</p> <p>a credible commitment to establish a global funding mechanism to provide the resources to address adjustment costs, including those resulting from an erosion of trade preferences, and enhancing supply capacity, in recognition of the need to transfer some of the gains from trade from winners to losers (p. 422-423).</p> | | | <p>country differences, and a move to a two or multi-track trading system based on a plurilateral approach (and regional trade agreements) without SDT. The latter appears to be an attractive way of allowing a subset of the membership to move forward in the absence of consensus.</p> |
| | <p>Ministers should produce a WTO declaration on special and differential treatment and human development that would cover policies related to education, technology transfer, environmental protection, gender equality, cultural integrity and diversity, universal health care, universal access to energy, and the right to use traditional knowledge to promote development.</p> <p>SDT should be made unconditional, binding, and operational, with countries able to suspend certain WTO commitments if they can show doing so is necessary to achieve human development goals (p. 74). Acceptance of this approach would require greater flexibility in the practical workings of the single undertaking.</p> <p>Countries should be grouped according to their level of human development, with reciprocal commitments within groups and asymmetrical relationships between them.</p> <p>Thresholds and incentives for a country's graduation from one group to another should be based on clear, objective criteria such as comprehensive indicators of human and technological capabilities or the achievement of specific Millennium Development Goals. A credible, independent monitoring authority should assess these indicators periodically and report to member nations. Using several levels of gradation, countries should move from more to less comprehensive provisions for SDT - with an eventual phase-out if warranted by objective criteria.</p> | UNDP, 2003 | | |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| | <p>S&DT measures must be made mandatory, legally binding and enforceable through the WTO's dispute settlement system.</p> <p>The proposal for a Framework Agreement on S&DT submitted by a group of developing countries (WTO document WT/GC/W/442) should be developed so as to enshrine the concepts of S&DT and non-reciprocity at the heart of the WTO. Trade liberalisation must not be allowed to undermine the national policy and development objectives of developing countries. In particular, S&DT should go beyond the provision of longer transitional periods for developing countries to implement the same rules as industrialised countries, and should take the form of positive discrimination within the rules in favour of developing countries and in line with their level of development.</p> | <p>CAFOD et al, 2002</p> | | |
| | <p>LDCs should not be encumbered with the kinds of institutional requirements that follow from a 'single undertaking' approach. Rather they should be left the room to follow their own institutional priorities, while providing them with access to markets that is duty free and free of quantitative restrictions. This could be done either by extending phase-in periods until certain income thresholds are reached or by incorporating a general LDC exception (p.28).</p> <p>Middle income countries have to accept a more balanced set of rights and obligations (p. 28).</p> <p>Adopt an Agreement on Developmental and Social Safeguards that would enable countries legitimately to restrict or suspend existing WTO obligations for reasons that go beyond competitive threats to their industries but also include development priorities, distribution concerns or conflicts with domestic norms (p. 31-32). The author offers suggestions for the criteria and use of such an agreement, including the use of an investigative process in each country to force public debate on the legitimacy of trade rules, an enhanced monitoring and surveillance role for the WTO, and an automatic sunset clause to ensure that opt-outs do not become entrenched long after their perceived need has disappeared.</p> <p>Shift from a market access perspective to a development perspective.</p> | <p>Rodrik, 2001</p> | <p>To boost the development outcomes of the global trading system.</p> | <p>The author notes that under a sensible set of global trade rules, industrialized countries would have as much right to protect their own social arrangements - in areas such as labor, environment, welfare-state arrangements, rural communities or industrial organization - as developing nations have to adopt divergent institutional practices.</p> |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| | <p>The WTO should be conceived of 'not as an institution devoted to harmonization and the reduction of national institutional differences, but as one that manages the interface between different national systems' (p. 34).</p> | | | |
| | <p>SDT for developing countries should be made into binding commitments, rather than best endeavour clauses. It should be formally accepted that developing countries undertake less and lower levels of obligations than developed countries. It should not be limited to longer implementation periods.</p> | TWN, 2001 | <p>To design and maintain fair trade rules and thus contribute to a balanced trade system designed to produce and promote development.</p> | |
| | <p>Discussion on issues such as environment and trade at the WTO should be carried out in the wider context of sustainable development, giving adequate weight to the development component and the UNCED principle of 'common but differentiated responsibility'.</p> | | <p>To reorient the WTO towards sustainable development s the main priority and operational principle.</p> | |
| | <p>There should be a rethinking of the mandate and scope of the WTO so that issues that are not related to trade should not be included as subjects for rules.</p> | | | |
| | <p>A review should be undertaken to determine whether the WTO is an appropriate venue for some issues in the WTO such as intellectual property and services.</p> | | | |
| | <p>The test of a rule, proposal or policy should not be whether it is trade-distorting but whether it is development distorting. Those that are development-distorting should be screened out and developing countries should be exempted from rules preventing them from meeting their development objectives.</p> | | | |
| | <p>In deciding the scope of negotiations, and of the eventual undertaking, WTO members should ensure a balance between the interests of high-, middle- and low-income countries.</p> <p>The WTO's Implementation Review Mechanism established in 2000 should become a permanent institution within the WTO to provide regular assessments of the implementation record of developing and least developed countries.</p> | Action Aid et al, 2000 | | <p>Note: On 8 May 2000, the General Council established a framework for discussion and negotiation of the implementation issue, which was known as the Implementation Review Mechanism (IRM). The IRM consists of special sessions of the General Council meeting exclusively on this item.</p> |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| | <p>The Implementation Review Mechanism should work closely with the Trade Policy Review Mechanism to ensure effective follow-up of trade policy reviews so that, instead of using dispute settlement as a blunt instrument, the economic, legal and political problems with implementation can be regularly identified and solutions found (p. 9).</p> | | | |
| | <p>Adopt a ‘peace clauses’ for developing country implementation of current agreements. This will formalize the commitments made by major trading powers to allowing ‘grace periods’ and to exercising ‘due restraint’. Such peace clauses should shield developing country members from disputes until further negotiations can establish more reasonable timeliness for the implementation of these commitments (p. 9).</p> | | | |
| | <p>Ensure that the objectives of environmental sustainability and poverty eradication are integrated as guiding principles in all trade policymaking so that the benefits of international trade are distributed more equitably (para 5.1).</p> | <p>Oxfam, 2000</p> | | |
| | <p>A way to deal with the precautionary principle from a trade policy perspective should be addressed directly.</p> <p>First, a working group should be established to deal with specific issues that arise with regard to how to apply the precautionary principle in a specific case. Members should establish guidelines that would guide the establishment of such working groups and their relationship to work that may be underway elsewhere in the international system.</p> <p>Second, an eminent persons group should be created to look at the broader question of the role of the WTO in global governance, which would consider issues that address the effective operation of the trading system while dealing with ethical and other concerns that go beyond the purview of trade policy and negotiators working to briefs that only reflect national interests.</p> | <p>Sampson, 2000</p> | | <p>The author notes that a working group on biotechnology had been proposed with a fact-finding mandate to consider the adequacy and effectiveness of rules on existing rules and the capacity of members to implement them.</p> |
| | <p>Ensure that all relevant WTO agreements make explicit reference to the need for appropriate national flanking policies and measures.</p> | <p>WWF, 1999</p> | <p>To ensure that trade supports the objective of sustainable development.</p> | |

TABLE 3: NEGOTIATION FUNCTION

| SPECIFIC FOCUS | PROPOSAL | PROPOSER/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
|----------------------------|---|--------------------------------|--|--|
| <i>Negotiation Process</i> | Consider formalizing the informal processes in the WTO to make them more effective and inclusive (p. 18), noting that it may be very difficult or even impossible to change the decision making and amendment rules in the WTO, | Steger and Shpilkovskaya, 2009 | | The author argues that it is not the approval of proposals at the end of the process that seems to be the problem, but rather the lack of formal mechanisms and procedures at the beginning of and during the process that hampers decision making. |
| | The negotiating process needs to be inclusive and participatory for all WTO members, in particular developing countries, similar to, for example, the open and inclusive textual negotiating processes followed in United Nations negotiating forums. | South Centre, 2008 | To ensure the legitimacy of the WTO as an effective multilateral institution capable of accommodating and promoting the development interests of the majority of its membership. | |
| | Proposes selective recourse to weighted voting and the use of plurilateral approaches (p. 10). | Elsig, 2008 | | |
| | For LDCs, the negotiation process should be one of policy dialogue and gradual adjustment rather than reciprocal bargaining, including in the accessions process (p. 2). | Deere, 2008 | | |
| | Proposes a “critical mass” approach to decision making (i.e. a relaxation of the single undertaking). Not all members would necessarily be expected to make commitments in the policy area concerned. The criteria for considering a critical mass approach to defining the agenda includes the need to identify a positive global welfare benefit, to protect the principle of non-discrimination and to accommodate explicitly the income distribution effects of rule-making. (Further detail laid out on p.13 Commission Report). | Warwick Commission, 2007 | To shape the agenda in a way that both respects the interests of the entire membership while at the same time secures the continued commitment of all parties. | The Commission notes that: “We are aware, however, that variable geometry and less than full consensus decision making may combine to lessen the opportunities for trade-offs among negotiating interests, precisely of the kind that would be helpful in dealing with any adverse distributional consequences among parties that may arise from moves towards more harmonized approaches to non-border regulation. On the other hand, the determination of configurations in variable geometry scenarios involving critical mass can still provide a basis for bargaining - |
| | Rejects proposals for weighted-voting. | | | |

| SPECIFIC FOCUS | PROPOSAL | PROPONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| | <p>Draft Ministerial texts should contain proposals made by all members, not simply those of developed countries, and all negotiating texts and drafts should be introduced in open-ended meetings.</p> <p>Late-night meetings and marathon sessions should be avoided (p. 3-4).</p> | <p>Kumar, 2007</p> | <p>To build a more sustainable and development-friendly world trading system (p. 3-4) To compensate for the fact that developing countries usually have smaller negotiating teams than their developed-country counterparts.</p> | <p>in other words, bargains might lie in actual configurations of critical mass agreements. Moreover, adherence to the procedurally-oriented single undertaking requirement that everything must be agreed before anything is agreed also serves the purpose of holding together packages containing trade offs” (p31).</p> |
| | <p>In the context of ‘Mini-Ministerials’, summaries should be released by the Chair to be agreed by participants and then circulated to the full WTO membership (p. 644).</p> <p>Explore options for making Senior Officials’ meetings and Mini-Ministerials more transparent and to provide sufficient recognized WTO Secretariat support to these processes so that they can commission and discuss studies of emerging issues (p. 645).</p> | <p>Wolfe, 2005</p> | <p>To improve transparency within WTO decision making.</p> | <p>The author argues that a key political issue for the trading system is squaring the circle of formal equality and practical inequality in economic and political capacity to participate in the trading system and its institutions (p. 643).</p> <p>The author argues that procedural improvements by themselves will not solve intractable policy disagreements on major issues. The WTO’s decision making principles may well be suited to the plural global polity (p. 645).</p> |
| | <p>Coalition-based representation may be a far more workable adaptation than grappling with proposals for the formal restructuring of the Green Room.</p> <p>For coalitions to provide meaningful joint representation, sufficient time must be provided to allow them to harmonize positions, particularly during periods of intense deliberations.</p> | <p>Patel, 2007; Also see, Deere et al, 2007</p> | <p>To aid developing countries to devise and defend common positions. To boost developing country negotiating power.</p> | <p>Coalitions face certain organizational and substantive challenges that will need to be addressed to make them more sustainable as negotiating platforms (p. 21-22).</p> |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| | <p>Additional financial and material resources should be allocated to support the post of co-coordinator to enable more developing countries to take on leadership positions in their respective groupings.</p> <p>More technical assistance programs must be targeted at the level of coalitions in order to build the networks of information and analysis available to countries.</p> <p>The capacity of regional Secretariats that support developing country groupings must also be bolstered (p 21-22).</p> | | <p>To boost transparency of negotiating process and opportunities for participation in Green Room negotiations.</p> | <p>“The process of coalition building is not necessarily immutable or inimitable. Various permutations are possible...” (p. 21-22).</p> |
| | <p>Formalize WTO decision-making and rule-making processes rather in lieu of informal, ad hoc practices of bargaining and negotiation.</p> <p>Urges WTO members to encourage the General Council to adopt a Declaration that a member considering blocking a measure which otherwise has very broad consensus support shall only block such consensus if it declares in writing, with reasons included, that the matter is one of vital national interest.</p> <p>Proposes members should take a new look at decision-making and variable geometry.</p> <p>Re-examine the principle of plurilateral approaches to WTO negotiations. The Consultative Board advises that this effort “should pay particularly sensitive attention to the problems that those not choosing to participate might face. Further, the approach should not permit small groups of members to bring into the WTO issues that are strongly and consistently opposed by substantial sections of the rest of the membership. On that understanding, if there is political acceptance of the principles, it is suggested that an experts group be established initially to consider and advise on the technical and legal implications. In certain circumstances, a GATS ‘scheduling’ approach would be an appropriate option. These two concepts should be further explored together”.</p> | <p>Narlikar, 2005</p> <p>Sutherland Report, 2004</p> | <p>To move negotiations forward.</p> | <p>The Consultative Board believes that different approaches to negotiations should be reviewed outside the context of the Doha Round.</p> <p>The consensus approach to decision making in the WTO has many strengths. There is however, reason for serious further study of the problems of achieving consensus in light of possible distinctions that could be made for certain types of decisions, such as purely procedural issues.</p> |
| | <p>Supplement the WTO’s consensus approach with a weighted voting system that members may use in situations when consensus cannot be reached. This would be based on a formula with several variables, including contributions to the WTO budget, GDP, market openness, population size and basic votes (Cottier, 2003).</p> | <p>Cottier and Takenoshita, 2003</p> | <p>To help to overcome the major difficulties in trade negotiations, talks between Rounds, and the regular business affairs of the WTO.</p> <p>To boost the authority and legitimacy of the WTO.</p> | <p>Although the current system (one member one vote) represents formal equality of members, it is imbalanced because it does not take into account the real political and economic power of members.</p> |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| | <p>Developed countries should be ready to resolve development issues (including implementation and special and differential treatment) without exacting a new price.</p> <p>Regarding preparations for Ministerial Conferences, the organizations argue that:</p> <p>“Meetings, including “informal consultations”, should be open to all members. The schedule of all meetings should also be made known to all members.</p> <p>There should be more formal meetings of the General Council and the Trade Negotiations Committee, which should be the main decision-making fora instead of informal meetings.</p> <p>Proper notice should be given for all meetings and documents related to meetings should be distributed early enough.</p> <p>There should be agreed procedures for smaller, issue-based meetings in the event these meetings are proposed. Authorisation should come from all members and the meetings should be governed by transparent rules.</p> <p>Agreed procedures for drafting of texts are needed. It should not be assumed that the Chairs would draft the texts. The practice of a chair producing draft text “under my personal responsibility” should be replaced by drafts approved by all members.</p> <p>There should be a fair reflection of diverse views in texts.</p> <p>Adequate time should be given to members to consider and discuss texts.</p> <p>The secretariat must maintain neutrality.</p> <p>The holding of “Mini Ministerials” should cease.</p> <p>Ministerial Conferences and Negotiations at Ministerial Conferences</p> <p>The Opening Ceremony should be only ceremonial in nature and it should not adopt decisions on business matters.</p> | <p>TWN et al, 2003</p> | <p>To enable stronger developing country participation in WTO decision-making.</p> <p>To address lack of internal transparency.</p> | |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| | <p>A committee of all members to coordinate negotiations and discussions should be the main decision-making forum and which should operate regularly (meeting at least once daily) throughout the conference.</p> <p>The agenda, work programme and the draft declaration and other texts used as the basis for negotiations should be adopted by members at the first business meeting.</p> <p>All meetings should be inclusive and transparent, minutes should be kept and subject to members' approval.</p> <p>The drafting of texts and decisions should be done in a transparent and inclusive manner and texts distributed to all. Texts should fairly reflect the divergence of views, if any, among members.</p> <p>The system of holding "Green Room" exclusive meetings should be stopped.</p> <p>There should be proper rules and procedures for smaller issue-based meetings, which should be open to all interested members. Authorisation should come from members who should also receive reports as soon as possible.</p> | | | |
| | <p>The WTO's structure should allow for more effective organization and participation by coalitions of developing countries. Coalitions of developing countries should be supported and allowed to participate more formally in WTO negotiations.</p> | UNDP, 2003 | | |
| | <p>Adapt WTO negotiations to maximise developing country participation: It is self-defeating to commit resources to technical assistance and capacity building and then to structure WTO negotiations so that they exclude developing countries from the possibility of effective participation. The discussions on capacity building must also address how to adapt the WTO's negotiating timetable and process to the capacity constraints facing developing countries.</p> <p>The Trade Negotiations Committee must not become a permanent Green Room. It must conduct proceedings in the</p> | CAFOD et al, 2002 | To promote transparency and fairness | |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| | <p>fairest and most open manner possible. Its proceedings and those of the negotiating mechanisms it establishes must be transparent and documented, with an open system for reporting irregularities.</p> <p>Given the many reports of untoward pressure and extraneous linkages used before and at Doha to force developing countries into agreeing to a comprehensive new round, industrialised countries should sign up to a code of conduct committing them not to use such underhand tactics during the new round of negotiations.</p> <p>There should be a ‘whistleblowing’ system for reporting irregularities.</p> | | | |
| | <p>Consider adopting a ‘critical mass’ approach. That is, countries could “develop a practice where countries refrain from blocking consensus when a critical mass of countries support a proposed change. This critical mass of countries could be expressed as an overwhelming majority of countries and an overwhelming amount of trade weight in the world, such as 90 percent of both of these factors.</p> | <p>Jackson, 2001</p> | | |
| | <p>Develop more inclusive, participatory and transparent methods of discussion and decision-making, in which all members are fully enabled to participate and make proposals.</p> <p>Decision-making procedures and practices that are non-transparent and non-inclusive (including ‘Green Room’ meetings), especially before and during Ministerial Conferences, should be discontinued.</p> | <p>TWN, 2001</p> | | |
| | <p>The number and frequency of the open-ended meetings, which have increased in the context of ongoing negotiations, have also negatively affected the participation of developing countries, and have not been matched by greater technical and/or financial assistance. There are far too many meetings with overlapping schedules (p. 2).</p> <p>Informal processes of consensus building have placed developing countries at a disadvantage. Problematic practices include a lack of transparency in the agenda setting of small open-ended group meetings and the tendency to rely on the Chairperson as mediator and facilitator of negotiations in the absence of clear rules on procedure (p. 2).</p> | <p>WWF et al, 2001</p> | | |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| | <p>Calls for a reformed WTO that should ‘first and foremost be development-oriented and based on transparency, inclusiveness and representativeness.’</p> <p>Ensure full transparency and opportunity for full participation by all developing countries at all stages of negotiations.</p> | SEATINI, 2000 | | |
| | <p>The number of meetings held each week should be limited to the number that the smallest delegations can feasibly attend, or be represented at. Meetings on similar subjects should be scheduled together, and timed to coincide with relevant meetings in other institutions in Geneva to reduce costs of travel and pressure on time of developing and least developed country delegations.</p> <p>All meetings should be properly structured with agendas published in advance.</p> <p>An ‘early warning’ system should be established to provide non-resident delegations of new issues and negotiations that allows them sufficient time to reflect and decide on their positions and participation.</p> <p>Information should be provided to non-resident delegations giving them an in-depth report and analysis of discussions at WTO meetings.</p> <p>Governments should explore the option of establishing a body in Geneva to assist non-resident and small delegations by attending meetings on their behalf, providing reports of proceedings and, when provided with specific instructions, representing their interests.</p> <p>The structures of representation should be flexible to accommodate the different interests of members on different topics.</p> <p>The creation of a permanent body, such as an executive body, should be opposed by the UK Government as it would reduce, rather than increase, internal democracy.</p> | Action Aid et al, 2000 | <p>To realize the original aim of establishing the WTO as a member-driven organization.</p> <p>To ensure WTO processes are designed to suit the capacity of the least powerful members.</p> <p>To enhance the efficient use of limited time,</p> | <p>The aim should be that all WTO members are able to participate in negotiations on any subject of interest to them. This aim should override concerns about the speed of decision making. At the end of any process of internal reform, each member country must be satisfied that it can cope with the information flows, planning and preparation required, and attendance demanded, by WTO activities (para.2). Changes in internal democracy will have implications for the scope of negotiations that are possible at any one time.</p> |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| <p><i>Role of Chairs in Negotiations</i></p> | <p>WTO members should agree the criteria governing the circumstances under which informal consultations should occur, and these criteria should be strictly adhered to. WTO members should agree the procedure and criteria for selecting members to attend such meetings.</p> <p>A list of members selected to attend informal meetings should be published in advance, and no member should be excluded from such meetings if they express a wish to attend. All members should be informed in advance of the occurrence of informal meetings, and feedback should be to all members.</p> <p>All decisions should be taken in the General Council or other formal bodies.</p> | | | |
| | <p>Examine a more defined role for friends of the Chair (p. 24).</p> | <p>Alvarez, 2009</p> | <p>To enhance informal mechanisms to increase developing countries' participation in the WTO decision-making processes (p. 24)</p> | |
| | <p>Widen and institutionalize the process of drawing lessons for chairs and passing them along. Members could ask the DG to host a private one-day retreat each year to help prepare Chairs of Geneva bodies due to take office the next year. Veterans could be invited to join the new team, and all could share ideas and ask questions about the recurring functions and dilemmas of the Chair that are not spelled out in rules but on which experience can be brought to bear. The DG and the Chair of each Ministerial Conference could consider hosting an analogous private session a month prior to the Conference, bringing together ministers who have been asked to function as a team of facilitators (p. 447).</p> | <p>Odell, 2005</p> | <p>To make negotiations as efficient and legitimate as possible (p. 446).</p> | <p>The chair has significant scope to influence the course of negotiations.</p> |
| | <p>There should be agreed terms of reference for the roles of chairs of formal and informal groups at Ministerial Conferences. Chairs should facilitate discussions among members rather than negotiating with members.</p> <p>Agreed procedures for drafting of texts are needed. It should not be assumed that the Chairs would draft the texts. The practice of a chair producing draft text "under my personal responsibility" should be replaced by drafts approved by all members.</p> | <p>TWN et al, 2003</p> | | |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| | <p>Members (not the conference chairman) should appoint the chairs and facilitators to conduct discussions and determine their role and terms of reference.</p> | | | |
| | <p>The individual chosen to chair the Trade Negotiations Committee command the full trust and respect of all developing country members.</p> | CAFOD et al, 2002 | | |
| | <p>The lack of transparency around the selection of Chairs for committees should be addressed.</p> | WWF et al, 2001 | | |
| <p>Accession Process</p> | <p>At a time when the world trading system is supposed to be taking the interests of developing countries more seriously, the lengthening time to negotiate accession and the uncertainty created by the inadequate legal definition of the price of WTO accession are major concerns. If the goal is to ensure that a WTO accession contributes to national development goals, one has to ask whether expecting a developing country's officials and civil society to sustain interest in a process that could take a decade and involves considerable complexity in return for uncertain and deferred rewards is the best way to organize the WTO accession process.</p> <p>The developmental needs and the necessity of sustaining initial support for joining the WTO process should drive the design and operation of the WTO accession process and associated technical assistance.</p> | <p>Evenett and Primo Praga, 2005</p> | <p>To ensure a WTO accession process that contributes to development goals.</p> <p>To sustain support among acceding governments for accession.</p> | <p>The authors observe that the first 20 completed WTO accessions have raised systemic concerns that ought to be of interest to existing WTO members as well as to applicants. The first concern is that the growing price of WTO accession, including forcing applicants to agree to WTO+ and WTO commitments, is creating a two-tiered world trading system in which recently-acceded countries have higher obligations and more limited "rights".</p> |
| | <p>A new, objective process is needed for determining the appropriate level of commitments for each LDC applicant. Such a system would address the major difficulties created by the power imbalance inherent in the current system and should include the following features:</p> <p>The WTO Secretariat should provide resources to help in the implementation of the Decision on the Accession of Least-Developed Countries, and should also provide the services of impartial experts.</p> <p>Develop a fair and objective system that will enable LDC accession packages to reflect the development needs of the acceding country, rather than the demands of working-party members.</p> | Oxfam, 2005 | | |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| | <p>In order to ensure that such a system is actually implemented, far greater transparency is required and influential Working Party members should take on their share of responsibility for ensuring a fair outcome from negotiations.</p> <p>Fully recognize that LDCs are entitled to the full benefit of all Special and Differential Treatment, all extended implementation periods and all exemptions enjoyed by founding member LDCs.</p> <p>Allow LDCs that are in the process of acceding to take full advantage of the new process, if necessary by retracting any LDC-plus concessions already made in bi-lateral or multi-lateral negotiations.</p> | UNDP, 2003 | | |
| | <p>Terms of WTO accession should not be more stringent than those for existing members and acceding developing countries should be able to enjoy the SDT secured by those countries that joined the WTO when it was created. Terms of accession should not deny members the means of promoting human development, especially when such means are available to existing members.</p> | Meléndez-Ortiz, 2009 | | |
| <i>Regular Work of WTO Committees</i> | <p>Consider improvements to the effectiveness and day-to-day operations of the WTO's regular committees, which are responsible for the regular operation of treaties including matters related to notifications, implementation of treaties, ongoing negotiations related to the WTO's built in agenda, and clarification of technical issues, etc.</p> | Sampson, 2005 | | |
| | <p>A joint meeting of the Committees on Trade and Environment and on Trade and Development at senior official level - or better, at the political level - to address issues arising from the interface of trade, environment and development could promote coherence in global policymaking.</p> | CIEL et al., 2001 | | |
| | <p>Enable NGO participation in discussions of environment-related issues by other WTO decision-making forums, such as the SPS Committee, the TBT Committee, the TRIPS Council, the Agriculture Committee, the Committee on Trade and Environment, and relevant negotiating groups.</p> | | | |

| SPECIFIC FOCUS | PROPOSAL | PROPOSER/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| | <p>Create a sub-group of the Committee on Trade and Environment where government officials and NGOs could meet regularly, discuss issues, consider proposals, and report their findings back to the full Committee (p. 128).</p> <p>Give the CTE and the Committee on Trade and Development similar mandates to identify and debate the developmental and environmental aspects of the negotiations.</p> | Sampson, 2000 | To help ensure that negotiations are in line with the preamble of the WTO agreement by acting in accordance with the objectives of sustainable development and responding to the needs of developing countries, especially the least-developed ones. | <p>The creation of such a sub group would be difficult because it would require a formal decision of all members.</p> <p><i>The author makes an alternative proposal related to the WTO symposia with NGOs, see Table 7.</i></p> |
| Assessment of Negotiations and Agreements | See Table 5 on <i>Monitoring, Assessment and Evaluation</i> | | | |
| Involvement of IGOs, Parliaments and Stakeholders in Negotiations | See Table 2 and Table 6 on <i>External Outreach and Transparency</i> . | | | |

4. DISPUTE SETTLEMENT FUNCTION

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| <p><i>Developing Country Capacity to Use and Benefit from the DSU</i></p> | <p>Calls for further discussion of the relative merits (compared to other reasonably available alternatives) of adding a small claims procedure to the DSU at the WTO to aid small WTO members pursue legitimate claims. The authors argue that while a strong empirical case can be made for such a procedure, the legal and political challenges should not be underestimated.</p> | <p>Nordström and Shaffer, 2007</p> | <p>To aid small countries to pursue legitimate claims and gain access to justice.</p> | <p>The authors propose limiting the eligibility of cases to those where a WTO precedent has already been established, to consider monetary damages as an alternative to compliance, and limiting the availability of such a procedure to lesser developed or smaller countries.</p> |
| | <p>Proposes that the WTO dispute settlement system needs an explicit remand process either through a formal amendment of the DSU or through practices that do not require such an amendment. The author proposes a set of guidelines for how this might be achieved, including by reducing the margin for judicial economy by panels; better rules and more scope for the Appellate Body itself to complete the analysis; and an expedited remand process.</p> | <p>Pauwelyn, 2007</p> | <p>To improve the dispute settlement system. To reduce the barriers and costs for developing countries in successful pursuing cases against larger developed countries. To aid in the resolution of cases and the achievement of results.</p> | <p>At present, when the Appellate Body reverses a panel report it cannot currently send the case back to the panel. The remand process is considered necessary due to the increasing legal and factual complexity of cases and to save time, resources and other costs in a complete re-filing of a dispute in a system without remand. The author proposes that the right to seek remand should be solely in the hands of complainants.</p> |
| | <p>Proposes ways to make Panel and Appellate Body reports more conducive to compliance to and enabling developing countries to retaliate efficiently against a stronger trading partner. These include options for: a) making WTO rulings binding and not merely recommendatory; b) including provisions on retroactive retaliation which would allow for 'compensation' from the time of imposition of the harmful measures; c) clarifying the so-called 'sequencing' problem and the relationship between compliance panels and retaliation; and d) strengthening remedies under the DSU by providing the option for monetary compensation.</p> | <p>Plasai, 2007</p> | <p>To advance the position of developing countries and make the WTO dispute settlement system a more balanced regime.</p> | |
| <p>Provide adequate legal assistance to both the complainant and the defendant developing countries by strengthening and expanding the coverage of Article 27.2 of the DSU (p. 3-4).</p> | <p>Make amendments to the timeframe of the relevant provisions of Articles 4, 5, 6 and 12 of the DSU, especially with regard to complaints brought by a developing country against a developed country.</p> | <p>Kumar, 2007</p> | <p>The current structure of the WTO's system of resolving disputes puts developing countries at a disadvantage. At present, the period between the start of a dispute and its final settlement can be as long</p> | |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| | | | as three years. This period is too long for complainant developing countries, as their capacity to absorb the adverse effects of measures taken against them is considerably low (p. 3). | |
| | Ensure that developing countries can make effective use of DSU. Negotiations on reform of the DSU should explore the possibility of a system which is not ultimately based on the threat of trade sanctions by individual WTO members (DSU Article 22), given that this system is of no practical relevance to the majority of developing countries. | CAFOD et al, 2002 | | |
| | Proposes that rich countries should give to the poor countries against which it is bringing a case a sum that matches its own estimated legal expenses, so that the contest is equal (p. 29). | Bhagwati, 2001 | | |
| | Require additional compensation when a dispute settlement panel rules in favour of a developing country complainant, or (when compensation is not forthcoming), require that other countries join in the retaliation (p. 31). | Rodrik, 2001 | | |
| | Provide expanded legal and fact-finding assistance to developing country members of the WTO in prospective dispute settlement cases (p. 33). | | | |
| | Provide more technical assistance for developing countries, and particularly least developed countries, in bringing and defending WTO disputes (p. 1-2). | Oxfam, 2000 | To strengthen and protect the interests of economically weaker WTO members (p. 1-2). | Participation in the DSS requires significant human and technical resources that are beyond the means of many developing country members (p. 1-2). |
| | Adopt more specific special and differential treatment with regard to the timing of filings and the implementation of rulings involving developing countries (p. 1-2). | | | |
| | Provide legal assistance for developing countries in WTO disputes, including through additional financial support for the recently established Advisory Centre on WTO Law. | WWF, 1999 | | |
| Mediation and Alternative Processes | Governments should take advantage of provision to use the good offices of the Director-General for formal consultations, as provided for in the DSU. | Nottage, 2008 | | |

| SPECIFIC FOCUS | PROPOSAL | PROPONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| | <p>Members should be given a right to the services of a Dispute Settlement Ombudsman whose role it would be to mediate between potential disputants upon the request of one party at a stage prior to launching a formal complaint. Such a procedure would allow recourse to the good offices of an independent party prior to any formal bilateral consultations (p. 33).</p> | <p>Warwick Commission, 2007</p> | <p>To improve access to the Dispute Settlement procedures for the smaller and weaker members of the WTO.</p> | |
| | <p>Increase the use of mechanisms such as Understandings, Interpretations or Decisions to clarify aspects of WTO Agreements and to avoid litigation. While there are many issues where governments may prefer to 'let sleeping dogs lie', an open debate on some concepts could be useful.</p> <p>The exploration of such alternative courses of action would respond to those who believe that interpretation of textual language where important policy considerations is not the role of the Appellate Body, but rather of governments and consensus-based decision-making such as through the General Council.</p> | <p>Sampson, 2005</p> | | |
| | <p>Strengthen the consultative stage of panels, such as through an opportunity for public in the case of environmental disputes. A moderator could be nominated by the Director-General to hear all sides and propose a solution, in a transparent manner with inputs from technical experts. This mediation option would not, however, be an obligation on parties and the normal channel of dispute settlement would still be open.</p> <p>The author notes that such an approach could be applied also beyond environmental disputes - and that it could also be established outside the WTO, which would relieve pressure on WTO resources (p. 138).</p> | <p>Sampson, 2000</p> | | |
| | <p>Support mediation, arbitration, and nonbinding solutions as the preferred means of resolving conflicts between trade and the environment.</p> <p>Proposes a model trade-environment framework for settling disputes in the WTO. This framework involves a three-step process: a preliminary exchange of viewpoints; informal bilateral negotiations or negotiations with other interested WTO members; and nonbinding third-party assisted dispute settlement that could operate outside the formal WTO structure.</p> | <p>CIEL, 2000</p> | | |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| <p><i>Transparency and Public Participation</i></p> | <p>Sustain and strengthen past initiatives to enhance the transparency and accessibility of dispute settlement proceedings, particularly in relation to hearings that are made open to the public and in allowing the submission of <i>amicus curiae</i> briefs before panels and the Appellate Body (p. 36).</p> <p>With regard to <i>amicus curiae</i> briefs, the Consultative Board agrees generally with the procedures already developed for acceptance and consideration of appropriate submissions of this type. However, to fairly and appropriately handle <i>amicus curiae</i> submissions to first level panels and the Appellate Body, general criteria and procedures should be developed, balancing worries about resource implications with fairness, and a general recognition that such submissions can improve the overall quality of the dispute settlement process (see conclusions p. 79-83).</p> <p>To alleviate some anxieties about transparency, as a matter of course, first level panel and Appellate Body hearings should generally be open to the public. This new practice would be susceptible to a motion by a panel (or Appellate division) or by a disputing party arguing there is a ‘good and sufficient’ cause to exclude the public from all or part of a hearing (see conclusions p. 79-83).</p> <p>It is self evident that the better informed are diplomats, government officials and legislators on the fundamentals of international dispute resolution, the better. The WTO Secretariat should encourage and facilitate technical assistance to instill broader understanding of the role of ‘rule orientation’ in treaty implementation, as well as on the general approaches that virtually all juridical institutions, national and international, take in their work (see conclusions p. 79-83).</p> <p>The dispute settlement system needs to be better understood, not only be the diplomats and public officials that have to engage in it, but also by the general public who provide the constituencies that are being served by the system. Further efforts should be made to inform and educate, perhaps including some by expert groups appointed by the WTO or by the DSB (see conclusions p. 79-83).</p> | <p>Warwick Commission, 2007</p> <p>Sutherland Report, 2004</p> | <p>Dispute settlement is a success that can be reinforced (see conclusions p. 79-83).</p> | <p>The Dispute Settlement Understanding is a significant and positive step forward in the general system of rules-based international trade diplomacy. Although it believes that caution and experience are necessary before any dramatic changes are undertaken, some are proposed (see conclusions p. 79-83).</p> |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| | <p>We must open the proceedings of the panels and the oral hearings of the Appellate Body, both to press coverage and to overall public observation. Further, we need to do the same for meetings of the General Council, the Dispute Settlement Body and all of other major councils of the WTO... I fully understand the reservation about 'transparency' on the part of developing countries fearful that if the doors are opened, they will be elbowed aside by an army of well-funded private interests from the developed world in of what is currently - and must always remain - a 'Member-driven' organization.... But I believe these concerns can be addressed if the right doors are opened in the right way.</p> | <p>Bacchus, 2004</p> | | |
| | <p>WTO Panels and the Appellate Body should weigh both substantive criteria (relating, for example, to the character of the <i>amici</i>, the nature of its submission, and the characteristics of the case) and procedural criteria (relating to issues such as timing and format) when determining whether, and if so, how to use <i>amicus</i> briefs (p. 155).</p> | <p>Marceau and Stilwell, 2001</p> | <p>To develop a systematic approach and criteria to guide the use of <i>amicus curiae</i> briefs.</p> <p>To respond to NGO calls for participation in the WTO dispute settlement process.</p> <p>To promote predictability and procedural fairness in WTO dispute settlement.</p> | <p>The authors identify mechanisms that may be used to establish criteria to ensure <i>amicus</i> briefs promote predictability and procedural fairness in WTO dispute settlement (p. 155).</p> |
| | <p>The DSU process should be open. There should be free entry, such as a website to which anyone can send their briefs. If briefs were to be invited by a Panel or the Appellate Body, these must be a balance between briefs from developing and developed countries, or else the interests of developing countries will be compromised (p. 29).</p> | <p>Bhagwati, 2001</p> | | |
| | <p>Procedures are needed for the effective involvement of the relevant civil society groups concerned by any dispute settlement process, which need to be opened up for public information and involvement.</p> | <p>ICFTU, 2001</p> | | |
| | <p>Improve speed of public access to dispute panel and Appellate Body reports. A first option is to make the full report available immediately after it is out, in whatever the working language of the panel had been. A second option is to make the findings available in all of the working languages, and not wait for the argumentation in all languages. A third option is to provide the WTO Secretariat the resources to produce the full report more quickly.</p> | <p>Sampson, 2000</p> | <p>To address criticisms of lack of openness and participation of civil society.</p> | |

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| | <p>Allow civil society representatives to contribute arguments relevant to WTO disputes (para 4.4).</p> | Oxfam, 2000 | | |
| | <p>Ensure that dispute settlement proceedings can be observed by members of the public, and that those affected by the dispute are given a formal opportunity to make their views and interests known by the submission of “amicus curiae” legal briefs, and short oral presentations.</p> | WWF, 1999 | | |
| | <p>Open the dispute settlement process to greater NGO public participation by making submissions public, open proceedings and enable non-parties to submit amicus briefs.</p> <p>The author endorses the proposed Advisory Centre on WTO Law as the best hope for dealing with inadequate developing country resources to participate in the dispute settlement system.</p> | Davey, 1999 | | |
| | <p>Permit NGOs to watch the proceedings when parties give evidence to dispute panels and to have access to written submissions (p. 144).</p> | Esty, 1998 | <p>To dispel public fears about what happens in the WTO dispute decisions.</p> | |
| Role of Panels and Appellate Body | <p>Calls for finding tools to allow WTO panels and the Appellate Body to address challenges to transparency and due process in national legal and regulatory structures, highlighting that non-transparent administration of rules presents challenges to the smooth functioning of the multilateral trading system and that these increasingly replace transparent trade restraints (p. 131).</p> <p>The author advises against “challenges to a legal system or a regulatory structure of smaller or less developed countries” (p. 6-7).</p> | Alai'i, 2008 | <p>To promote transparency and administrative due process.</p> <p>To promote the smooth functioning of the world trading system.</p> | <p>The author notes that WTO panels and Appellate body fear addressing such matters as they go to ‘the heart of a country’s legal infrastructure’ and to the nature and enforcement of its administrative law regime, and that action in this area may further undermine the WTO’s legitimacy.</p> |
| | <p>A review of the operation of dispute panels to remove the recurring disparity between panel and Appellate Body rulings. While the Appellate Body rulings in recent trade disputes have not changed the overall result of cases, there are some cases where the difference in reasoning and interpretation between the panel and Appellate Body has effectively changed the substance of the ruling. This is arguably so in the Reformulated Gasoline and Shrimp Turtle cases where the Appellate Body ruling has provided further insight into the position regarding unilateral use of trade related environmental measure and the discriminatory treatment of products on the basis of PPMs (p. 7-9).</p> | Warwick Commission, 2007 | | |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
|--------------------------|--|--------------------------------|---|--|
| | <p>Proposals include requiring financial compensation from countries that delay implementation of a dispute settlement ruling (until the offending measure has been removed) or by levying penalties, such as by requiring the defaulting country pay by implementing additional concessions (e.g., lowering tariffs or otherwise opening markets). Consideration should also be given to a collective action clause, to be invoked when powerful members refuse to implement dispute rulings.</p> | <p>UNDP, 2003</p> | <p>To ensure all countries honour WTO rulings.</p> | |
| | <p>Rulings should be binding on parties by the present negative consensus method, but cannot be made a precedent nor become an authoritative interpretation to be applied in future unless the interpretation is adopted and approved in a separate process by the WTO General Council through a positive consensus.</p> <p>The General Council could also give an instruction that panels and Abs should not undertake substantive interpretations.</p> | <p>TWN, 2001</p> | | <p>Also see further proposals from author in Table 1 regarding the appropriate role of the WTO Secretariat.</p> |
| | <p>Any measures or ideas for reform that would create a sort of ‘diplomatic veto’ or the opportunity for specific disputants to ‘nullify’ or change aspects of the final adopted panel report should be strongly resisted.</p> <p>The Dispute Settlement Body should occasionally select particular findings for in-depth analysis by a reasonably impartial, special expert group of the DSB, so as to provide a measured report of constructive criticism for the information of the WTO system, including the Appellate Body and panels (see conclusions p. 79-83).</p> <p>To ease the particular problems that have been witnessed in panel selection, consideration should be given to utilizing a combination of roster and ad hoc appointments for designating the membership of first level panels (see conclusions p. 79-83).</p> <p>The principle of allowing the Appellate Body to remand a case to the first level panel should be pursued and clarified, especially if remands can be achieved without adding delays to the process (see conclusions p. 79-83).</p> | <p>Sutherland Report, 2004</p> | <p>To reinforce the success of the WTO’s dispute settlement system.</p> | <p>The DSU is a significant and positive step forward in the general system of rules-based international trade diplomacy. Although it believes that caution and experience are necessary before any dramatic changes are undertaken, some are proposed (see conclusions p. 79-83).</p> |
| <p>Compliance</p> | <p>Explores the options and practical challenges to greater use by developing countries of cross-retaliation (i.e. the suspension of concessions in a sector of trade different than the sector in which the trade injury is suffered, including under a different WTO covered agreement), including the possible suspension of different types of IPRs.</p> | <p>Abbott, 2009</p> | | |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| | <p>That consideration be given to WTO members accepting an obligation to provide cash compensation to aggrieved parties where compliance or trade related compensation is not forthcoming (p. 4).</p> | <p>Warwick Commission, 2007</p> | <p>To assist small economies in attaining compliance by larger countries.</p> | <p>Where members neither comply nor offer compensatory trade policy action, the option for aggrieved parties to take retaliatory measures is neither attractive when seen against the objectives of the WTO Agreement nor feasible when small economies are pitted against large ones.</p> |
| | <p>Article 22 (Compensation and the Suspension of Concessions) of the DSU should be extended to provide for compensation for the loss suffered by a complainant developing country during the pendency of a complaint against a developed country.</p> | <p>Kumar, 2007</p> | | |
| | <p>The issues of compliance with panel and Appellate Body rulings is important and, in some respects, worrisome. In particular, the notion that the DSU provides a free choice to losing parties whether to implement obligations or, otherwise, to provide compensation or endure retaliation is erroneous. ‘Buying out’ of obligations is harmful to the system, to trading conditions and, especially, to the interests of developing country complainants that cannot resort to a credible retaliatory option. Monetary compensation to poorer complainants, as a temporary measure pending full compliance, might be an approach worthy of experimentation.</p> | <p>Sutherland Report, 2004</p> | <p>Dispute settlement is a success that can be reinforced.</p> | <p>The DSU is a significant and positive step forward in the general system of rules-based international trade diplomacy. Although it believes that caution and experience are necessary before any dramatic changes are undertaken, some are proposed.</p> |
| | <p>The composition of panels could be enhanced by combining ad hoc panelists chosen according to their expertise with professional full-time panelists. Allowing the inclusion of at least one panelist from a developing country is important to facilitate and support the full participation of developing countries in the system.</p> <p>Appellate Body proceedings should be public. Because, unlike the original panels, they deal almost entirely with legal interpretations rather than facts, and the protection of confidential information is not normally necessary.</p> <p>Consider enhancing the resources and support services for the DSU within the WTO Secretariat.</p> | <p>International Chamber of Commerce, 2003</p> | | |

| SPECIFIC FOCUS | PROPOSAL | PROPONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| <p><i>Relationship with other Sources of International Law, International Tribunals and International Organizations</i></p> | <p>Split the WTO into several organizations - 'one for rule-making, one for administration and one for adjudication of disputes' - to allow for the dispute settlement mechanism to take urgently needed steps to consider more than just trade rules in its decisions (p. 11, 14).</p> | <p>Von Moltke, 2000</p> | <p>To allow the DSU to better take non-trade rules into consideration in its decisions.</p> | |
| | <p>Create a group to examine the coherence between multilateral trade agreements and multilateral environment agreements.</p> | <p>Sampson, 2000</p> | | |
| | <p>Establish frontier commissions to examine the interface between different policy areas. Real compatibility among key policy sectors will not be possible until there is an equitable means of adjudicating among the different and conflicting policy objectives, and a set of principles to guide such adjudication.</p> | <p>Halle, 2000</p> | | |
| | <p>Proposes the negotiation of a WTO side agreement that would set out a very clear set of rules that would apply to multilateral environment agreements (MEAs) with an eye to accommodating MEAs in the WTO context.</p> | <p>Brack, 1999</p> | | |
| | <p>Provide UNEP with a role in helping to settle environment-related WTO trade disputes.</p> | <p>WWF, 1999</p> | | |

5. MONITORING, EVALUATION AND ASSESSMENT FUNCTION

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
|--|--|---|--|------------------------------|
| <i>The Trade Policy Review Mechanism</i> | <p>Expand the scope of the Trade Policy Review process to: a) include an assessment of the affects of trade rules in light of development objectives and an identification of national trade-related hurdles that impede their realization; and b) perform a stronger role as a catalyst for governments to organize appropriate capacity building;</p> <p>Make the Trade Policy Review process open to the public and the media. Involve multi-stakeholder processes at the national level in the development of the national trade policy review reports.</p> <p>Invite recognized international experts as commentators in the Trade Policy Review meetings in Geneva and invite commentaries from other national and international interested parties - other IGOs, industry groups, NGOs, academics, etc. - as well.</p> <p>Integrate a new component into the Trade Policy Review process for LDCs, which evaluates the fulfillment by developed countries of their capacity building commitments to LDCs.</p> <p>Draw attention to TPR-related debates among stakeholders in both developed and developing countries (p. 2).</p> <p>Expand the mandate of the review should be expanded so that it can also serve as: (i) a tool to help governments integrate development considerations in trade decision making, in particular by promoting assessment of the impacts of trade rules in light of development considerations and identification of national challenges; and (ii) as a catalyst for governments to organize appropriate capacity building.</p> | Deere, 2008 | To improve the integration of development considerations in to trade decision-making | |
| | <p>Reinforce and improve institutional mechanisms for monitoring how WTO members honor existing commitments and obligations (p. iv).</p> <p>Strengthen the WTO's trade policy review process</p> | Deere-Birkbeck and Meléndez-Ortiz, 2009 | To improve trade surveillance and transparency (p iv). | |
| | <p>“At the level of countries, both giving and receiving funds, the review mechanism is the Trade Policy Review. This could draw on country reports by the OECD, for donors, and by the IMF and World Bank, for recipients. The current low frequency of TPRs for developing countries might need to be changed</p> | Page, 2007 | | |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| | <p>or supplemented by interim reports. It is never the function of the TPR to determine compliance with WTO commitments (whether by the country being reviewed or by any donors which may have made commitments to it), but it is its function to provide the information on which such judgements can be made. A country being reviewed could use its response to the Secretariat report to draw attention to any gaps in funding relative to what it had identified as necessary.”</p> | | | |
| | <p>Use the TPRM to review domestic trade policymaking processes (p.17).</p> | <p>Wolfe and Helmers, 2007</p> | | |
| | <p>The Trade Policy Review Mechanism could better promote inter-agency cooperation by including the expertise of UN organizations, such as UNCTAD, the ILO and others, as far as their respective mandates and working areas are touched upon (p. 1-2).</p> | <p>FES Dialogue on Globalization, 2009</p> | <p>To improve the coherence of international and national policymaking.</p> <p>To facilitate discussions on the impacts of trade on ‘non-trade’ issues.</p> <p>To enhance the understanding of trade and trade-related issues in general.</p> <p>To expand the understanding of the costs and benefits of a country’s WTO membership among the broader population.</p> | <p>The TPRM fulfils valuable functions that should be further developed.</p> |
| | <p>TPRs could serve as a reference for other periodic country reviews, such as those undertaken by the UN Committee on Economic, Social and Cultural Rights or the Universal Periodic Review of the Human Rights Council (p. 1-2).</p> | | | |
| | <p>Open up TPR activities to civil society in preparations and during part of consultations (p. 1-2).</p> | | | |
| | <p>All future TPRs should contain a sub-chapter on the impacts of trade on sustainable development (p. 1-2).</p> | | | |
| | <p>Priorities for future research in the context of the TPRM include: improving the quality of reports; strengthening the review process; ensuring adequate follow up to reviews; and rethinking the aims and objectives of the TPRM (p. 13).</p> | <p>Ghosh, in WTO Public Forum, 2007</p> | <p>To establish whether the TPRM is serving its intended purpose, especially given the information and monitoring needs and capacity deficits of developing countries (p. 12).</p> | |
| | <p>Civil society groups, from labour unions to human rights advocates, could consider submitting regular independent reports to countries being considered in the Trade Policy Review.</p> | <p>3D and Forum Asia, 2004</p> | | |
| | <p>Reiterates Canada’s 2000 proposal for enhanced transparency of the TPRs, including broadcast of Canada’s interim trade policy review.</p> | <p>Matsushita, Schoenbaum and Mavroidis, 2006</p> | | |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| | <p>Launch a pilot project, on a voluntary basis, to include a review of the domestic policymaking process within the TPRM. This would require strengthening of the TPRM Secretariat and capacity building for civil society in some countries (p. 11).</p> | <p>Ostry, 2002</p> | <p>To allow governments to tap new sources of policy-relevant ideas, information and resources</p> <p>To build public trust and enhance credibility of government and the legitimacy of trade policy</p> <p>To improve and sustain domestic transparency of government decision-making processes on trade policy.</p> | <p>The author notes that the review would need to recognize that the trade policy process will vary according to the a country's history, culture, institutions, etc.</p> |
| | <p>The scope of the TPRM should be expanded to include trade-related environmental, social and gender concerns, including core labour standards.</p> | <p>ICFTU, 2001</p> | | |
| | <p>Expand the scope of the TPRM to include increasing understanding of the impact of trade policy reform on poverty reduction and environmental sustainability, especially through the involvement of specialized UN agencies and civil society organizations (para 5.2).</p> | <p>Oxfam, 2000</p> | | |
| | <p>Include an evaluation of how trade policy is formulated at the national/regional level in the TPR process, including with an evaluation of consultations with civil society and parliaments (p. 10).</p> <p>Consider whether WTO mechanisms, such as the Trade Policy Review Mechanism, could be expanded to ensure the systematic assessment of the impact of trade agreements on poverty reduction, basic rights and environmental sustainability, in coordination with UN specialized agencies and civil society organizations (p. 11).</p> | <p>Action Aid et al, 2000</p> | | |
| | <p>Lower-income WTO member should be reviewed more frequently than every six years (or longer), suggesting a full review every four years and an interim review every two years.</p> | <p>Blackhurst, 1997 (pp. 64-65)</p> | <p>To provide governments with more regular assessments of the progress and direction of their reform and an overview of their trade regime as a whole.</p> | <p>Transparency and publicity will help reformers manage pressures from entrenched special interest groups and lobbies</p> |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| | <p>Include in the Trade Policy Review a review of member-state consultation mechanisms for trade policymaking at the domestic level.</p> <p>Adopt a declaration to this effect by the WTO General Council (p. 2).</p> | Sapra, 2009 | <p>To enable the WTO, through regular surveillance, to serve as an 'agency of restraint' that offers assurance to investors.</p> <p>To address a legitimacy deficit, an access deficit, a knowledge deficit and a capabilities and governance deficit.</p> | <p>The legitimacy problems of the WTO arise from a growing discontent in domestic politics. The centrality of domestic political processes to the WTOs functioning require discussions on institutional reform to concern themselves with how member states make trade policy and prepare for WTO negotiations.</p> |
| Notifications | <p>"WTO Members should insist that all current transparency obligations are met. The G20 can lead the way by insisting that their own governments be up to date on all their notification obligations under current WTO agreements. All existing monitoring and surveillance provisions should be fully used. Open discussion at home and in Geneva contributes to sustainable development by ensuring that trade policy is made in the light of day. When that happens it is at least possible for a broad public interest, including the interests of the future, to trump narrow particular interests."</p> | Wolfe, 2009 | | |
| Monitoring Work in WTO Regular Committees | <p>Improve the incentives and penalties for notification. In addition to an improved format for notifying subsidies, the study also recommends that the WTO secretariat be empowered to increase the pressure on Members to comply with their notification duties.</p> <p>Proposes a model template for WTO subsidy notifications to address some of the problems inherent in the notification format which contribute to poor compliance. For example, under the current format, it is not clear whether the absence of subsidies is because they do not exist, or because the WTO member has neglected to notify them. The GSI template requires explicit reporting of the absence of subsidies to specific sectors or products.</p> <p>To aid in the assessment of trade impacts on sustainable development, governments could consider selectively opening up the work of some of their non-negotiation, Committee-based work to experts and interested parties to facilitate informed debate about trends and trade policy options.</p> | <p>Steenblik and Simón (Global Subsidies Initiative), 2007</p> <p>Deere-Birkbeck, 2009</p> | <p>To improve transparency.</p> <p>To reduce the workload of notifications.</p> <p>To reach full and timely notifications.</p> | |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| Trade Impact Assessments | <p>Reiterates Canada's proposal to consider convening annual meetings for WTO bodies and committees to which NGOs could be invited or to which they could make written submissions (p. 16).</p> <p>Also see proposals in Table 3 on the negotiation process.</p> | Matsushita, Schoenbaum and Mavroidis, 2006 | | Canada's original proposals in this respect can be found at www.dfait-maeci.gc.ca/tna-nac/wto-e.asp#canada . |
| | <p>Conduct <i>ex ante</i> and <i>ex posted</i> impact assessments of trade policy to disaggregate social impacts (particularly on vulnerable and marginalized groups, women, food security, and human rights such as the right to food and health, etc.) and environmental impacts; use existing global principles and benchmarks on development and sustainability to assess the performance of the trade system; and introduce a 'Trade and Development Ombudsman' (p. viii).</p> <p>Improve intra-government coordination domestically and internationally in order to ensure that trade policies are not at cross-purposes with employment, development and sustainability goals (p. viii).</p> | Deere-Birkbeck and Meléndez-Ortiz, 2009 | To improve coherence of trade with sustainable development goals. | |
| | <p>Conduct human rights impact assessments of trade policy. This is linked to the human rights obligation to have a policy in place for the realization of human rights. It is also linked to another immediately binding human rights obligation, which is to ensure nondiscrimination in the enjoyment of human rights.</p> <p>Human rights are particularly concerned with those very people who trade policy often forgets: the most vulnerable and marginalized. <i>Ex ante</i> assessments would require countries to take a disaggregated look at the likely impacts on vulnerable segments of society - minorities, those living in geographically remote areas, women or children, for instance - to ensure that the new trade policy does not risk leaving them worse off. This is rarely done today, resulting in trade policy that often results in <i>de facto</i> discrimination against vulnerable groups.</p> | Dommen, 2009 | | The author notes that "in the case of trade rules affecting access to food, the UN Special Rapporteur on the Right to Food has noted that mapping food insecurity and identifying actions to combat it will make it possible for those negotiating trade agreements to ensure that their trade commitments facilitate, rather than impede, efforts towards the fulfilment of the right to food." |
| | <p>Incorporate a cooling off period into trade negotiation processes during which an assessment of the budgetary (and other) cost of implementation for developing countries of proposed commitments is conducted (p. 23).</p> | Deere, 2005; 2008 | To better integrate development concerns into national and international decision-making. | |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| | | | <p>To help all parties ensure that they are fully aware of the implications of the deals and trade-offs made in negotiations and that these remain within the scope of what they realistically can achieve (p. 23).</p> | |
| | <p>Conduct gender impact assessments of trade policy and agreements.</p> | <p>AWID, 2002</p> | | |
| | <p>Require that all existing and future WTO agreements be fully costed out (in terms of implementation and other costs). It would condition the phasing in of these agreements in developing countries on the provision of commensurate financial assistance.</p> | <p>Rodrik, 2001</p> | | |
| | <p>Undertake a full assessment of the economic, social, labour, gender, environmental and developmental impact of previous WTO negotiations and the potential impact of any further negotiations.</p> | <p>ICFTU, 2001</p> | <p>To regain public confidence in the multilateral trading system.</p> | |
| | <p>Consider the establishment of mechanisms to monitor the poverty impact of WTO sanctions in order to ensure that vulnerable producers and workers in developing countries do not bear the costs of infringements of WTO rules by third parties (para 5.2).</p> <p>Expand the scope of the TPRM to include increasing understanding of the impact of trade policy reform on poverty reduction and environmental sustainability, especially through the involvement of specialized UN agencies and civil society organizations (para 5.2).</p> | <p>Oxfam, 2000</p> | <p>To improve the WTO's contribution to development and poverty alleviation</p> <p>To reduce negative impacts of trade rules and measures on the poor</p> <p>To broaden the concept of 'national interest' to induce states to find greater unity in the pursuit of common goals and values (para 5.1).</p> | |
| | <p>Conduct sustainability reviews of existing and new trade agreements.</p> | <p>IISD, 2000</p> | <p>To look at ways in which the trade regime and the international environmental regimes can be made fully compatible and mutually supportive.</p> | |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| | <p>Combine institutional capacity building at the national level with impact assessments by organizing the latter to involve a range of different Ministries in reviewing the effect of WTO agreements and their implementation on the national economy, environment and poverty. Financial and technical support needs to be provided to assist developing countries that wish to do this (p. 6).</p> <p>All governments should acknowledge that there are substantial gaps in understanding the linkages between trade liberalization, poverty reduction, basic rights and environmental sustainability. Also, that the empirical evidence that does exist demonstrates that liberalization and global integration need to be carefully managed, and accompanied by a number of essential complementary policies/measures if they are to contribute towards sustainable and equitable growth (p.11).</p> <p>Governments should undertake sustainability impact assessments (which cover environmental sustainability, basic rights and poverty impacts) prior to negotiating bilateral, regional and multilateral trade agreements. Financial and technical support needs to be provided to assist developing countries that wish to do this (p.11).</p> <p>Ensure that where impact assessments show that WTO trade liberalization is exacerbating poverty or environmental degradation, or undermining basic rights, policies are reviewed and changed (p. 11)</p> | <p>Action Aid et al, 2000</p> | | <p>Also see <i>Table 7 on capacity building.</i></p> |
| | <p>Enable WTO Members to undertake national sustainability assessments of trade liberalisation proposals, and any final agreements, ahead of their signature and implementation; and Provide technical and financial assistance to developing countries through other bodies, such as national development cooperation ministries and UNEP, UNCTAD and UNDP, to enable them to conduct sustainability assessments and develop and implement appropriate flanking policies.</p> | <p>WWF, 1999</p> | <p>To ensure that trade liberalisation supports the objective of sustainable development.</p> | |
| <p><i>Possible Additional Monitoring, Assessment and Evaluation Mechanisms</i></p> | <p>Stimulate and support the monitoring capacity of the WTO Secretariat regarding those trade policies, measures, and practices that could produce negative effects on the expansion of global trade (i.e. through protectionism). Eventually this capacity could be strengthened through a non-governmental online database, which could be freely created and edited</p> | <p>Pena, 2009</p> | | |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| | <p>with the active participation of all interested parties (a kind of Wiki-trade surveillance facility).</p> <p>A kind of global trade and development ombudsman within the WTO structure could also be considered. The ombudsman could be an independent official charged with the investigation of complaints by citizens of Member countries that eventually could lead to non-binding recommendations.</p> | | | |
| | <p>To complement and go beyond the WTO and World Bank's monitoring initiatives, the author has proposed and established a web-based mechanism to identify those trading partners likely to be harmed by state measures. The Global Trade Alert website allows policy-makers, exporters, the media, and analysts to search the posted government measures by implementing country, by trading partners harmed, and by sector. Third parties will be able to report suspicious state measures and governments will be given the right to reply to any of their measures listed on the website.</p> | <p>Evenett, 2009</p> | | |
| | <p>Heightened surveillance and a mechanism that provides rapid identification of potentially harmful protectionist measures. The authors note that "Most examples of murky protectionism witnessed in recent months are not direct violations of WTO obligations; they are abuses of legitimately-created discretion which are used to discriminate against foreign goods, companies, workers and investors." The argue that: "Shining daylight on these devil-in-the-details measures often contained in the details of stimulus and bailout packages will require a more systematic, more professional effort".</p> | <p>Baldwin and Evenett, 2009</p> | | |
| | <p>Launch a working group to propose WTO reforms, including on how the WTO's surveillance function be strengthened.</p> | <p>Dadush, 2009</p> | | |
| | <p>Consider options for an Ombudsman Office to which third parties could submit specific sustainable development concerns for the attention of member states could be considered.</p> <p>To further aid in this assessment role, governments could consider selectively opening up the work of some of their non-negotiation, Committee-based work to experts and interested parties to facilitate informed debate about trends and trade policy options.</p> | <p>Deere-Birkbeck, 2009</p> | | |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| | <p>Create a new body within the WTO responsible for assessing the impacts of proposed trade agreements on development and developing countries. Its mandate would be to “look objectively at the consequences of alternative proposals for all the countries of the world, recognizing that economic science is not at a stage where there is agreement about the ‘right’ model (p. 169).</p> <p>The assessment body might also aid in the enforcement of current agreements, providing guidance, for instance, on whether a particular proposed bilateral or regional trade agreement is consistent with the principle that ‘trade diversion’ should be limited, and should be less than the amount of trade creation.</p> <p>Create an independent body to assess countries in crisis, to adjudicate and approve the imposition of trade restrictions (‘safeguard measures’) and to investigate dumping charges, countervailing duties, and phytosanitary conditions.</p> | <p>Stiglitz and Charlton, 2005</p> | | |
| | <p>At the national level, an independent ‘transparency’ body can be envisioned that would coordinate national efforts and assist in the identification of potential WTO violations, lobby for joint actions to be brought to the WTO, and generate publicity (some sort of a domestic WTO Ombudsman)(p. 11).</p> | <p>Hoekman and Mavroidis, 2000</p> | <p>To complement the TPRM mechanism by bringing in the private sector more directly into the enforcement process (p. 11).</p> | |

6. CAPACITY BUILDING FUNCTION AND AID FOR TRADE

| SPECIFIC FOCUS | PROPOSAL | PROPOSANT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
|---|---|--|--|---|
| <p><i>Governance of Aid for Trade and Capacity Building</i></p> | <p>Engage non-DAC donors more effectively into the aid-trade nexus, and address issues related to internal and external policy coherence (p. 18).</p> | <p>Bhattacharya, 2009</p> | <p>To enable global economic governance to facilitate the transition of LDCs from aid-dependant to trade-dependant status (p. 18).</p> | |
| | <p>Promote multilateral rather than bilateral approaches for Aid for Trade.</p> <p>Ensure trade-related capacity building, training, technical assistance reflect careful needs assessments led by recipients.</p> | <p>Deere-Birkbeck and Meléndez-Ortiz, 2009</p> | | |
| | <p>Ensure that developing countries have a stronger say in the governance of Aid for Trade and capacity building, as partners in the process rather than as beneficiaries (2008, p. 3).</p> <p>Ensure long-term commitment and flexibility on the part of donors (2008, p. 2).</p> <p>The WTO Secretariat should not be a major provider of technical assistance. The WTO Secretariat's role should be targeted to provide information about agreements and basic training on WTO rules, in collaboration with development-oriented UN agencies, research centers, and others (2008).</p> <p>UNCTAD, the ITC, and UNDP should be called on to step up their efforts in this respect in collaboration with the UN specialized agencies in the context of the Enhanced Integrated Framework (2008).</p> <p>Build a more independent system for the design and provision of capacity building that would enable developing countries independently to choose providers from an array of possible sources (2005, p. 20).</p> <p>Better insulate trade-related capacity building from donor-identified priorities and boost developing country ownership. Possible mechanisms for this include: a) establishing a new independent facility for TACB within existing institutions or b) by channeling resources through mechanisms outside existing institutional structures (2005, p. 20).</p> | <p>Deere, 2008; 2005</p> | <p>Help developing countries bolster their relative power in the world trading system.</p> <p>To improve the quality of technical assistance. To ensure that technical assistance is delivered in a way that maximizes its effectiveness and usefulness (p. 22).</p> <p>To ensure that lessons learned in TACB translate into improved practice (p. 23).</p> | <p>While donors frequently concur that developing countries should lead the design, orientation, focus and implementation of TACB, the supply-driven nature of much TACB persists (p.20).</p> <p>TACB reforms should focus not just on the technical implementation of a particular project but on its overall contribution to the ultimate goal of ensuring that countries put in place trade policies, institutions and initiatives that advance their development (p.23). Developing countries need to exercise national leadership to articulate TACB needs and extract the most value out of available TACB resources.</p> |

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| | <p>Develop a set of guidelines and a professional certification scheme or code of ethics for providers of technical/legal assistance and policy advice to developing countries. In addition, developing countries should be empowered to veto the donor's choice of technical assistance providers and provide access by developing countries to experts to review the proposed style and format of technical assistance (2005, p. 22).</p> | Kumar, 2007 | | |
| | <p>Developing countries should establish a trust fund for assisting member countries in their compliance with WTO obligations. Such a fund could be augmented by contributions from developed countries and multilateral bodies (p. 3-4).</p> | Kumar, 2007 | | |
| | <p>Without the need to secure developing countries' support for a trade settlement, however, there is now a risk that aid for trade will be absorbed into normal country aid programmes, and be governed by the wishes of the international financial institutions. "There may be an increase in aid for improving the trading and productive capacities of developing countries. But there will be no way to ensure that the direction of that aid will be determined by the priorities of the international trading system. The WTO and its members retain the potential to influence the allocation of funds through monitoring, analysis, and debate. But the leadership has now shifted to the World Bank and the International Monetary Fund. To ensure that the implementation of Aid for Trade reflects the decisions that they have made in the WTO, therefore countries must act there to require that these institutions now act coherently to accept a priority for trade that has been determined by another international institution, the WTO. This may require greater voice for developing countries."</p> | Page, 2007 | | Also see Page in Table 5. |
| | <p>If Aid for Trade is really to be successful in reducing poverty, more staff and resources are needed; more networking is necessary to involve companies and government ministries in AFT impact assessments; developing countries need to maintain 'a sense of ownership and leadership in the program and design process', and that donors must consider Aid for Trade when addressing issues of infrastructure development, access to capital and the costs of doing business.</p> | Njinku and Cameron, 2008 | | |
| | <p>The WTO Secretariat should direct less time to technical assistance, which is better spent elsewhere (p. 645)</p> | Wolfe, 2005 | | |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| | <p>The WTO should consider outsourcing the training on WTO basics; deepen collaboration with other international organisations and agencies; move from ‘hub and spoke’ to joint partnerships; move from Geneva-based to more regional and in-country approach; build the capacity of subject matter experts to deliver training and not just content lectures; Strengthen the autonomy and freedom of the WTO’s Institute for Training and Technical Cooperation (ITTC); support in-country needs assessments; Work with the OECD to make the Trade Capacity Building Database more useful for planning purposes; Move from WTO-centric content to a more comprehensive approach; Re-orient training to help countries develop negotiating and analytical skills to better identify their trade interests and assert their trade rights; Draw more on case-study material and research from within WTO and from outside; Include more economists amongst trainers on WTO courses; Make courses more interactive, with trainers as facilitators instead of lecturers; · Add 1-2 days to shorter courses to allow more practical and regionally relevant content; Expand pre-training and access to materials ahead of courses; Include more national or regional trainers to address language problems; Expand the range of materials and instruction in all three official languages; and Expand collaboration with Southern think tanks and academics.</p> <p>Regarding management and efficiency, the authors propose that WTO should: Employ people who have a missionary zeal and a long experience of working on trade problems of developing countries either at governmental or intergovernmental levels or in research institutions; Encourage greater transparency in trainee selection process and the use of benchmarks for participant selection; Include a training performance indicator in the annual evaluation of WTO staff; Increase funding for more regular ex-post and thematic evaluations; Introduce more systematic evaluation of trainees with emphasis on their on-the-job performance rather than their ‘customer satisfaction’; Seek more predictable and longer-term funding for the WTO’s TRTA to assist ITTC in longer-term planning; ITTC should develop an overall plan to allow trainees to go through a structured programme of learning; Solicit funds for trainees to participate in negotiating meetings and acquire other resources (e.g. databases) to apply their newly acquired</p> | <p>CUTS, FLACSO, & North-South Institute, 2006</p> | <p>To promote more effective and development-oriented technical assistance.</p> | |

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| | <p>WTO knowledge; Consider expanding DDA Global Trust Fund resource allocation to national and regional activities; With OECD and other agencies compile data to allow comparison of relative costs of different TRTA programming.</p> <p>Further recommendations include: Increasing decentralisation of courses to regional centres and national institutions; TRTA activities should draw on independent research as well as feed on the inputs from the Research Division of the WTO; The ITTC should be responsible for collaborating with other organisations, including country-based think tanks and non-governmental organisations (NGOs), with a view to ensuring that the assistance which the WTO cannot provide due to its neutrality and other constraints is met by non-WTO resource persons and/or programmes.”</p> <p>To ensure ITTC's independence, the authors further suggest “that procedures for reporting to the WTO Director-General be drawn up so that, except on major policy-related issues, it has full autonomy in drawing out its programmes and in determining priorities. These programmes should be prepared every two or three years and training should provide analysis of what is actually being done and <i>not</i> done around the world under each agreement and why, so as to provide more dynamic and objective TRTA.”</p> | | | |
| | <p>Ensure that assistance is as impartial as possible and strengthens a country's ability to take independent positions on trade issues.</p> | Prowse, 2002 | | |
| | <p>Upgrade the ‘best endeavour’ commitments contained in Doha Ministerial Declaration on technical cooperation and capacity-building (paras 38-41).</p> | CAFOD et al, 2002 | To enable developing countries to participate fully at the WTO. | |
| | <p>“The WTO's technical assistance should rely on an arms-length organisation acting within terms of reference defined by the WTO but operating independently of the Secretariat. Such an arrangement would favour responsiveness, flexibility and interaction with local institutions in developing countries. It could more easily emphasise relationships and professionalism in training and consulting, create <i>ad hoc</i> alliances and better manage multi-functional teams than an in-house division of the WTO Secretariat. Moreover, an arms-</p> | Kostecki, 2001 | | |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| | <p>length institution would be better equipped to decentralise and serve its networks in the developing world. Indeed, a lot of technical assistance activities can be done locally with greater involvement of developing country institutions or offered in the form of e-learning, the Internet and computer-assisted training programmes.</p> <p>The WTO's technical assistance services need more autonomy and freedom from bureaucratic constraints. Staff should be empowered to take initiatives and build relationships with other service providers and the beneficiaries in developing countries. An entrepreneurial spirit and professionalism in the implementation of technical assistance would be encouraged by a change in the organisational structure, culture and stronger leadership by experienced capacity-building experts.</p> <p>Modern techniques of quality management should be used to improve professional standards and favour effectiveness. The focus of technical assistance should remain on WTO issues; however, broader inter-cultural and social perspectives are also needed as background for the WTO-related debate...</p> <p>The WTO might also want to become a leader in the use of e-networks, teleconferencing and computer-assisted training in trade policy. Its technical assistance could gain in effectiveness through better partnerships with a wider range of service providers, including not only the main multilateral agencies and regional and national governments, but also major training institutions, academia and civil society."</p> | ECPDM, 2001 | | |
| | Reduce earmarking support for selected capacity-building initiatives. | ECPDM, 2001 | To reduce potential distortionary impact of donors discriminating in favour of assistance that favours their national interests. | |
| | Governments should ensure that all capacity building programs are developed through joint planning between the WTO and those to be trained (p. 6). Both developing country governments and sympathetic Northern governments have an important role to play in applying pressure to other OECD governments and the World Bank to deliver on the skills building packages already agreed (p. 6). | Action Aid et al, 2000 | | |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| | <p>Governments should press for a comprehensive account of who is providing trade-related training programs to developing and least developed countries amongst UN and other national and international institutions. This was one of the objectives of the Integrated Framework discussions but has never materialized. Without it, a planned approach to capacity building is impossible. The EU efforts to compile an account of member states' trade related technical assistance are a welcome step in this direction (p. 6). If the World Bank is to lead and coordinate Integrated Framework trade policy capacity building, through PRSP processes, it is essential that governments, particularly developing and least developing country governments, press for details of how this will be carried out.</p> <p>Encourage the provision of program support, as a complement to, or integrated with, PRSP-related capacity-building to those training programs run by UNCTAD and the South Centre that focus on building institutional support, not least because Southern governments in general have confidence in these institutions (p. 6).</p> | IISD, 2000 | To boost the participation of developing countries at the WTO. | |
| | <p>Address the issues on the organization and functioning of the WTO that have hampered the meaningful participation of developing countries in the work of the organization. This will need to include a serious effort at building the capacity in developing countries to identify, articulate and defend their interests in the WTO and more generally in the context of international trade so as to implement the agreements and take advantage of the opportunities that they afford.</p> <p>Boost Secretariat resources to help lower-income members to deal with the new system and prepare for the next round of negotiations. The author notes that the need for technical assistance among the WTO's low-income members exceeds by a 'wide margin' anything seen under the GATT (p. 65).</p> | Blackhurst, 1997 | To improve implementation and prepare countries for further negotiations. | |
| <p><i>Content of Aid for Trade, Capacity Building, Technical Assistance and Training</i></p> | <p>Concentrate 'Aid for Trade' or aid flow for trade related capacity building on the 'hardware' not the 'software'. In contrast to low-value training programs or diagnostic missions, making resources available for large-scale infrastructural and production capacity enhancing projects is a must (p. 18).</p> | Bhattacharya, 2009 | | |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| | <p>Ensure the delivery of Aid for Trade that enables the effective participation of developing countries in the multilateral trade system, supports adjustment to trade rules and builds the institutions needed to avail themselves of their rights under trade rules.</p> | <p>Deere-Birkbeck and Meléndez-Ortiz, 2009</p> | | |
| | <p>Recognize that the empowerment of developing countries in international trade governance will involve support in both the negotiation and implementation phase (2008, p. 2).</p> <p>Effective Aid for Trade demands that countries organize themselves and stakeholders in order to benefit from it, including through support for multistakeholder processes for decision making on trade policy, negotiating priorities, and implementation (2008, p. 3).</p> <p>Use trade-related TACB to enable countries to assess the complex role of international trade in their national development strategies and to weigh the pros and cons of different options. Developing countries should agree to building the capacity not only of their economic and trade ministries, but also to promote more effective inter-agency coordination of trade policy and permanent processes for consultation with necessary stakeholders in business, NGOs, academia and trade unions (2005, p. 22).</p> | <p>Deere, 2008; 2005</p> | <p>To support for mainstreaming trade policy reforms into broader development and poverty reduction strategies (p. 22).</p> | <p>The mainstreaming of trade into development strategies will rely on institution building at national level (p. 22).</p> |
| | <p>To help countries formulate trade positions and to place trade reform in the context of overall development objectives.</p> <p>Ensure that assistance is as impartial as possible, strengthens a country's ability to take independent positions on trade issues, and develop its own trade policy to ensure that implementation of WTO rules and efforts to negotiating and implement future disciplines makes sense from a development perspective and that assistance is considered in the context of other competing development needs.</p> <p>Proposes an issues-based approach to support developing country participation and implementation of WTO Agreements, whereby a country would present the transition requirements and sequencing necessary to implement agreements, taking into account an appraisal of the costs of implementation given competing demands on developing country resources and the availability and need for additional trade assistance. (p. 1249).</p> | <p>Prowse, 2002</p> | <p>To ensure that available resources are effectively utilised to deliver tangible benefits to developing countries.</p> <p>To overcome problems associated with S&D provisions.</p> <p>To help countries tackle implementation difficulties.</p> <p>To provide assurance to developing countries to negotiate regulatory disciplines in new areas.</p> | <p>The author notes that merits of an issue-based approach would include: a process of consultation, arbitration/dispute settlement only as a last option, and promotion of policy coherence at the country and donor level. It would enable determination of country classifications and allow a process of graduation from preference systems, it would give recognize and potential credit for unilateral action, it would provide mechanism and assurance for developing countries to negotiate discipline sin near areas.</p> |

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| | <p>Improve efforts to harness competence and comparative advantage of specialized international agencies.</p> | | | |
| | <p>Technical assistance and capacity building must address the broad range of steps needed to ensure proper participation by developing countries. This includes negotiating capacity in Geneva, interdepartmental research and negotiating capacity in capitals, and ways to involve civil society in dialogue with governments in order to achieve both a clear identification of interests and proper ownership of the process.</p> | CAFOD et al, 2002 | To ensure proper participation by developing countries. | |
| | <p>Include in capacity building a focus on implications of trade policy for the environment and the need for social protection.</p> | ICTSD, 2001 | To promote the efficacy of trade assistance from a sustainable development point of view. | |
| | <p>Provide support to developing countries and particularly the least developing countries to conduct national consultations. “Such assistance must be focused on building capacity rather than promoting a trade liberalisation agenda. Such consultations must be broad-based and participatory and be made available also to local civil society groups.”</p> | WWF et al, 2001 | | |
| | <p>Ensure that capacity building activities are impartial, address the costs and benefits of WTO rules and issues of implementation in the North as well as the South, and involve a broad enough range of stakeholders to ensure that skills development is institutional and not limited to specific ministries or persons (p. 6).</p> <p>Financial and technical support needs to be provided to assist developing countries to conduct trade impact assessments on the economy, environment and poverty (p. 6).</p> <p>Support the development of training programs that encourage institutional development and are flexible and context orientated, rather than standard, one-size-fits-all courses.</p> <p>Bring together government officials, academics, NGOs, trade unions and other civil groups in a national context and help to develop cooperative relationships as well as ensure that learning is institutionalized (p. 6).</p> | Action Aid et al, 2000 | To ensure that trade agreements support poverty and sustainable development goals. | The authors cite the work of the Trade Analysis and Systematic Issues Branch (part of UNCTAD’s Division for International Trade in Goods and Services and Commodities) as an example of innovative and effective capacity building. |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| | Provide technical and financial assistance to enable developing countries to conduct sustainability impact assessments of trade agreements and develop appropriate flanking policies. | WWF, 1999 | To ensure that trade supports sustainable development. | |
| <i>Monitoring and Evaluation of Aid for Trade and Capacity Building</i> | <p>Improve monitoring and evaluation of Aid for Trade through annual independent evaluations and/or peer-reviews of trade-related capacity building from the developing country perspective that take a sample of countries and review the outcomes of assistance against the priorities established through the Integrated Framework or in other national development strategies (such as the World Bank's PRSPs)</p> <p>Monitor and publish of information regarding the performance of each major donor (2008, p. 2).</p> <p>Monitor Aid for Trade through the new WTO-OECD efforts in this respect against the benchmark of ensuring that countries are supported to put in place trade policies, institutions and initiatives that advance their development (2008, p. 2).</p> <p>Undertake independent evaluations of capacity building and Aid for Trade and provide greater monitoring and public disclosure regarding the performance of each major donor (2009, p. 35).</p> <p>The respective responsibilities of the WTO, donor nations, potential recipient nations, and the other international organizations involved in the Aid for Trade initiative should be clearly delineated. Each party should be held accountable for its contribution to this initiative, which should stand apart from trade negotiations (p. 4).</p> <p>Develop indicators of effectiveness of TACB; develop good practice guidelines; institute a rolling program of TACB impact evaluations; institute and independent review panel for TACB for use by developing countries (p. 23).</p> | Deere, 2008; 2009 | Enhance the role of developing countries in management of Aid for Trade. | Improved capacity building will depend on developing country leadership to push for more effective aid, better articulate their needs and extract greater value from existing resources (p. 34). |
| | | Warwick Commission, 2007 | | Failure to delineate responsibilities reduces the effectiveness of Aid for Trade and heightens the risk that the WTO will be wrongly blamed for the lapses of others (p. 4). |
| | | Deere, 2005 | To improve the quality of technical assistance. To ensure that technical assistance is delivered in a way that maximizes its effectiveness and usefulness (p. 22). | |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| <p><i>Assistance for Improving Developing Country Representation at WTO</i></p> | <p>Support permanent representation for all LDC WTO members in Geneva through, where necessary, using the mandatory contributions of WTO members to the organization's core general budget. This may involve a supplementary contribution on the part of some WTO members (2008).</p> <p>Support the secretariats of developing country coalitions, including generating lessons learned regarding the effective internal management and operation of coalitions and improving their negotiating capacity (2008).</p> <p>Add a levy to the regular budget contributions of the most powerful WTO members earmarked specifically to make real the membership of the poorest countries by expanding their representation in Geneva (2005, p. 21).</p> | <p>Deere, 2008; 2005. See also arguments of Deere et al 2007 (p. 14-20).</p> | <p>To boost developing country representation in Geneva.</p> | <p>Even those developing countries with a limited range of market-access issues at stake in the WTO round have a long-term interest in understanding and contributing to the development of WTO rules that they have obligations to implement and enforce at the national level.</p> <p>LDC governments should ensure ambassadors and delegates to the WTO have trade and/or negotiating expertise, and that staff of missions remain in the trade-related arena for a minimum of 5 years in order to accumulate, deploy and transfer their expertise in support of national objectives (p. 1). Improved capacity building will rely on developing country leadership to push for more effective aid, to better articulate their needs, and to extract more value from existing resources (p. 2).</p> |
| | <p>Wherever possible, new agreements reached in the WTO, in the future, should contain provisions for a contractual right, including for necessary funding arrangements for least developed countries to receive appropriate and adequate technical assistance and capacity building aid as they implement new obligations.</p> | <p>Sutherland Report, 2004</p> | | |
| | <p>Increased financial assistance is needed to ensure that all members (particularly the least developed) are able to take part fully in all WTO activities and procedures, including its disputes settlement mechanisms.</p> | <p>ICFTU, 2001</p> | | |
| <p>Launch a greatly improved program of technical assistance and training to build the human and institutional capacity of developing countries to enable their delegations to participate fully in negotiations with appropriate depth of support from national capitals.</p> | | <p>Sampson, 2000</p> | | |

| SPECIFIC FOCUS | PROPOSAL | PROPONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| | <p>Developed country governments should increase their contributions to the section of the WTO budget that is earmarked for technical cooperation to enable a planned program of capacity building to take place.</p> <p>Funds should be provided with as few specifications as possible to enable the WTO Secretariat to construct long-term programs of skills development in response to the needs of the WTO's members (p. 5).</p> <p>All WTO members should be invited to make additional binding commitments to the section of the regular WTO budget that is set aside for technical assistance to support the activities of developing and least developed countries in Geneva. Richer nations should consider additional initiatives. For example, funding offices for least developed countries using the model established by the European Union in funding an office in Geneva for ACP countries (para.2).</p> | <p>Action Aid et al, 2000</p> | | |
| | <p>Provide technical and financial assistance to increase developing countries presence and representation in negotiations, and their ability to negotiate effectively.</p> | <p>WWF, 1999</p> | <p>To increase benefits to poorest countries and communities from trade and the associated exploitation of natural resources.</p> | |
| | <p>Use the WTO budget to finance additional staff for those member countries whose current delegation falls below a target minimum (such as three professionals working full-time on WTO activities).</p> <p>An alternative option would be to provide every WTO member with enough funds from the WTO budget to finance three professionals (though countries could always choose to have more in their delegations). For each WTO member with at least one professional resident in Geneva, there would be a reduction in their trade ministry budget and an increase in the country's contribution to the WTO (p. 64).</p> | <p>Blackhurst, 1997</p> | <p>To address the shortage and absence of representation of some WTO members in Geneva.</p> <p>To improve the WTO's resource base of delegates resident in Geneva available for full-time work on WTO activities.</p> <p>To provide larger countries an opportunity to demonstrate their commitment to a 'member-driven' WTO.</p> | <p>The author notes that the effect of these proposals would be that larger trading nations would be financing to varying degrees the delegations of smaller traders (p. 64).</p> |

7. OUTREACH FUNCTION AND EXTERNAL TRANSPARENCY

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| Transparency, Public Participation and Access to Information | <p>Any reforms relating to parliamentary involvement within the WTO should pay heed to the experience of the recommendations of the IMF Executive Directors on enhancing communication with national legislators, including that legislator's participation be designed on a case-by-case basis, taking into account the political climate of the given country.</p> <p>Conduct comparative analyses of cooperation between other international organizations and parliamentarians as well as their associations (p. 32).</p> <p>Fully explore the idea of a parliamentary dimension to the WTO (p. 32).</p> <p>Fully explore the idea of developing more formal mechanisms for receiving input from non-state stakeholders, with an emphasis on business and consumer groups (p. 33).</p> <p>Open up more meetings to 'observers' as a first step in increasing the openness of meetings to stakeholders and the public (p. 31).</p> <p>More open and engaged dialogue with civil society will make the WTO a more transparent and responsive organization, enjoying greater support among the general public in developed as well as developing country Members. Justified concerns about the legitimacy, accountability, and politics of NGOs could be eliminated, or at least mitigated, by introducing a system of accreditation in the WTO. While NGO involvement in the WTO definitely has its limits, the involvement of NGOs in other international organizations, in particular, the United Nations, suggests that these limits have not been reached as yet.</p> | <p>Alvarez, 2009</p> <p>Steger and Shpilkovskaya, 2009</p> <p>Van den Bossche, 2008</p> <p>Wang, 2008</p> <p>Matsushita, Schoenbaum and Mavroidis, 2006</p> | <p>To increase the legitimacy of the WTO decision making process without lessening its effectiveness (p. 25).</p> <p>To enhance the legitimacy of the WTO.</p> <p>To maintain and foster dialogue between the WTO and parliamentarians.</p> | <p>Parliaments play an important role in carrying out internal ratification procedures relative to international trade agreements.</p> |
| | <p>Many aspects of transparency in the WTO need further analysis. One issue requiring further reflection is the relationship of the business community and the WTO. Reforms can be approached on a «learn-by-doing» basis (p. 19).</p> <p>Reiterates Canada's proposals for improved dialogue with the public through (i) allocation of a portion of the WTO Secretariat's budget to outreach initiatives such as symposia, workshops and improvements to the WTO internet site; and b) use of the WTO's</p> | | | <p>Canada's original proposals in this respect can be found at www.dfait-maeci.gc.ca/tna-nac/wto-e.asp#canada.</p> |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| | <p>outreach budget for more frequent and structured meetings with journalists and NGOs. Also consider conducting a series of dialogues among WTO members, academics, the media and NGOs as well as convening annual meetings for WTO bodies and committees to which NGOs could be invited or to which they could make written submissions (p. 16).</p> <p>Create a mechanism for parliamentary input, including the possibility of regular informal meetings of WTO member parliamentarians.</p> <p>Create ad hoc advisory boards of experts in specialized areas to provide non-binding advance to the WTO membership on issues, such as trade and sustainable development.</p> | | | |
| | <p>Regarding proposals for “the creation of a WTO parliamentary body should be judged in terms of its impact on the participation of less powerful stakeholders and, in particular of developing countries and their constituents.” Shaffer argues that whatever institutional design is chosen must address developing nations’ concerns that a parliamentary dimension not reinforce existing power imbalances by favouring the larger delegations of powerful member states or detracting from efforts to improve the WTO’s “internal transparency” by making it first more accountable to its developing-country members.</p> <p>Proposes key points for consideration in the process of institutionalizing a parliamentary dimension of trade oversight at the multilateral WTO level.</p> | <p>Shaffer, 2004</p> | | |
| | <p>Proposes an Advisory Economic and Social Committee which would have a suitable link to the WTO.. This Committee could, while fully respecting governmental prerogatives, allow civil society to contribute to the “furtherance of world trade and to its links with other areas of endeavor, which are of interest to the world community” (p. 685).</p> | <p>Lacarte, 2004</p> | <p>Increased worldwide public awareness of the full importance of WTO decisions would almost certainly generate new pressures and demands on governments. This could very well complicate an already complex panorama for them, but it would certainly put the organization in closer touch with the real world (p.683).</p> | <p>The author observes that: “NGOs are an important segment of civil society and should be able to contribute fresh ideas and innovative responses to trade issues. Indeed, governments routinely maintain close contacts with national NGOs and this is not seen as objectionable. On the contrary, the lack of such inter-communication would seem out of place. However, there are practical and political obstacles that need to be surmounted properly if NGOs are to occupy a more significant place in WTO affairs.</p> |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| | <p>The WTO's relations with non-governmental organizations as well as with the public generally should be kept under review.</p> <p>WTO members should develop a set of clear objectives for the WTO's relations with civil society and the public at large. Within the general framework of these objectives, the 1996 General Council Guidelines for Arrangements on Relations with Non-Governmental Organizations should be further developed so as to guide Secretariat staff in their consultations and dialogue with civil society and the public.</p> <p>Guidance should include the criteria to be employed in selecting organizations with which the Secretariat might develop more systematic and in-depth relations. However, no single set of organizations should be constituted to the permanent exclusion of others. Further, the Secretariat is under no obligation to engage seriously with groups whose express objective is to undermine or destroy the WTO.</p> <p>The administrative and financial implications of a more active program of civil society engagement should be carefully assessed (see conclusions p.79-83).</p> <p>The Director-General should explore with relevant groups the potential for increased coordination and group representation in restricted meetings (see conclusions p. 79-83).</p> | <p>Sutherland Report, 2004</p> | <p>To improve transparency and inclusiveness</p> <p>To clarify the approach to civil society, recognizing that dialogue with civil society entails responsibilities on both sides. (see conclusions p. 79-83).</p> | <p>Note that Van den Bossche, 2008, states: "the Sutherland Report shows a regrettable lack of ambition in the area of dialogue with civil society" (p. 24).</p> <p>Note also discussions on transparency which argue that there needs be further discussion on who constitutes 'civil society' (p. 681 in Van den Bossche and Alexovicova, 2005).</p> |
| | <p>Civil society organisations and parliamentarians should be granted greater access to WTO processes, as well as to national processes for formulating trade policy.</p> | <p>CAFOD, et al, 2002</p> | <p>To build accountability in WTO procedures, particularly given exclusion of civil society from formal WTO process.</p> | |
| | <p>Create an accreditation system for non-profit and public-interest organisations. The authors committed to working with the WTO and its members to identify appropriate guidelines for such NGO accreditation system that are based on other existing models for NGO accreditation and participation in other international intergovernmental bodies (such as those established in the UN Economic and Social Council). They note that "participation of nonprofit public interest NGOs from developing countries in the development of accreditation and consultation systems and guidelines should be actively sought" (p. 2).</p> | <p>WWF et al, 2001</p> | <p>To increase openness and accountability.</p> | <p>Trade policy cannot be left in the hands of a few to decide for the majority. Trade ministers in many cases represent or listen only to certain segments of business interests. This often results in policy outcomes that are unbalanced or otherwise lack legitimacy. It is crucial to ensure that those affected by trade and its effects, such as farmers, women producers, parliamentarians, and ordinary citizens, have a say in developing trade rules and policies (p. 2).</p> |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| | <p>Specific consultative structures for trade unions need to be established at the WTO, including for the Trade Policy Review Mechanism (TPRM).</p> <p>External transparency is required in the conduct of all WTO negotiations. In addition, forms of consultation are needed for parliaments, non-governmental organizations and other elements of civil society.</p> <p>Establish a formal structure to address trade and core labour standards, with the participation of the ILO, such as a WTO negotiating group; a WTO working group; a WTO Committee; or a WTO Standing Working Forum. Such a body should also address wider issues of social development, with particular attention to the impact of trade policies on women. Regardless of its exact format, any such structure must be set up with official endorsement from the WTO and include a reporting back mechanism to the WTO's decision-making bodies. Clearly, such discussions must not result in any arbitrary or unjustified discrimination or any form of disguised restriction on trade.</p> | <p>ICFTU, 2001</p> | <p>To introduce transparency, democracy and accountability into the WTO.</p> | <p>These reforms are essential preconditions to stop WTO rules being detrimental to workers' interests and to result, instead, in improvements in working and living conditions around the world.</p> |
| | <p>There are now several opportunities, such as seminars and conferences, for regular contact between the WTO and civil society groups. This could be more institutionalized, with balanced representation from developed and developing countries, and with adequate regular funding.</p> <p>Governments should make their own decisions to give their preferred NGOs, business and union lobbies a place on their negotiating team. There is no rationale for giving NGOs a second short independent of governments, particularly because rich-country NGOs are going to have a greater voice, given their greater financial resources, clout and lobbying experience (p. 29).</p> | <p>Bhagwati, 2001</p> | | |
| <p>Develop a system of accreditation of NGOs and other civil groups, that ensures balanced representation from all interests and regions to be observers to Committee and Council meetings.</p> <p>Apply the same standards that apply to domestic policymaking to international negotiations.</p> | | <p>Action Aid et al, 2000</p> | <p>To promote transparency and to ensure balanced representation of interests and regions (avoiding domination by Northern groups or corporate business interests).</p> | <p>As an example of 'best practice', the authors of the document propose that the European Commission should promote recommendations adapted from the UK Government Nolan Committee's report on Standards in Public Life, such as: Governments should disclose all written advice</p> |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| | <p>Address the General Council decision revoking/extending the decision of 16 July 1996 on interpreting Article V of the agreement establishing the WTO to allow automatic de-restriction of all documents including draft agendas, papers and minutes of WTO Council and Committee meetings unless there are good reasons for maintaining confidentiality. Criteria should be established to determine when confidentiality is justified (p. 10).</p> <p>Actively encourage parliamentary scrutiny of trade policy at the national and regional level (p. 10).</p> | | | <p>they receive relating to trade negotiations; Delegation members should disclose all agreements with and payments from private sector bodies, trade unions, NGOs and other groups; For an agreed period after participating in a delegation, or holding a post within the WTO Secretariat, individuals should have to seek clearance from a specially constituted body before entering employment with private companies that might entail a significant conflict of interest (p. 10).</p> |
| | <p>The WTO should accredit international NGOs to be observers to WTO Committee and Council Meetings. Accreditation limited to international NGOs legitimately representing all regions and not solely financed by any one region or country could ensure that existing biases are not exacerbated.</p> | <p>Consumers International, 2000</p> | | |
| | <p>Parliamentarians should play a more active role at the national and transnational level, and can serve as a useful bridge between civil society and the WTO.</p> <p>For discussion of trade and labour issues, countries could take up a proposal by Supachai Panitchpakdi for convening a one-off ‘soul-searching’ forum under the auspices of a neutral institution such as the UN or UNCTAD to include high-level government officials, as well as representatives of relevant international organizations such as the WTO and the ILO.</p> | <p>Halle, 2000</p> | | |
| | <p>Improve the product and impact of WTO symposia with NGOs by combining plenary sessions with more issue-specific workshops, ensuring the representation of a cross-section of views, including small NGOs from developing countries. As such smaller NGOs seldom have resources to participate in such meetings, the WTO Secretariat should have a budget for the purpose.</p> <p>WTO members should agree to institutionalize such NGO symposia and to fund them through the WTO’s regular budget.</p> | <p>Sampson, 2000</p> | | |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| | <p>The WTO could institutionalize NGO symposia on trade and environment to be held back-to-back, with a similar agenda, to the meetings of the Committee on Trade and Environment (CTE). Summary records could be prepared, sub-contracted to an external organization, and made publicly available. To create a formal channel of communication, a report on the proceedings of the symposia could be forwarded to the CTE by for example the Director General or the Chair of the CTE.</p> | Oxfam, 2000 | To help to increase public confidence that decisions taken there reflect the widest possible range of affected interests (para 4.4). | Experience from the GATT and other international organizations shows that constructive and open debates are essential to achieve successful negotiating outcomes (para 4.4). |
| | <p>De-restrict WTO documentation to provide real-time public access.</p> <p>Increase national parliamentary scrutiny of WTO policymaking.</p> <p>Establish an accreditation scheme for and increasing the level of informal dialogue with civil society groups.</p> <p>Allow civil society representatives to contribute arguments relevant to WTO disputes (para 4.4).</p> | IISD, 2000 | | |
| | <p>Find ways to incorporate the views of the broad range of stakeholders concerned that trade liberalization should not simply benefit commercial interests but also contribute to environmentally sustainable and socially equitable development for all.</p> | Esty, 1999 | To boost the WTO's legitimacy, authoritativeness and commitment to fairness. | The author notes that it is in the interests of the WTO itself to be more receptive to NGO views and involvement. |
| | <p>To make the WTO better connected to NGOs that represent various strands of global civil society.</p> <p>Increase inputs from NGOs with in-house analytical and technical skills.</p> <p>Take advantage of NGOs as an 'oversight and audit mechanism', which can act as 'watchdogs on national governments and report on whether they are fulfilling their WTO obligations'.</p> <p>Enable NGOs to submit views in the form of amicus briefs and to observe dispute settlement proceedings.</p> | Jha and Vossenaar, 1999 | To serve as a bridge between the WTO and global civil society. | |
| | <p>As NGOs in the South have few financial resources to participate in WTO processes, greater opening and provision for participation by NGOs could accentuate imbalances between developed and developing countries.</p> | | | |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| <p><i>Transparency, and the Role of Parliaments and Non State Actors at National Level</i></p> | <p>The authors note, however, that civil society - both NGOs and the business community - can play an important role in promoting a balanced trade and environment agenda.</p> | | | |
| | <p>The intergovernmental character of the WTO should be preserved and its tradition of being an organization where policy is decided by member governments alone. The scope for greater civil society participation is limited.</p> | Shahin, 1999 | | |
| | <p>Reform the WTO's negotiating, dispute settlement and other decision-making processes, to make them more open to civil society and parliaments in all member countries, and more able to take account of environmental and sustainable development concerns. For example by providing earlier derestriction of documents, including meeting timetables and agendas, to facilitate more regular and timely consultation with parliaments and civil society, at national and international levels.</p> <p>Also see WWF in Table 4 on dispute settlement</p> | WWF, 1999 | | |
| | <p>Consider whether and how to engage with non state actors at the domestic level. Engagement with such non-state actors at the WTO level might call for more innovative and new formal or semi-formal institutional structures (p. 4).</p> <p>Also see Sapra under Trade Policy Review in Table 5 above.</p> | Sapra, 2009 | To engage domestic non state actors (including NGOs, industry, business) at the WTO level. | There is a growing recognition that democratic control over the WTO needs to be exerted through domestic political processes and that domestic constituencies must obtain greater input into the negotiating positions that member-state negotiators take to the international table (p. 4). |
| | <p>Support multi-stakeholder processes for trade policymaking in capitals and support national research and analytical capacity that places trade objectives in light of national development goals. This should include support for stronger parliamentary deliberation of trade matters and efforts to organize the private sector with interests in trade policy.</p> | Deere, 2008 | | |
| | <p>Assist local civil society organizations dealing with trade issues in least developed countries, especially in Africa. This might be done in collaboration with continent-wide and regional organizations and think tanks (see conclusions p.79-83).</p> | Sutherland Report, 2004 | | Primary responsibility for engaging civil society in trade policy matters rests with WTO members. While the WTO's relations with civil society have their own integrity and dynamics, they are inextricably bound to government/civil society relations at the national level (see conclusions p. 79-83). |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| | <p>The trade policy process matters in helping countries and their citizens identify and capture the gains from trade. Using the TPRM to strengthen that process is not a grand scheme for improving the world, and it will not get the WTO or trade policy generally off the hook for demands to be more open and responsive to civil society concerns, but it is a small step the WTO can take, one consistent with its principles and practices that would contribute to the achievement of sustainable development (p. 17).</p> | <p>Wolfe and Helmers, 2007</p> | <p>Promote transparency and participation in national trade policy formulation.</p> | <p>The authors observe that along with negotiating in relatively new areas of trade policy, the biggest challenge facing developed and developing countries alike is finding ways for the public interest in sustainable development to be represented in a system that too often seems designed to serve only private interests.</p> |
| | <p>We must ensure that the national trade policy process is structured—in its openness and in its mechanisms for participation and accountability—to delivering trade policy supportive not only of the country's narrow trade interests, but also of its overriding interest in advancing sustainable development.</p> <p>Fixing the trade policy process can never be limited simply to ensuring the right information is available, that the right stakeholders are consulted and that an adequate mechanism is found to balance the interests expressed. The process must, instead, be made accountable for advancing some clearly-stated public goals, and these must form a tight framework within which all trade policy must fit. That, in turn, requires a significant change in attitude and approach.</p> | <p>Halle, 2007</p> | <p>To advance sustainable development.</p> | <p>The author warns that “should the trade policy community persist in defending the narrow, power-based and mercantilist approach that has tended to characterize the WTO and other trade negotiations at the regional and bilateral level, it will generate increasing push-back and will fail to deliver even the limited advances for which they aim.”</p> |
| | <p>Launch a pilot project, on a voluntary basis, to include a review of the domestic policymaking process within the TPRM. This would require strengthening of the TPRM Secretariat and capacity building for civil society in some countries (p. 11).</p> | <p>Ostry, 2002</p> | <p>To allow governments to tap new sources of policy-relevant ideas, information and resources.</p> <p>To build public trust and enhance credibility of government and the legitimacy of trade policy.</p> <p>To improve and sustain domestic transparency of government decision-making processes on trade policy.</p> | <p>The author notes that the review would need to recognize that the trade policy process will vary according to the a country's history, culture, institutions, etc.</p> |
| | <p>“Develop guidelines for national consultation with relevant stakeholders, and particularly, the marginalised sectors</p> | <p>WWF et al, 2001</p> | | |

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| | <p>in trade policy making...There is no reason why [the WTO's] members should not agree on basic rules to ensure transparency in formulation of WTO-related policies at the national as well as at the international level” (p. 2).</p> <p>Ensure additional national parliamentary scrutiny of developments at the WTO to ensure that they are consistent with, and do not undermine, parliamentary prerogatives, and the interests of sub-national bodies (p. 2).</p> | | | |
| | <p>Ensure greater representation of women in decision-making structures on national trade policy and multilateral trade agreements, both by promoting a critical mass of female policy makers, but also training men and women to become gender sensitive and calling on trade ministers to foster the institutional ethos and attitudes conducive to gender-sensitive trade policy. One option is to have focal points for mainstreaming gender within the Ministry, reporting to the Minister, and an inter-departmental committee on gender.</p> | <p>WIDE, 2001</p> | | |
| | <p>The WTO should develop guidelines for national consultation with civil society.</p> <p>Parliamentary scrutiny should be encouraged at the national and regional level.</p> <p>The WTO's TPR should include an evaluation of how trade policy is formulated at the national/regional level, including the extent and nature of consultations with civil society and parliaments.</p> | <p>Consumers International, 2000</p> | | |
| | <p>The WTO should develop and disseminate best practice guidelines for national consultations with civil society and the establishment of national contact points for the dissemination of WTO papers and records of decisions taken at the national level regarding trade policy (p. 10).</p> | <p>Action Aid et al, 2000</p> | | |

8. INTERNATIONAL COOPERATION AND COORDINATION FUNCTION

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| <p><i>Managing Preferential and Regional Trade Agreements</i></p> | <p>The US and EU should provide leadership in ensuring coherence between agreements negotiated at the bilateral level (e.g., Free Trade Agreements and the Economic Partnership Agreements), with multilateral trade commitments and progress on the Millennium Development Goals (MDGs) (p. viii).</p> | <p>Deere-Birkbeck and Meléndez-Ortiz, 2009</p> | <p>To promote coherence between bilateral trade agreements, multilateral trade commitments and the broader goals of sustainable development.</p> | |
| | <p>Explore the role of the WTO dispute settlement system in RTA disputes, including consideration of the role of the WTO as an RTA terminator, ‘confessor’, ‘inquisitor’ and ‘enforcer’ (p 899-925).</p> | <p>Gao and Lim, 2009</p> | <p>To trigger greater discussions on the role of the WTO given the proliferation of RTAs (p. 925).</p> | <p>The proliferation of RTAs has created a renewed sense of urgency for the WTO (p.899).</p> |
| | <p>Strengthen the WTO’s capacity to evaluate a wide-range of trade preferential agreements as well as protectionist and trade-distorting measures and practices (including those originated at the business sector). The creation of a body composed of high level independent experts, along the lines of the approach taken for the WTO’s dispute settlement system, could be explored.</p> | <p>Pena, 2009</p> | | |
| | <p>Argues that the proliferation of preferential agreements, with different product coverage, rules of origin, private standards, exceptions, and WTO+ measures will become administratively too complicated and costly for private enterprises involved in international trade.</p> | <p>Perez del Castillo, 2008</p> | | <p>Advises that multilateralism will prevail in the end.</p> |
| | <p>Undertake comparative analysis of transparency and public participation mechanisms in regional trade agreements and other international regimes to inform discussion of WTO reform proposals.</p> | <p>Bonzon, 2008</p> | <p>To promote public participation and transparency.</p> | |
| <p>Iron out the inconsistencies in the relationship between the WTO and regionalism (p. 12). The authors note use of the WTO DSU by developing countries in the context of regional agreements (p. 12) and argue that the ability to challenge trade policies in impartial dispute settlement processes may now be seen as the core function of multilateralism (p. 12).</p> | <p>Heidrich and Tussie, 2008</p> | <p>To prevent excessive demands on the WTO’s DSU.</p> | | |
| <p>Strengthen WTO rules governing regionalism to address the proliferation of RTAs. Undertake more rigorous monitoring of RTAs to ensure they complement and foster the multilateral system rather than undermine basic WTO principles by erecting additional barriers to trade (p. 5).</p> | <p>Lamy, 2008</p> | <p>To foster the multilateral system.</p> | <p>Concern that regional integration efforts distract attention from multilateralism (p. 5).</p> | |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| | <p>Members should strengthen and make permanent the recently established Transparency Mechanism (TM) for reviewing RTAs and consideration should be given to developing a mechanism that facilitates collective surveillance of RTAs and possibly the establishment of a code of best practices (p. 5).</p> <p>Major industrialized countries should refrain from establishing PTAs among themselves. Large developing countries with significant shares in world trade should refrain from negotiating PTAs with each other (p. 5).</p> <p>Intensify current efforts to clarify and improve disciplines and procedures in relation to WTO provisions on Regional Trade Agreements (p. 5).</p> | <p>Warwick Commission, 2007</p> | <p>To reduce trade costs and promote stability, fairness, opportunity and coherence in the world trade regime.</p> | <p>The rapid growth of PTAs in recent years has unnecessarily raised trade costs and carries worrying implications for the world trade regime in terms of stability, fairness, opportunity and coherence (p. 5).</p> |
| | <p>Create a body in the WTO Secretariat to assess the impact of proposed new bilateral or regional trade agreements on trade diversion/creation vis-à-vis the multilateral system.</p> <p>Subject PTAs to meaningful review and effective disciplines in the WTO.</p> <p>Use the Trade Policy Review Mechanism to provide a vehicle for analysis and comment on developments within, and the external impact of, Preferential Trading Arrangements. Some tentative steps are being taken in that direction but more needs to be done.</p> | <p>Stiglitz and Charlton, 2005</p> <p>Sutherland Report, 2004</p> | <p>To promote multilateralism in trade and to promote development.</p> <p>To promote the multilateral trading system.</p> | |
| | <p>WTO rules should provide the limits and boundaries for the scope and nature of RTAs, but first WTO rules need to be made more flexible and friendly to human development, including by providing sufficient scope for addressing development concerns. When such agreements involve both developing and industrial countries, they should allow for less than full reciprocity. In addition, regional agreements that are or intend to become 'WTO plus' - that is having obligations that are broader, more stringent or less flexible than the WTO's - should be made WTO compatible.</p> <p>WTO rules on RTAs must be clarified to ensure that developing countries enjoy the same rights to SDT at the regional level as at the multilateral level and that such provisions draw on human development criteria.</p> | <p>UNDP, 2003</p> | <p>To promote human development.</p> | |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| | <p>Preferential schemes, such as the Generalized System of Preferences, should be part of the WTO's formal mechanisms for SDT, and their coverage, scope and duration should be determined through objective assessments rather than as a result of bargaining or unilateral decisions by the preference-giving country.</p> <p>There is an urgent need to ensure that the rules of RTAs and the WTO, particularly where RTA rules are more development-friendly than WTO agreements.</p> | | | |
| | <p>Recognize that the pursuit of regional trade arrangements between developing countries could be a beneficial complement to their participation in the multilateral trading system if designed well. Regional and South-South trade arrangements can aid developing countries to promote trade. The arrangements may be more balanced and mutually beneficial when they are with other developing countries in a region, or in other regions, particularly where countries are at a similar stage of development (as compared to developed countries).</p> | TWN, 2001 | To promote development. | |
| | <p>The WTO should learn from regional integration agreements that have pioneered new approaches to resolving social and environmental issues related to trade, to examining the sustainability and trade policy linkages innovatively, and to allowing openness and participation in the trade policy debate.</p> | IISD, 2000 | To promote sustainable development and participation in debate on trade policy at the WTO. | |
| <p>Relationships with Other International Organizations</p> | <p>Invite the Secretariats of key environmental agreements and intergovernmental environmental organizations as observers to relevant WTO bodies (p. viii).</p> | Deere-Birkbeck and Meléndez- Ortiz, 2009 | To promote sustainable development. | |
| | <p>Ensure that the entire international system supports the trading system.</p> <p>Acknowledge that success in maintaining a free multilateral trading system requires more than simply dealing with reductions in tariffs, quotas, subsidies and other technical factors that impede the expansion of trade.</p> | Akyuz, 2009 | To support development. | The author notes that stable exchange rates and expansion of employment are also preconditions for maintaining and developing an open system of international trade. |

| SPECIFIC FOCUS | PROPOSAL | PROPOSER/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| | <p>Establish more formal cooperative arrangements with the IMF, the World Bank and other key international organizations (p. 33).</p> <p>Proposes comparative analyses of the practices of other international organizations as potentially useful models for the WTO in the future (p. 33).</p> <p>Establish more formal mechanisms for cooperation, participation and input in meetings from other international organizations (p. 31).</p> | <p>Steger and Shpilkovskaya, 2009</p> | <p>To facilitate coherence of international economic policies with other international organizations (p. 31).</p> | <p>If coherence of international economic policies remains a primary goal of the multilateral system, then more formal cooperative arrangements are necessary.</p> |
| | <p>Observer status at the WTO should be granted solely on the basis of potential contribution to the WTO's role as a forum for trade negotiations. In the absence of such a potential, observer status should not arise (see conclusions p. 79-83). The report argues that the 'issue of observer status by other organizations in WTO Bodies should not be examined in relation to the political tensions and conflict that prevail in other fora. The WTO is not part of the United Nations, nor should it be so. The WTO is a <i>sui generis</i> international organization.'</p> | <p>Sutherland Report, 2004</p> | <p>To legitimize and add value to the activities of the WTO.</p> | <p>The Consultative Board noted that cooperation with other intergovernmental agencies generally adds value and legitimizes the activities of the WTO. However, the Board also argued that the creation and interpretation of WTO rules is for WTO members alone and should be preserved from undue external interference (p. 79-83).</p> |
| | <p>The Committee on Trade and Environment should be instructed to contribute, in partnership with bodies such as UNEP, CSD and the MEA secretariats, to a formal process of dialogue on future regulatory and decision-making relationships between the WTO and other multilateral agencies. WTO Members should commit resources for a small increase in Secretariat capacity to permit this process to be started.</p> | <p>WWF, 2003</p> | <p>To promote coherence between environment and trade decision-making.</p> | |
| | <p>Improve efforts to harness competence and comparative advantage of specialized international agencies in the provision of technical assistance and capacity building.</p> | <p>Prowse, 2002</p> | <p>To provide more effective technical assistance and capacity building.</p> | |
| | <p>WTO rules must come secondary to the protection of the environment and health and safety, including the working environment and occupational health and safety. This requires recognition of the precedence of the precautionary principle in cases involving both consumers' and workers' health and safety, to render impossible any repeat of the type of challenge at the WTO that the EU has faced over its ban on trade in asbestos.</p> <p>A closer link and co-ordination between the WTO and other international institutions, including the ILO, is essential, including reciprocal observer status.</p> | <p>ICFTU, 2001</p> | <p>To ensure the protection of the environment, health and safety.</p> | |

| SPECIFIC FOCUS | PROPOSAL | PROPOSER/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| | <p>There should be a multilaterally agreed clarification that Multilateral Environmental Agreements (MEAs) take precedence over WTO rules.</p> | | | |
| | <p>A reformed WTO should be seen as a key component of the international trade system coexisting and cooperating with other organizations within the framework of the trading system. Several critical trade issues could be better dealt with by other international organizations, such as UNCTAD, which should be given the mandate, support and resources to carry out their tasks effectively.</p> | <p>TWN, 2001</p> | <p>To ensure trade serves development</p> | |
| | <p>Draw up a conceptual and operational framework within which the roles of the various international organizations in orienting trade towards development would be clarified. The coordination function could be carried out by the United Nations, in the context of the Economic and Social Council, or one of its bodies, or a new body functioning under its direction.</p> | | | |
| | <p>Undertake complementary reforms in the global financial system to meet developing country needs for stable and equitable terms of trade, avoiding balance of payments difficulties, reducing debt, creating a more stable system of capital flows and exchange rates, and securing financing for development.</p> | | | |
| | <p>Issues that impact on and are impacted by trade (including environmental, social cultural and human rights issues) should be monitored and assessed in such for as UNEP, the ILO, and the UN Human Rights Commissions. These organizations should also be able to take on or propose measures to deal with these issues where necessary.</p> | | | |
| | <p>Develop a more effective system of consultations with other International Organizations such as the Convention on Biological Diversity and the United Nations Human Rights Bodies.</p> | <p>WWF et al, 2001</p> | <p>To increase openness and accountability.</p> | |
| | <p>Enhance transparency, dialogue and cooperation between representatives of multilateral environmental agreements (MEAs), relevant international organizations, and the WTO, including through information-exchange, mutual participation in meetings, access to documents and databases, and briefing sessions.</p> | <p>Sampson, 2000</p> | <p>To promote sustainable development.</p> | |

| SPECIFIC FOCUS | PROPOSAL | PROPONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
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| | <p>Establish cooperation agreements between the WTO and MEA institutions providing for the WTO Secretariat to respond to requests for technical information about relevant WTO provisions.</p> <p>Representatives of the MEAs should continue to regularly address the CTE and inform them of relevant aspects of their agreements and recent developments in negotiations.</p> | | | |
| | <p>Make a more formal link between the WTO and the UN. In particular, an institutional link should be made between the WTO and UN organizations that have a complementary role in order to formalize interactions between them.</p> <p>Promote the development of an arbitration mechanism for where WTO rules conflict with other international agreements. Such a mechanism should lie outside and above the WTO, rather than, within it - and could be developed within the UN (p. 13).</p> <p>A key international policy principle should be that trade agreements do not take precedence over multilateral agreements promoting poverty reduction, basic rights, and sustainable development (p. 13).</p> | Action Aid et al, 2000 | To promote poverty reduction, basic rights and sustainable development. | |
| | <p>Ensure that on national policies and measures used to implement MEAs, the WTO defers to members of those agreements and their decisions on how to implement them, seeking only to discipline measures with a trade protectionist intent.</p> <p>Establish more open, effective and balanced collaboration with other intergovernmental bodies with relevant mandates and expertise, such as UNEP, UNCTAD and UNDP.</p> | WWF, 1999 | To prevent expansion of WTO into areas where it currently has no competence. | |

9. RESEARCH FUNCTION

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
|----------------|--|--------------------------------|---|--|
| | <p>Support more interest-based problem-solving and hands-on research relevant to negotiations. The author observes that agenda setting, assessment, and the construction of counter-proposals involves continuous evaluations and filtering to suggest alternative modes of actions. Research should be more a servant of policy in-the-negotiating-mode rather than its master (Chapter 1).</p> <p>Explore best practices in the provision of research to developing country coalitions.</p> | Tussie, 2009 | To better serve developing countries in negotiations. | |
| | To promote the capacity of the WTO Secretariat to undertake evaluations and make proposals regarding the evolution of global trade and its relation to development goals (one option, for instance could be the publication of joint reports with other relevant development international institutions and agencies). | Pena, 2009 | | |
| | Permit and encourage the Secretariat to take a more proactive role in conducting research and developing proposals for negotiations and rule-making. | Steger and Shpilkovskaya, 2009 | To facilitate more efficient negotiations. | |
| | <p>“The WTO’s small research unit struggles to put out useful material, but is essentially restricted to either descriptive material or surveys of analysis done elsewhere (and even these can be held up by member delegations almost indefinitely)... The WTO appears (falsely, so far as its research staff are concerned) to have no ability to analyse trade policy issues nor views about what appropriate trade policy would be. Given the centrality of information to achieving coherence, this vacuum is costly.</p> | Winters, 2007 | | <p>The Secretariat, answerable to all members, must maintain scrupulous neutrality between these positions and so is afforded no space to analyse and express opinions on trading issues. Thus, while the WTO would appear to be the natural place to collect data on members’ trade policies, it barely does so in a comparable form and is prevented from sharing what data it does have because at least one member will feel its negotiating position undermined by any release. The WTO’s annual <i>World Trade Report</i> and <i>International Trade Statistics</i> offer no regular guidance on trade policy stances and the periodic <i>Trade Policy Reviews</i> (TPRs) offer no basis for comparison or connection between policy and other data.</p> |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
|----------------|--|--|--|---|
| | <p>Better sources of WTO-related research should be developed for developing countries. Ideally, such research capacity should be nurtured within developing countries, and many bilateral aid donors support programmes with this in mind. However, these initiatives inevitably take time to come to fruition, and supplementary measures in the short to medium term are needed too. One option would be to substantially strengthen the research department of the WTO. Another could be to create an economic version of the Advisory Centre for World Trade Law, to which developing countries could commission research at subsidized rates.</p> | <p>Evenett, 2005</p> | | |
| | <p>Support independent research and analytical capacity at the national and/or regional level in LDC universities, think tanks and research centers, as well as in the regional/national headquarters of various UN agencies (2005, p. 1).</p> <p>Support long-term independent sources of expertise and back-up in capitals including through donors diversifying the number of suppliers and recipients of assistance (2005, p. 21).</p> <p>Building durable capacity in developing countries and regions rather than supporting a global network of international trade consultants and civil servants in Geneva (2008, p. 2)</p> <p>Increase support for research and analysis to benefit developing countries. The emphasis should not be on building capacity in the WTO Secretariat, but rather on enhancing independent trade policy research and analytical capacity in universities, think tanks, and research centers in developing countries at the national and/or regional level (2009).</p> | <p>Deere, 2005; 2008; 2009</p> | <p>To support the capacity of countries to identify their specific national interests and priorities in respect of WTO rules and negotiations.</p> | <p>The development of national trade policy capacity requires building long-term institutional capacity both within and external to government in developing countries.</p> |
| | <p>Encourage and stimulate a greater intellectual output and policy analysis from the Secretariat (see conclusions p. 79-86).</p> <p>Provide systematic support to build durable in-country institutional capacity to analyze and inform trade policy issues.</p> <p>Harness and strengthen a broad range of local and regional research university hubs, private sector consultants, think-tanks, and non-governmental organizations in developing countries.</p> | <p>Sutherland Report, 2004</p> <p>ICTSD and IISD, 2003</p> | <p>To improve the long-term impact of capacity-building and strengthen independent analytical power of developing countries.</p> | |

| SPECIFIC FOCUS | PROPOSAL | PROONENT/S, YEAR | STATED OBJECTIVE | STATED ASSUMPTIONS/ COMMENTS |
|----------------|--|-----------------------|--|--|
| | <p>Increase the WTO's research capability, including analytical papers on key issues to launch serious discussions and improve knowledge in capitals. To keep this up to date and to keep the WTO's effort relatively small in size, establish a research network linked to other institutions, rather than try to generate all its policy analysis in-house.</p> <p>Involve academic, environmental, business, labour, and intergovernmental organizations, such as the OECD, BWIs, UNCTAD and environmental institutions in the WTO's research work.</p> | <p>Ostry, 2002</p> | <p>To enable policy discussion and debate among senior officials and at the national level.</p> <p>To enhance the ability of the WTO Director-General to play a more effective role leading and guiding the policy debate.</p> | |
| | <p>Greater support should be provided to support a greater role for UNCTAD, UNDP, the South Centre and NGOs that work to strengthen developing country capacity in this area.</p> | <p>UNDP, 2003</p> | <p>To strengthen development-friendly research capacity.</p> | |
| | <p>Boost support to policy research and analysis capacities of developing countries.</p> | <p>Narlikar, 2001</p> | <p>To strengthen trade research capacity in developing countries.</p> | <p>The unequal research capacities of developing countries outside the WTO are replicated and reflected in its negotiations and decision-making processes. These asymmetries are increasingly important as the scope, complexity and technicalities of negotiations intensify.</p> |

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