

**General Council  
Special Session  
23 September 1999**

**MINUTES OF MEETING**

Held in the Centre William Rappard  
on 23 September 1999

*Chairman: Mr. A. Mchumo (Tanzania)*

**Subjects discussed: Preparations for the 1999 Ministerial Conference**

- (a) Further discussion of substantive issues arising from the Ministerial Declaration of May 1998, including proposals by Members, and organization of further work in the preparatory process**
- (b) WTO Symposium at Seattle on International Trade Issues in the First Decades of the Next Century**

**(a) Further discussion of substantive issues arising from the Ministerial Declaration of May 1998, including proposals by Members, and organization of further work in the preparatory process.**

1. The Chairman said that since the Special Session on 29 July, several additional proposals had been received in regard to paragraphs 8, 9 and 10 of the Ministerial Declaration which delegations might wish to address at the present meeting. As regards the further organization of work in the preparatory process, he recalled that Members had had an extremely useful and productive discussion in the informal meetings held prior to the present meeting on the basis of a draft outline of a Ministerial text that he had circulated on 8 September (Job(99)/5230). On the basis of that discussion and the statements delegations would make at the present meeting, he would indicate how he intended to proceed in the following weeks to move from the draft outline to an initial draft of an overall text for Ministers.

2. The representative of New Zealand, speaking on behalf of the APEC Members, drew attention to a joint statement from the Eleventh APEC Ministerial Meeting (WT/L/314) and a Declaration from APEC Economic Leaders who had met in Auckland earlier in the month (WT/L/313). APEC Leaders and Ministers had committed themselves to work, *inter alia*, for: the launch of a new round; the strengthening of the multilateral trading system; improved coordination on trade-related matters among relevant international organisations; full implementation of existing WTO Agreements; comprehensive market access negotiations covering industrial tariffs as well as agriculture and services, benefiting all economies and particularly developing economies; providing scope to review rules and disciplines consistent with the objective of delivering timely and effective market access for all participating economies; a balanced and sufficiently broad-based WTO agenda; the conclusion of the negotiations within three years as a single package without precluding the possibility of early provisional results; a commitment not to impose new or more restrictive trade measures for the duration of the negotiations; convergence between regional and multilateral liberalisation initiatives; early progress in accession negotiations, and the participation of acceding

economies in some capacity in the forthcoming negotiations; enhanced implementation of special and differential treatment; capacity building and technical assistance; using the concept of “differential timing” for the achievement of free trade to meet developing economy concerns; early improved market access for least developed economies; extension at Seattle of the current moratorium on duties on electronic commerce; efforts to reach agreement on transparency in government procurement at Seattle; and conclusion of an agreement on the “accelerated tariff liberalisation” initiative this year, and realisation of a critical mass of support for the ATL package by the end of next year on a provisional basis, with full and final binding being part of the conclusion of the single package. APEC Leaders had also indicated their support for the abolition of agricultural export subsidies and of unjustifiable export prohibitions and restrictions as one of the important objectives of the agricultural negotiations. APEC members had also specifically agreed to work on other areas which had been raised in proposals advanced in the WTO preparatory process so as to determine how they should be handled at Seattle. Fuller details were contained in the documents he had referred to.

3. Speaking on behalf of New Zealand, he expressed his support for the Chairman's approach to the draft outline text in Job(99)/5230, as indicated in the covering note, that the outline should not be seen as an item for negotiation in its own right. His delegation could see no tension between the Chairman's text and a paper on elements of the Declaration circulated by a group of Members (WT/GC/W/326). The Chairman's outline was a useful evolving “checklist” for all delegations and was proposal-driven, while the other submission seemed essentially to embody a reiteration of the important Ministerial Declaration of May 1998. The latter was an entirely proper reminder that, while one might use the elements identified in the Chairman's outline as a working tool, the preparatory work of the General Council was governed by the mandate set out in paragraphs 8 to 11 of the 1998 Declaration. Both the 1998 Declaration and the submission in WT/GC/W/326 recalled the crucial importance of implementation, including the evaluation of implementation. The 1998 Declaration also recalled the special and already established status of the mandated negotiations, and stressed that the future work programme should be sufficiently broad-based and achieve an overall balance of interests of all Members. Furthermore, it was clear from a careful reading of that Declaration that the future work programme should encompass ingredients from all four sub-paragraphs of paragraph 9. On this basis, his delegation believed that there was no fundamental disharmony between the Chairman's outline and the Geneva Ministerial mandate.

4. As regards the further process, he believed that the next phase should necessarily be an intensive Declaration- and text-driven one. Time was limited and there was an obligation on delegations to approach the few remaining weeks in a responsible, efficient and productive manner, with a view to producing a text expeditiously which met the Geneva Declaration mandate. In this respect, his delegation gave full authority to the Chairman to advance the work, as only an early focus on text advanced by the Chair would allow a move from the general discussions of the second phase towards a meaningful dialogue between delegations in search of a work programme which struck the vital balance of Members' interests. For this reason, awaiting text from the Chair until 15 October, which was three weeks away, would be a bit leisurely. At the same time, his delegation could see considerable benefit to the drafting process in a focussed exchange of views the following week on key elements. In this connection, and bearing in mind the “balance of interests” guideline, it seemed that the second phase had tended to focus most heavily on the presentation of individual proposals in particular areas or sectors, so delegations could benefit from the opportunity to each present a rounded view of their individual visions of what would constitute the key components of a balanced Declaration, and his delegation would certainly welcome the opportunity to do so. The Chairman would then be in a good position to present an initial draft text of the Declaration in the week of 4 October. This text would not be expected to be in any way definitive, and would no doubt need to include options and be surrounded with many square brackets in the minds of all delegations, and could not be expected to contain instant solutions in those areas where significant differences existed. What was important was that such a draft, in the light of the presentations made the following week, would be an excellent, and indeed the only, workable platform for intensive consultations both on specific subjects, and in relation to the question of a manageable and acceptable overall work

programme. Consultations in early October would need to be pursued in a variety of ways. Whatever approaches were judged most productive by the Chairman would be acceptable, provided of course that all Members were kept well informed and involved. Only such an approach would give delegations a realistic prospect of meeting their collective responsibility to have a final draft text completed by early November, which was the expectation of capitals if Ministers were to be properly prepared to preside over a balanced and successful Seattle outcome.

5. The representative of Canada referred to Canada's submission on electronic commerce (WT/GC/W/339), which essentially contained four basic proposals. First, that Members agree to extend their current practice of not imposing customs duties on electronic transmissions and that this commitment be reviewed at the next Ministerial Conference. Second, that Members agree that existing trade disciplines applied to electronic commerce. Third, that Members agree that certain issues needed to be the subject of further discussions, a non-exhaustive list of which was outlined. Fourth, that Members agree to the creation of a horizontal non-negotiating group to both advise as well as inform the work in WTO bodies and/or negotiating groups on electronic commerce. He drew attention to a background paper that his delegation had circulated at the present meeting which was a supplement to the paper that Canada had circulated in the Services Council in July, entitled "Global Electronic Commerce – A Canadian Perspective".

6. The representative of Uruguay, introducing four proposals on the objectives for the agriculture negotiations on behalf of the members of Mercosur and Chile, said that agriculture played a fundamental role in the survival of these countries. Much had been said about the need to incorporate clearly in forthcoming negotiations the development dimension, and their proposals reflected their development needs and objectives and were aimed at constructing a more inclusive world agricultural market with a higher level of participation by developing countries. The first proposal on transparency in food aid (WT/GC/W/334 and Add.1) was aimed at ensuring that food and other agricultural products exported on a concessional basis were not used as a pretext or a method to avoid or circumvent commitments on export subsidies. Furthermore, the proposal was aimed at obtaining transparent practices and disciplines to prevent the use of subsidies hidden under the guise of food aid. The proposal on tariff quotas (WT/GC/W/335 and Add.1) sought the total elimination of this transition mechanism. Prohibitive tariffs outside quotas combined with unrealistic in-quota volumes were such that tariff quotas had a negative effect on trade. The third proposal was on special safeguards (WT/GC/W/336 and Add.1), which their countries wished to see eradicated from world agricultural trade. This complex mechanism, which could be triggered on the basis of price or quantity, frequently gave rise to undesirable manipulation. The final proposal was on state trading enterprises (WT/GC/W/337 and Add.1), the existence of which was not put into question. Their countries, however, sought additional rules which would discipline the activities of marketing boards and other enterprises which had monopoly import and export rights, aimed at going further than mere transparency and analysing the practices of these institutions which might distort markets. If, under existing rules, state trading enterprises could distort trade then the rules should be modified.

7. His delegation considered that the Chairman's draft outline would be a useful basis for discussion in the third phase and accelerate the process of work in the remaining weeks. With regard to structure, he believed that the Ministerial text should be divided into four sections. The first would be the objectives of the multilateral system, as outlined in section A of the Chairman's outline. The second section would contain the principles governing the post-Seattle negotiations, and the third, the future work of the WTO and in particular the mandates for the negotiations. The fourth section would cover the organization of work. On the objectives of the multilateral system, his delegation shared many of the elements included in the Chairman's outline. On the general principles for negotiations, his delegation also shared to a large degree what was included in the Chairman's outline under section B.2. On the future work of the WTO and the negotiating mandates, his delegation would prefer a text giving greater detail, and agreed with others that a formulation along the lines of the Geneva Ministerial Declaration should be included. This was not because Members should be wedded forever to the formulation used in that Declaration, but because the categorization of subjects contained

therein was not by coincidence. It corresponded to a structure agreed by all Members on a negotiated basis which gave clear references as to how to proceed. His delegation would study closely the alternative structure which had been submitted, because it shared the approach to a large degree. For Uruguay, it was essential that the mandates outlined in the Seattle Ministerial Declaration be sufficiently clear and specific as to objectives, scope and negotiating modalities, in particular on agriculture and services. The organization of work would be addressed in the fourth section, and while his delegation could agree with parts of the Chairman's outline, it was premature to comment before fully knowing the scope of future negotiations. His delegation sought clarification as to the advisory role which would be given to the Committees on Trade and Development and Trade and Environment, and could not agree to such a role at present.

8. On the further organization of work, his delegation agreed with the Chairman's intention to undertake intensive consultations in the following week with the idea of presenting a draft Ministerial text by mid-October. His delegation believed it would be useful if, in parallel to the consultations on more general aspects of a Ministerial text, consultations were held at Heads of Delegation level on specific subjects, such as the mandated negotiations. This subject was not yet exhausted and it would be beneficial to have more exchanges of views between interested Heads of Delegations on particular subjects in open-ended consultations. Finally, on section C on decisions in Seattle, his delegation believed that at this stage of the discussions it was premature to look at this subject. Uruguay's position was that the only immediate decision which would be taken in Seattle was the beginning of a new round of multilateral trade negotiations. This was the only "deliverable" that was clear for now and if others were going to be added it would be useful for Members to know as soon as possible their content and scope.

9. The representative of Brazil, referring to his country's proposal on the mandated negotiations in services (WT/GC/W/333), said that Brazil had from the outset been stressing the guiding role of the General Council. The proposal was divided into two parts, the first of which addressed the need to complete the legal framework of the GATS left for the post-Uruguay Round phase. The second, on the negotiation of specific commitments, reaffirmed the negotiating principles enshrined in GATS Article XIX as the guiding parameters to advance in the liberalization process. A majority of the proposals submitted to date had stuck to the principles enshrined in this Article. Indeed, more than one delegation had identified elements of convergence in the debates held in the Services Council and the General Council on negotiating guidelines for services. In submitting this proposal, Brazil wished to underline its willingness to engage in an exercise that might transform into principles, definition of coverage and language, the various aspects of convergence which it had noted regarding the services sector.

10. On the organization of further work, his delegation shared the view already expressed that little time was available and delegations had to work speedily towards a Ministerial text. Of course, the text could not be produced as a kind of fiat by the Chairman, and to a large extent a bottom-up approach was necessary. His delegation agreed with the Chairman's intention to hold intensive consultations the following week, provided they were transparent. From these consultations, the Chairman could obtain more specific elements to build into his outline, and circulate a text for delegations by the middle of October. His delegation therefore suggested a process in which the Chairman would have to alternate consultations with his own drafting initiatives, which would come under the Chairman's authority alone. His delegation was, in general, flexible on the question of the Chairman's outline, which would only become important when delegations started providing content to the elements therein. There were some points in the outline which his delegation did not fully understand, such as the functioning of the WTO system, particularly as a subject for negotiation. If this was a question of improving the functioning, it should perhaps fall under the programme of work. Similarly, in the section on objectives, his delegation had some comments as regards the last item. It was important for delegations to understand these issues when the work of giving content to these elements began. His delegation was pleased with the emphasis given to development in the objectives, as this had become an even more pressing subject after recent remarks by the Chief

Economist of the World Bank about the need not to press developing countries into adopting disciplines that went beyond what they could deliver, when there was a rather lax approach to the disciplines to which developed countries themselves should be subject. His delegation was confused as to how the concept of implementation was being treated as several proposals had been submitted under implementation. Some of these proposals related to existing agreements but section B.1 of the draft outline dealing with implementation did not contain any reference to the existing agreements. His delegation understood from this that the Chairman had decided that proposals relating to existing agreements were not covered by the concept of implementation, and as it was not aware of a decision by the General Council to this effect it believed that some discussion on this would be useful. Turning to section B.2(c) on subjects for negotiations and guidelines, his delegation understood that some Members needed to be able to show something in order to meet their commitments in areas such as agriculture, but believed that one should not lose the notion of hierarchy, and maintain a distinction between what was previously mandated and what was not. This section would therefore need to be divided into two subsections, on the mandated negotiations on agriculture and services, and other issues. As with the item on the functioning of the WTO system, his delegation believed that trade facilitation would fit better under other elements of the work programme rather than under the section on negotiations. Some delegations had suggested that the structure of the Geneva Ministerial Declaration should be used in the outline, and his delegation believed that if this was a basis for a quick agreement it could agree to this suggestion, although it had no difficulty in working with the Chairman's outline provided some corrections were made. In section C, on immediate decisions at Seattle, it was not clear whether these points should be the object of one declaration or separate texts. At this stage at least, it would be preferable to keep them in separate documents. His delegation agreed with the urgency of moving forward and believed that if the following week was used in the appropriate way, a first draft Ministerial text could be produced by mid-October. This draft should reflect what had been discussed and the various views being expressed at the present meeting and other meetings.

11. The representative of Japan said that, with only two months remaining before the Ministerial Conference, delegations were at a crucial juncture for the successful launch of the next trade negotiations. At the present, the WTO was facing the challenges of how to: (i) realize the fuller integration of developing countries into the WTO system; (ii) address the globalization of the economy and incorporate new technology, or new modes of trade, into WTO rules and disciplines; and (iii) respond to the concerns and aspirations of civil society. With regard to the fuller integration of developing Members into the WTO system, Japan could not agree with the assertion that the WTO had given developing Members no benefits, and firmly believed that the multilateral trading system, as strengthened by the Uruguay Round, had considerably benefited these economies through the expansion of trade and an effective dispute settlement mechanism. However, Japan also believed that it was incumbent upon developed Members to appreciate the difficulties that developing Members had been faced with and to respond appropriately to their legitimate concerns at the Seattle Ministerial Conference and in the next round. For this reason, Japan advocated that the next trade negotiations should be comprehensive, in order to respond to the wide range of interests of many Members, in particular developing Members. The strengthening of technical assistance, including enhanced coordination and co-operation between the WTO and other relevant international organizations, such as the IMF and the World Bank, for trade-related capacity building, was an important factor to be considered as part of the implementation issue. On the second challenge of addressing the globalization of the economy and the incorporation of new technology or modes of trade in the WTO, he said that the WTO system had itself evolved in keeping with the changing world economic environment, reflected in the notion of "globalization", and the development of new technologies. For the WTO to be relevant, Japan believed that the next round should take up such areas as rules on investment, and address new issues such as electronic commerce and GMOs. On the third challenge of responding to the concerns and aspirations of civil society, the WTO should be more attentive to the interests and concerns of the general public. While maintaining its inter-governmental nature, Members should make further efforts aimed at increasing the transparency of WTO activities as a necessary means to ensure the understanding and support for the WTO among the general public.

Furthermore, Japan was of the view that due attention should be paid to environmental aspects in the next trade negotiations and that the Committee on Trade and Environment should be utilised more effectively.

12. In the next trade negotiations, Members should not lose sight of the fact that a broad-based negotiating agenda which reflected the interests of all Members was the only way to launch and conclude a successful negotiation. This was a practical reality. A minimalist approach covering only the interests of certain countries, could hardly respond to the interests of all Members, or contribute to the successful launch of a new round in Seattle, and would not meet developing-country concerns. In this regard, Japan had submitted proposals on the strengthening of rules on anti-dumping measures, TBT, TRIPS and regional integration. It was also essential to continue constant efforts to adapt the WTO framework to the rapidly changing world, and for this reason Japan had tabled proposals on multilateral rule-making in the areas of investment and competition, and on electronic commerce and GMOs. Japan was party to the strong political message in favour of the launch of a new round in Seattle sent by the leaders of the APEC member economies meeting in Auckland. In particular, it had been agreed that: the agenda for the negotiations should be balanced and sufficiently broad-based to respond to the interests of all economies; the negotiations should deliver timely and effective market access for all participating economies, in particular the developing economies, as well as providing scope to review and strengthen the rules and disciplines consistent with this objective; the outcome of the negotiations should be finalized, bound and fully implemented as a single package; and the negotiations should conclude within three years. Japan believed that agreement by the APEC members on a broad framework for the next round had enabled progress towards achieving success at Seattle and would add momentum towards the launching of a comprehensive round. Furthermore, Japan believed that Members should adopt a comprehensive approach in agriculture, services and non-agricultural negotiations, taking into account multifunctionality in agriculture, and addressing all sectors and all products without a priori exclusion in services and non-agricultural product negotiations. On forestry and fishery, Members should adopt a global approach paying due attention to issues relating to the global environment and the sustainable use of natural resources.

13. On the structure for the negotiations, Japan believed that the Ministerial Conference should be the primary body to oversee the next round of negotiations. It should bear the responsibility of its launching, conduct interim reviews and take charge of the conclusion of the negotiations as a whole. For the actual negotiating structure, Japan's preliminary view was that the establishment of a Trade Negotiating Committee (TNC), with several negotiating groups thereunder, was worth serious consideration given the importance of an efficient and effective negotiation process. The need to reduce the workload for developing countries was another important factor. With regard to the time-frame, Japan believed the negotiations should be completed within three years. The Fourth Session of the Ministerial Conference should be held towards the middle of 2001 to review results and provide political guidance. The Fifth Session should be held at the end of 2002 for the conclusion of the negotiations. Japan believed that the success of the Seattle Ministerial Conference would depend on whether Members could agree on a comprehensive round of negotiations covering a sufficiently broad-based agenda. The Chairman's outline was a good basis and the Seattle Ministerial Declaration should be more ambitious. Japan supported the Chairman's intention to initiate consultations to put flesh on the skeletal outline with the aim of producing a draft text as early as possible.

14. The representative of Hungary, speaking on behalf of the CEFTA countries and Latvia, said that Chairman's draft outline was good, reasonable and comprehensive and acceptable as a basis for further work. Delegations were pressed by the lack of time, and instead of entering into endless discussions on the outline itself, the remaining time should be used for a more structured and focused debate on the different elements of the declaration. The CEFTA countries and Latvia supported the Chair's intention to conduct intensive consultations the following week concerning key elements of the draft declaration, and expected that the Chairman would be able to present a draft text by no later than 4 October. It was also their expectation that the Chairman would take into account the more than 100 individual proposals put forward by Members in the second phase, and the submissions on the

elements of the future declaration by Switzerland, the CEFTA countries, ASEAN and Pakistan. The CEFTA countries and Latvia hoped that intensive discussions would start on the draft presented by the Chairman from 5 October and it would be desirable to grant some flexibility to the Chairman to decide on the organization of these discussions. The best way to proceed would be to organise open-ended Heads of Delegations meetings as the main forum of discussion. The CEFTA countries and Latvia supported the Chairman's objective of completing the draft text by 5 November in order to enable delegations to consult with their capitals and prepare Ministers for Seattle.

15. The representative of Pakistan, introducing a proposal on the elements of the Ministerial Declaration also on behalf of Cuba, Dominican Republic, Egypt, Honduras, India, Indonesia and Malaysia (WT/GC/W/326), said that the structure of the proposed elements in this submission flowed from the mandate given to the General Council by Ministers at Geneva. The Geneva Ministerial Declaration had mandated the General Council to submit recommendations regarding the WTO work programme that would enable Ministers to take decisions at the Third Session, and the areas in which the recommendations were to be made had been listed with precision, especially in paragraphs 9 and 10. Accordingly, the proposal suggested that the preambular section recall the Geneva Ministerial Declaration, especially paragraphs 8, 9 and 10, and that the remaining part of the Seattle Declaration be structured in light of these paragraphs. Thus, the first section would be on implementation issues, in line with paragraph 9(a)(i), and would commence with an evaluation of the implementation of WTO Agreements, as called for in paragraph 8. It would then include decisions to be taken at Seattle in regard to implementation issues associated with specific areas, some of which were listed in the proposal. Finally in this section, there would be decisions regarding further work on implementation issues which might remain unresolved at Seattle, including on the mechanism for resolving such issues. The following section would be on the mandated negotiations and reviews in line with paragraphs 9(a)(ii) and 9(a)(iii). This section would primarily include, in some detail, the mandates of the negotiations on agriculture and services, including the objectives, scope and time-frames. Following this, the Seattle Declaration should have a section on the follow-up to the High-Level Meeting on LDCs, an area on which a number of proposals had been submitted and on which Members all agreed that substantive decisions would need to be taken. The three sections on implementation, mandated negotiations and reviews, and issues specific to LDCs would be followed by sections on the Singapore issues as well as on any other issues or initiatives in accordance with paragraphs 9(b) and 9(d). Under the section on paragraph 9(d) issues, the proposal listed some specific areas on which proposals were likely to be forthcoming, including on the relationship of trade with debt, commodity prices and access to technology. Finally, after a section on the participation of acceding countries, there would be a closing section, in line with paragraph 10, on the manner in which the agreed work programme would be organized. The essential feature of the proposal was the structure that it followed, adhering to the mandate given by the Geneva Ministerial Declaration. The countries submitting the proposal believed that it was strictly within that mandate that the General Council was authorized to make recommendations to Ministers at Seattle. They urged Members to focus on the overall structure that they had proposed for the Ministerial Declaration, as agreement on specific elements to be included under the main headings would be a matter for further discussion following consensus on the overall structure.

16. Turning to the preparatory process, he believed that delegations should continue with a dialogue on the proposals submitted by Members. Attempts to treat this phase in a perfunctory manner would not contribute to a better understanding of Members' substantive positions and would not be productive. Furthermore, delegations should come to a common understanding on the structure of the draft Ministerial Declaration. The only objective basis for agreeing on a structure was provided by the Geneva Ministerial Declaration, especially paragraphs 8, 9 and 10. Some had said that there could be no departure from the text that the Chairman had circulated on possible elements, and his delegation believed that this was not correct. The Chairman himself had stated that his text was not definitive, that it was indicative and that it was not an item for negotiation. Also, it was obvious to his delegation that the Chairman could only come up with an acceptable text after fully taking into account the proposals made by the Members. It had also been said that delegations could not remain

wedded to the Geneva Ministerial Declaration, and his delegation had difficulty understanding what this meant. Ministerial Declarations had a certain sanctity; to depart from the Geneva Ministerial Declaration in fashioning a Ministerial Declaration would land delegations in even greater difficulties. There would be no shared point of departure for drafting the Declaration, and the only elements on which all delegations agreed were implementation issues and the mandated negotiations and reviews to which they were committed. The question of the other issues would simply not be on the table. This, of course, might be perfectly acceptable to many Members, but others might wish to think twice about such a situation. The Chairman had indicated his intention to engage in intensive consultations the following week, and his delegation would be prepared to enter into such consultations, provided these were conducted in a fully transparent manner and sought to resolve the question of a structure of a draft declaration. But it should be clear that his delegation would not be in a position to enter into discussions on the substance of a declaration prior to a clear understanding on its structure.

17. The representative of the European Communities supported the Chairman's suggestion for intensive consultations and believed that delegations needed a dialogue in which they successively addressed the same issue as opposed to extensive presentations by individual delegations often leading in different directions. This meant that they should be talking with each other rather than talking at each other, and in a focused way. If that entailed holding consultations in a more restricted circle, that might be the way in which to work and transparency would have to be taken care of during the process. The Community believed that the Chairman's draft outline was good, and that it was intended to be both a structure document which could be discussed, but also a kind of pro memoria list of all the things that Members wanted included in the Ministerial Declaration. In this respect it was comprehensive. There might be other elements to be added in the course of the process, but one would find out in the drafting where all these elements had their place. The outline contained some fairly careful language in places, which covered issues which did not immediately meet the eye, and it was for this reason that the Community believed it was mostly comprehensive. The Community was certainly open to having alternative ideas as it was necessary to establish the various options, and a paper in this regard had been introduced by Pakistan. The Community believed that the Geneva Ministerial Declaration had had its own purpose and its own structure, and that Members were not obliged to follow exactly that structure in terms of the items in paragraphs 8, 9 and 10 in the future. The Community did not believe that in drawing up that Declaration Members had established once and for all an absolute order of things. Time should not be lost in trying to discuss which outline was better. It was sufficient to put them alongside each other and work on the basis of the common elements. Time should also not be lost discussing the hierarchy of the issues, as that kind of discussion could take place once a draft text was available. It was necessary to move from the outline or the structure to the drafting, and the Chairman had suggested a way of doing that. The Community attached importance to having a look at the various options, including papers from Switzerland and Hungary and any others, because the options indicated in those papers might not suit all delegations. But this was the process delegations had to go through in the following week or two, after which they would be in a position to draft texts and examine how to bridge the gaps, because it was already clear that there would be many alternative options. The Community therefore supported the process suggested by the Chairman because some of the questions of the draft outline had not been extensively discussed before. The sooner this was done the better. While it might be difficult to release a new draft by the end of the following week or very shortly thereafter, the middle of October would be too late to allow delegations to do the necessary work. The Community also believed that this draft should preserve certain of the major options where there were obviously disagreements, and the time for trying to bring all sides together and see where the compromises would be later in this process. Finally, on the question of whether section C on immediate decisions at Seattle was necessary, his delegation believed that this was needed in terms of drafting if this was a pro memoria document, because it was to remind delegations that there were other things to do in the remaining few weeks.

18. The representative of Australia welcomed the Chairman's outline, and regarded it as a promising start. It was a work-in-progress and a useful tool for moving quickly to the next stage of



drafting. Accordingly, his delegation saw little value in having a lengthy debate over the details of the Chairman's outline or its structure. There had been some suggestions, for example, that the structure of the outline should be the same as paragraphs 9 and 10 from the Geneva Ministerial Declaration. However, that Declaration had had a different purpose. It had been intended to initiate the work which delegations were currently engaged in, and it had not been intended to provide the structure for the Seattle Declaration. In any event, whatever structure was followed, the fact remained that the structure would change as drafting proceeded, and the final structure probably would not be settled until almost all the text was agreed. Several proposals had already been submitted by Members, including Switzerland and CEFTA, and an outline had been submitted by Pakistan and others at the present meeting. While these and all other contributions were welcome, delegations could only work with the Chairman's outline and text. Otherwise they would in effect be inviting all Members to come forward with their own texts. On the Chairman's outline, his delegation wondered whether the Chairman envisaged producing a single document, or whether the various sections of the outline be separate texts. The framework was very useful because it allowed issues to be dealt with in a variety of ways, particularly on implementation, recognizing that implementation issues might be dealt with as principles (section A), as part of a round or a WTO work programme (section B) and some, perhaps, at Seattle (section C). Without going into detail at this stage, his delegation wished to make three additional points. First, the notion of a standstill as contained in the APEC Leaders' Declaration should be taken up; second, there would be value from both the environmental and development perspectives if sustainable development were mentioned in section A; and third, the language of the preamble text should be careful not to claim too much for the multilateral system and instead recognise where national governments had primary responsibilities. Australia endorsed the statement by New Zealand on the important outcomes from the APEC Trade Ministers' and Leaders' meetings, and noted that all members of APEC had signed onto the statements. They provided a clear outline of a strong market access round, and Australia expected that this could form the basis of the Seattle Declaration. With regard to the work on drafting, Australia looked to the Chairman to direct and organise the work. Like others, Australia believed that time was short and that delegations needed to begin working on texts as soon as possible. Suggestions had been made that if more time was spent on discussion, it would be possible to avoid disagreements when a draft was finally produced. However, experience suggested that no matter how much time was spent on discussion, there would still be differences when a text was produced. It was only when there was something concrete to work with that it would be possible to resolve differences through negotiation. Australia urged the Chairman to come forward with a draft text as soon as possible and certainly no later than the first week of October. He suggested that the Chairman set target dates for the next steps in the drafting process so as to drive the process forward. Australia suggested the following programme of work: (i) continued exchange of views on the outline during the current week; (ii) intensive consultations in continuous meetings of Heads of Delegations on the elements of a draft in the following week, organised under the different sections of the Chairman's outline, taking into account revisions following the discussions; (iii) Chairman's draft of the key elements of the declaration by 4 October; and (iv) intensive discussion within focussed groups on specific subjects or elements of the draft. These groups should be focused around specific subjects and issues so that delegations could have a concentrated effort to try and start to resolve the differences and bring the various points of view together. Any delay in bringing forward a text would not help delegations to resolve their differences and, like the Communities, Australia believed that the discussions were becoming very diffused. It was therefore incumbent upon the Chairman to help delegations bring it together in a much more focused way.

19. Australia believed that a careful distinction was needed between including the results of negotiations, which could not be known in advance, on the one hand, and setting clear and precise objectives for the negotiations on the other. In the Uruguay Round, clear objectives for negotiations had often been set, such as in the area of textiles, where the objective had been reintegration into the GATT. Australia expected to see similar clear objectives in the Seattle Declaration. The discussions on the Chairman's outline had been useful and showed a positive and constructive approach to moving into the next stage. Like others, Australia saw the outline as a work in progress which would evolve as

the drafting of the text evolved. Australia agreed with New Zealand on the relationship between the Chairman's outline and the Geneva Ministerial Declaration, and that the Chairman had in fact reflected the principles and thoughts behind the Geneva Declaration in his outline. For those delegations that had raised concerns about the hierarchy of issues, Australia noted that the hierarchy was reflected in the outline in as much as implementation issues and the mandated negotiations were not in square brackets. One could not get a clearer statement of the difference between the various issues than in the way that the Chairman had presented them in his outline, and those delegations having concerns might see that the structure of the Geneva Declaration was indeed present.

20. The representative of Guatemala said that her delegation considered the Chairman's draft outline to be a good point of departure for future work, and also welcomed the submission by Cuba, Dominican Republic, Egypt, Honduras, India, Indonesia, Malaysia and Pakistan on elements for a Ministerial Declaration, which could complement the Chairman's outline. On the procedure for consultations, her delegation believed they should be carried out in a way that ensured the participation of all delegations. Finally, referring to Guatemala's proposal on anti-dumping (WT/GC/W/330), she said that the objective of the proposal was to improve and clarify some of the provisions in the Anti-Dumping Agreement, as also proposed by several other Members, because some of the current definitions facilitated protectionism.

21. The representative of Hong Kong, China said that the Chairman's draft outline was a good basis for future work. His delegation agreed with the mention of the importance of the multilateral trading system in the global economy and to the growth and development prospects of all Members in the preambular section. However, full recognition should be given to the past record of achievements and contributions in this area by the GATT/WTO. It was vitally important to give due recognition to these past achievements and there was a wealth of material from which one could draw in this respect, not least from the OECD. Also in section A, his delegation would wish greater elaboration on the reference to the positive relationship between regional trade agreements and the multilateral trading system, which should go further and mention the complementarity of regional trade agreements. On implementation, his delegation suggested the inclusion of specific evaluation of individual agreements. While it might not be possible to evaluate each agreement, there had been contributions in certain areas by delegations which could be drawn on, an example of which was the paper on the evaluation of implementation of the Agreement on Textiles and Clothing. On the functioning of the WTO system, his delegation needed more information on what could be included under this heading. Similarly, the reference to the subject of coherence might concern the Marrakesh Ministerial Declaration on the contribution of the WTO to achieving greater coherence in global economic policy-making or might be something broader. Finally, his delegation would include in section C a reference to the extension of the moratorium under Article 64.3 of the TRIPS Agreement. There should also be some reference in the Declaration to the date and venue of the fourth Ministerial Conference. Overall, the Chairman's outline was useful and should stimulate reflection and help the process to move on. Delegations should not dwell too long on this document or negotiate it in detail because, as stated by Australia, the structure would emerge from the drafting of the text. His delegation agreed to moving into a more intensive phase of work, and to having a first draft text submitted by the Chairman, not necessarily in a very refined form, but as soon as possible and preferably before the second week of October. All delegations should be feeling the pressure of time, and a sense of urgency was required to be able to produce a text in early November to be submitted to capitals. Any suggestion that the Chairman should consult further before producing a first draft text seriously underestimated the work accomplished up to the present, particularly in the second phase. The extensive meetings held to date had succeeded in clarifying Members' proposals and positions, and one could begin to see where there was a degree of convergence and where the differences remained. It was therefore already possible to produce a first draft text which should stop short of suggesting compromises, except where convergence was clear, and which should set out the options and different approaches to issues. The Chairman was well placed to know where the overall balance lay and, in preparing his text, could take into account the views expressed over the previous weeks and months. No further consultations were needed to legitimize such a text, and the Chairman had his

delegation's full support of to bring the necessary pressure to bear on delegations in order to obtain a satisfactory result at Seattle.

22. The representative of India said that in the paper submitted jointly with Cuba, Dominican Republic, Egypt, Honduras, Indonesia, Malaysia and Pakistan, an attempt had been made to follow closely the structure of the operational part of the Geneva Ministerial Declaration, namely paragraphs 8, 9 and 10. His delegation welcomed Uruguay's support for this approach, but noted that the Communities had questioned the need to follow the structure of the Geneva Declaration. However, the Communities had not indicated any particular difficulty that would be caused if delegations stuck to the structure of the Geneva Declaration. His delegation believed that there were many valid reasons for following that structure, since it contained the mandate for the preparatory process for the Seattle Ministerial Conference. There was therefore an organic linkage between the two conferences. Moreover, as his delegation had repeatedly stated, there was a logical sequence in paragraphs 8, 9 and 10. In the case of paragraph 9, there was a clear hierarchy among the different sub-paragraphs, and it had been only after considerable negotiation that Members had arrived at the structure of the Geneva Declaration. The Communities had stated that there was no need for the Seattle Declaration to follow the same structure. However, the main purpose of the Geneva Declaration was to provide guidance to the General Council regarding preparations for the Seattle Declaration. Therefore, it was neither possible nor desirable to de-link the two declarations completely. Australia had suggested that delegations should not bother about the structure since the structure might change as the process advanced, and there was merit in this argument. Nonetheless, his delegation did not see what the objection could be to starting with the structure of the Geneva Declaration. If there was a real need to change the structure as the process went along, his delegation could consider this. The joint paper by India and others made a very useful contribution by adhering to this structure, and deserved serious consideration by the Members.

23. As regards the Chairman's draft outline, the comprehensiveness of that text had come as a surprise. However, in the covering note to the text, the Chairman had made clear that this outline was meant to focus and assist future work and was not meant to be a basis for negotiation. The number of square brackets in the outline was fairly substantial, indicating the lack of consensus with regard to the relevant elements. Nonetheless, it was a matter of regret for his delegation that there was no element in section A highlighting the importance of achieving growth with equity and stability nor any reference to the need to ensure that the liberalization promoted by the WTO was sustainable in the long run. Furthermore, the fifth element in section A was confusing, since his delegation had been highlighting the problems his country had been facing in implementation as a result of imbalances, inequities and asymmetries in a number of WTO Agreements. Some developed countries believed that implementation only meant fulfilling the commitments undertaken, whatever the difficulty, and taking countries to dispute settlement if commitments were not fulfilled. The element regarding implementation appeared to mix up these two different facets of implementation. As regards the last element, his delegation had serious problems since it did not understand the meaning of the phrase "broader public concerns", on which clarification was needed. It was not as if Members had been insensitive to broader public concerns. As regards a suggestion to include an element regarding dispute settlement under section A, it would be necessary to ensure that the WTO was not projected as some sort of international court. The negotiating and political character of the organization should not be subordinated to its dispute resolution role. Regarding section B, his delegation was pleased to see the element regarding action on specific implementation problems at the very beginning. The joint paper by India and others outlined some possibilities in this regard, and his delegation would amplify on its expectations in this regard on future occasions. His delegation believed that two important principles had to be added to sub-section B.2, namely equity and transparency of the negotiating process, and that the reference to S&D treatment should make mention of "effective" special and differential treatment, to imply binding treatment. His delegation believed the advisory role for the Committee on Trade and Environment was not clear and sought clarification on this, as also on the implications of the phrase "benchmarks". His delegation was also not comfortable with the concept of possible early provisional results except to the extent they related to implementation. Two other

elements that were unclear to his delegation were the functioning of the WTO and coherence. Under section C, there was an element referred to as ITA II, and his delegation believed that this subject was dealt with in the Committee of Participants. It had not seen any paper or proposal in this regard in the preparatory process. It was therefore surprising to see this included, even though in square brackets.

24. On procedure, he noted that some delegations had suggested that the Chairman come out with a draft text immediately, arguing that time was short and that there would still be further negotiations on the Chairman's draft. His delegation believed this was not the right approach. The important question was not the date by which the Chairman came up with his draft, but rather the process by which this draft was prepared. It was necessary to ensure that the process was fair, transparent and inclusive. The draft declaration for the Singapore Ministerial Conference, for example, had evolved through a number of rounds of discussion and had not been produced in one day. Similarly, on this occasion the Chairman should organize the work in such a way that before putting out drafts of different paragraphs, he should have an opportunity to hear the views of Members and also for subject-based intensive consultations. Only a draft which emerged through such a participatory process could have the necessary degree of credibility. He suggested that in the following week, the Chairman organize interactive meetings on different subjects, such as objectives, implementation, agriculture, services, mandated reviews, and least-developed countries. Towards the end of that week, the Chairman should identify and circulate the elements under different headings. In the next week, another round of consultations should be organized to enable Members to explain their views with reference to the various elements under each subject, at which Members could make drafting suggestions also if they so desired. Depending on the progress and the complexity of the subject, the Chairman could come out with draft paragraphs on different subjects progressively. Obviously, these drafts would have to be negotiated with a view to achieving consensus, and should first concentrate on the items which had to be included in the declaration. Once a fair amount of consensus was achieved on these subjects, the Chairman could organize consultations on the Singapore and other new issues which were highly contentious and in respect of which there was no consensus. His delegation believed that it was only by encouraging discussions and sequencing the work along these lines that fast results would be achieved.

25. His delegation would be very concerned if the Chairman were asked to produce a draft at the present time, since some proposals had been introduced at the present meeting and more might be forthcoming. His delegation favoured focused discussions, but in a process in which all delegations were able and encouraged to participate. It would be practical to give priority to those issues which were to be necessarily incorporated or included in the Declaration, such as implementation, agriculture, services, and issues relating to the least-developed countries. While some delegations had suggested that the Chairman should come out with a draft on 4 October, he believed that a draft circulated just a week later, but which took into account further inputs of all delegations would gain greater acceptability. Ultimately all delegations were in the hands of the Chairman, but his delegation would be concerned if he were to be advised to ignore what delegations had said and come out with a text. In addition, his delegation would be submitting further proposals by 30 September. In this respect, it might be appropriate also if delegations agreed on a broad date by which all proposals should be on the table. Furthermore, at a recent informal meeting to discuss proposals it had become difficult to have an interactive discussion because the various issues had been clumped together. His delegation expected that in future informal meetings the issues would be taken up by agreement to allow meaningful interaction and participation. Finally, his delegation supported the proposal on services introduced by Brazil, which corresponded to India's view on this issue.

26. The representative of Colombia, referring to her Government's proposal on special and differential treatment in agriculture (WT/GC/W/332), said that this proposal was a complement to the proposals on agriculture submitted by Australia. It addressed, first, the need for the agriculture negotiations to result in better market access opportunities for products of particular interest to developing countries. In this context, and in accordance with the Preamble of the Agriculture Agreement, Colombia suggested that market access improvement should result in substantial and

effective liberalization for trade in tropical products and products of particular importance to the diversification of production away from the growing of illicit crops. Secondly, the proposal addressed the adoption of negotiating modalities aimed at resulting in concessions and commitments by developing countries which would be differentiated and flexible, and which would reflect the needs and special conditions of these countries. As regards the proposal by Mercosur and Chile on negotiations in connection with products subject to agricultural tariff quotas (WT/GC/W/335), her delegation believed that the out-of-quota tariffs adopted during the Uruguay Round and the volumes of trade on which these quotas had been calculated were freezing the trade in agricultural products, and this proposal was of special interest to Colombia for this reason. The proposal by Indonesia, Malaysia, Philippines and Thailand (WT/GC/W/331), also addressed special and differential treatment in agriculture, and was complementary to Colombia's proposal. The proposal was important because the problem had been clearly and precisely identified and developing-country needs in areas such as export subsidies and market access commitments had been clearly stated. As regards the Chairman's draft outline, her delegation believed it was a good basis for starting work on drafting, although it would be necessary to complement it with the additional proposals submitted. In section B.2(a), issues for negotiation other than those under implementation should be included, such as the proposals submitted by Colombia in the areas of anti-dumping, subsidies and safeguards. In the process of elaborating the Ministerial Declaration, it would be necessary to move ahead with consultations on specific issues to allow a detailed dialogue on the elements and content of each section, given the short time available.

27. The representative of Bolivia, referring to the proposals by Mercosur and Chile on agriculture (WT/GC/W/334 to 337 and addenda), said that Bolivia also sought the reduction of barriers in the market for agricultural products and, for this reason, supported the proposals. Her delegation also supported the proposal on intellectual property submitted by Cuba, Honduras, Paraguay and Venezuela (WT/GC/W/329), as also that by Colombia (WT/GC/W/316). Turning to the organization of further work, her delegation supported the suggestion by Uruguay to divide the draft text by sections, and believed that the third section on principles and objectives of the negotiations could incorporate the proposal on the elements of the Ministerial Declaration by Pakistan and other Members. Further work should be structured according to the Geneva Ministerial Declaration, which established the process in the General Council to ensure full and faithful implementation of existing agreements, and to prepare for the Third Session of the Ministerial Conference. Furthermore, the Geneva Declaration referred to small economies in the context of marginalization, and her delegation believed that the Chairman's outline should also make such a reference. To allow the multilateral trading system to be credible, it should reflect the interests and concerns of all Members, in particular economies facing difficulties with integration into the trading system. With regard to the future work programme in section B of the Chairman's outline, Bolivia believed that the negotiating mandates should be clear and precise, and had concerns about the advisory roles for the Committees on Trade and Development and Trade and Environment. Her delegation sought clarification on the concept of coherence, which was linked to market access and entailed that there should be a line of logic throughout all the agreements. Clarification was also needed on the concept of transparency, and her delegation saw a relationship between transparency and the possibility for small economies to participate in WTO work. With regard to the process of drafting the Ministerial Declaration, her delegation believed that consideration should be given to the suggestion by India as it would ensure a transparent, collective process with good participation, and would ultimately save time.

28. The representative of Korea said that after two years of discussions on trade facilitation in the Council for Trade in Goods, it was necessary to develop a WTO framework for trade facilitation, as the WTO had a key role to play, in particular to coordinate the various efforts by individual Members both at the regional and multilateral levels. In building such a framework, three points should be taken into consideration. First, existing WTO Agreements such as the Agreements on Import Licensing and Rules of Origin should be subject to review and revision to improve their ability to facilitate commercial exchanges. Second, in addition to revision of existing WTO Agreements, new rules relating to trade facilitation could possibly be formulated within the WTO legal framework. Third, the

future work programme on trade facilitation should pay particular attention to technical assistance, targeting capacity-building, both human and physical, in developing countries to help them reach an adequate level of automation and modernization in export/import administration. Bearing in mind the need to address all of these considerations and the mutual benefits generated by increased trade flows, Korea believed that trade facilitation should be on the agenda of a new round of negotiations. As regards the Chairman's draft outline, it was a useful basis from which to start work in the third phase, although there were some missing elements. In response to the mandate of the Geneva Ministerial Declaration, one of the key objectives of the work programme should be broad-based trade liberalization. Another important objective of the work programme should be the development of new WTO rules on which there had been a large number of proposals. The section on objectives should highlight these two elements. Furthermore, the principles of the negotiations listed in section B.2(a) should also contain the concepts of overall balance of interests among participants and transparency in negotiations. These concepts had almost become clichés but should still constitute fundamental principles for any multilateral negotiations. A provision for a standstill commitment by all Members should also be included in section B.2, and would reconfirm the Members' collective commitment to trade liberalization and send a powerful message underlining the immediate benefit of a new round of negotiations to the business community and civil society. His delegation also sought clarification regarding the item on the functioning of the WTO system in Section B.2(c), in particular whether any proposal had been submitted on this subject and, if so, what the concrete suggestions had been. In addition, the relationship between implementation in section B.1, and issues relating to other existing agreements as the fourth indent of section B.2(c) also needed clarification, in particular as to the distinction between the two.

29. The representative of the Philippines, introducing a proposal on special and differential treatment for developing countries in agricultural trade, also on behalf of Indonesia, Malaysia and Thailand (WT/GC/W/331), said that their countries were seeking, in particular, to bring into the forefront of the forthcoming negotiations the vital issue of special and differential treatment for developing countries. In this light, they also welcomed the proposal by Colombia, which shared the same fundamental objectives. The purpose of special and differential treatment was to establish equity and fair competition where structural conditions were unequal, and this could not be addressed merely by longer time-frames for implementation or lesser reduction commitments, but would require still wider flexibility to allow developing countries to exploit their agricultural potential and address their non-trade and other social concerns, including food security, rural development and poverty alleviation. This would require enhancing the participation of developing countries in world agricultural trade by ensuring that the policies of developed countries provided greater market access to products of interests to developing countries, especially agricultural products which were a major contributor to their development objectives. The need to address special and differential treatment for developing countries in agriculture could not be over-emphasized. The framework of agricultural liberalization should support, and not harm, the economic development objectives and ambitions of developing countries with the attendant technical assistance that they needed for this purpose. It was imperative that the next round of agricultural negotiations found ways and means to give meaning to the principle of special and differential treatment. The forthcoming negotiations were an opportunity to establish and achieve a fair agricultural trading system that would allow developing countries to develop and benefit from their agricultural potential as well as achieve the fullest measure of developmental success. With regard to the Chairman's draft outline, his delegation believed that it had served its purpose well, as it had elicited discussion and prompted the tabling of an alternative version by Pakistan and others. The Philippines agreed with other Members that there was a need for flexibility in the process, but wished to stress that flexibility was not an end in itself, but rather a means of attaining consensus. Furthermore, flexibility as to the form of the outline did not necessarily mean that any form would suffice. The form should be based on substance. In this regard, paragraph 9 of the Geneva Ministerial Declaration provided the substance, and the form of the outline should be consistent with such substance to the extent feasible. His delegation could be flexible, but any attempt to change the substance of the Geneva Declaration would have to be subject to a new exercise in consensus building. The alternative draft outline by Pakistan and others was more consistent with the

substance of the Geneva Declaration, and delegations should be flexible enough to accommodate it and make it the basis for further work. His delegation supported India's suggestion of holding intensive consultations the following week for the purpose of drafting text for the Ministerial Declaration. His delegation was looking for convergence as a result of this process, and believed that ambitions could not be excessive as the aim was to succeed on the basis of an acceptable middle ground.

30. The representative of Singapore said his delegation was willing to work with the Chairman's draft outline, which provided a useful checklist of the issues to be addressed in the run-up to Seattle. It was a vehicle to take the substantive discussions forward, and not an end in itself. The final structure of the Seattle Declaration would depend on the substance it contained and the process of negotiating that substance. In this context, the proposals on the possible outline submitted by other Members were useful inputs and points of reference for further discussion. Singapore believed that early discussion of the substance of the text would help delegations arrive at Seattle with an agreed text, or at least a text with the least number of square brackets. His delegation supported the Chairman's suggestion for intensive consultations the following week, although it would be important to have a clear picture of the aim of the consultations. The work in the following week would be important both in terms of when the Chairman would present his draft text and of enabling Members to meet the Chairman's suggested deadline of 5 November for the end of the process. Members should use the consultations to indicate clearly the substance of what they believed should be reflected in the Declaration for each issue. It should be a process that added value rather than a replay of the discussion hitherto. The consultations should take up all the issues proposed under, and in line with, the mandate of the Geneva Declaration. Members had varying interests, and it would be important for the process to respect this. Following the consultations, the Chairman should present, under his own responsibility, an initial draft text of the Declaration. This draft could merely reflect the different opinions that Members had put forward on the issues. It should provide an overall picture of Members' positions, and facilitate the substantive negotiations that would subsequently take place on specifics. If the 5 November deadline was to be met, the Chairman should circulate a draft text by the first week of October. His delegation strongly supported the date of 4 October as proposed by some Members. It was also obvious that the various sections of the text would be the focus of an intense process of discussion and negotiations for the remaining time available, and it would probably make sense to start with those sections where consensus could be achieved early on, so as to build confidence and momentum. The importance of keeping the process transparent and manageable should be kept in mind, and a combination of open-ended Heads-of-Delegation meetings and small-group meetings would help in moving towards a consensus text. The General Council meeting in Special Session should have an overall supervisory role of the process and provide the Chairman with the opportunity to report frequently on the consultations. The discussions should be wrapped up by 5 November, which would give sufficient time for the text to be forwarded to capitals for domestic consultations and for the Secretariat's preparation of the documentation for the conference.

31. As to the substance of the Chairman's outline, section A provided a succinct summary of the many objectives that WTO Members had identified for the trading system. However, it should contain a reference to the Preamble of the WTO Agreement and the objectives therein, which was important lest the impression be given that Members were establishing completely new objectives for the trading system at Seattle. It would also be important for this section, or perhaps even more appropriately a chapeau to the Ministerial Declaration, to include a brief collective assessment of the world economic environment and outlook, where issues such as the recent financial crisis, the nascent recovery of affected countries should be referred to. His delegation believed that the text on implementation in section B should also include a collective evaluation of implementation, as mandated by paragraph 8 of the Geneva Ministerial Declaration. Such an evaluation could usefully preface everything else that might be agreed to in respect of implementation. His delegation also believed that it would be important to have some early deliverables at Seattle on implementation and these could take two forms. First, they could involve collective decisions aimed at addressing systemic problems that had arisen in the context of implementation. Second, they could involve

decisions in respect of specific implementation issues that had been raised in the preparatory process. Members should also decide upon a mechanism by which other implementation issues which were not subject to decision at Seattle could be addressed in the post-Seattle period. It would also be vital for Members to agree at Seattle on the modalities of a new round of negotiations, and the Chairman had outlined many of the important points on which decisions should be taken in the sections on overall principles and structure, organization and participation. Singapore had addressed many of these issues on previous occasions, either individually or together with the other ASEAN Members, and wished to reiterate its view that progress would be best advanced and results assured if negotiations were conducted as a single undertaking with an imposed deadline. Moreover, the biennial Ministerial meetings were a new institution that could be harnessed to provide for a new dynamism in the WTO's work programme and negotiations, and provided an occasion during the intervening period for Ministers to approve results in respect of negotiations that were ripe for conclusion. These meetings would also enable Members to take stock and to review the progress of the negotiations and decide what could be done further to move the process along. In this context, his delegation found the references in the draft outline to benchmarks, mid-term review and possible early provisional results very relevant. Singapore believed that the scope of the negotiations should be manageable, forward-looking and represent the collective interests of the Members and, as a minimum, should include the mandated negotiations on services and agriculture and also comprehensive negotiations on industrial tariffs. It would be important for the Declaration to spell out clearly and precisely the negotiating parameters on each topic that Members would agree on. This was extremely important if the negotiating process in the post-Seattle period were to be expedited and the deadline met. These parameters, apart from spelling out the negotiating objectives and procedures, should also give a clear indication of the level of ambition of Members in respect of each subject. Immediate decisions at Seattle itself, in particular on implementation, taken together with decisions in respect of enhanced technical co-operation and a new plan of action for least-developed countries, would represent an important package for developing and least-developed countries. Singapore was also supportive of the ongoing work in the Working Group on Transparency in Government Procurement, and would welcome concrete results on this by Seattle, including the possibility of concluding a transparency agreement.

32. The representative of the Dominican Republic noted that the Chairman's outline was without prejudice to the views of any delegation and that it did not exclude any possibilities. This clearly showed that the Chairman had not intended to exclude other draft outlines and it was important for all to bear this in mind. A Ministerial mandate for the work being undertaken in the General Council was contained in paragraphs 8, 9, and 10 of the Geneva Ministerial Declaration, and his delegation believed that other models for the Seattle Declaration, such as the Punta del Este Declaration, were not appropriate for this exercise. The Chairman's outline had been elaborated on the basis of consultations with a considerable number of delegations. Nevertheless, his delegation believed that the structure should reflect more strictly the mandate set out by Ministers in Geneva, as was reflected in the proposal introduced by Pakistan. It was strictly within this mandate that the General Council was authorized to present recommendations to Ministers at Seattle. For this reason, discussions based on the outline contained in the above-mentioned proposal would facilitate results acceptable to the majority of Members. With respect to proposals on elements of the Declaration submitted by Switzerland and the CEFTA countries, his delegation believed it was premature to discuss the text of the Declaration until such time as agreement was reached on the structure. The process should be a collective one, take place under conditions of complete transparency, and reflect the views of all Members. If the opposite were to happen, it would be the worst kind of marginalization, and would bring into doubt the equality of Members. His delegation would be unable to join in any consensus on a Declaration which resulted from a process lacking transparency. It would also be necessary to clarify some of the principles to be included in the Declaration, such as single undertaking, early harvest, deliverables, and so on. These had been mentioned by many delegations and some had been used in the Chairman's outline, and consensus was needed on their meaning. Finally, any agreed structure for the Declaration should only include elements directly stemming from proposals submitted to and discussed in the General Council.



33. The representative of Cuba, introducing a proposal submitted by his Government also on behalf of a number of other Members on intellectual property protection for the traditional knowledge of local and indigenous communities (WT/GC/W/339), said that this was an important issue since there was a contradiction in the area of intellectual property rights. On the one hand, protection of new technology was being strengthened, while on the other no protection was granted to ancestral knowledge of local and indigenous communities. The knowledge of these communities and their right to promote their own development should be recognized, and the Ministerial Declaration should establish a mandate to carry out a detailed study in this area with the aim of establishing multilateral rules.

34. As regards the Chairman's draft outline, his delegation had carefully studied it and had noted the inclusion of certain issues on which there was no consensus at the present time and which Cuba rejected. Cuba rejected the concept of early harvest on issues other than implementation issues. Unresolved implementation issues should not be included as part of a single undertaking, and it was premature to speak of such a concept since no decision had yet been taken on the issues to be included in the negotiations. The draft outline also contained concepts which should be further elaborated in the next phase of work. Due consideration should be given to the proposal in this regard introduced by Pakistan on behalf of a number of Members, including Cuba, and which represented an improved structure for the draft outline of the Ministerial Declaration, incorporating many aspects of the Chairman's outline. This proposal was based on paragraphs 8, 9 and 10 of the Geneva Ministerial Declaration, in which implementation of the existing agreements had been given a privileged position. This structure should be respected since it had been agreed by Ministers at Geneva. Implementation, as laid out in section B of the proposal, should be the first issue to be taken into account in establishing a future work programme and should cover solutions to problems in the existing WTO Agreements which was vital to the interests of the developing countries. Cuba's position had not wavered on this issue and until favourable results were achieved on this issue, it would be difficult to make any progress on other issues. Developing-country Members had encountered serious difficulties in implementation and in many cases a Ministerial Decision would be required to solve them. Many proposals in this regard had been submitted by developing countries and required serious consideration. Section C of the proposal covered mandated negotiations and reviews and, in keeping with paragraph 8 of the Geneva Declaration, the mandated negotiations had been agreed to prior to any decision in the current process and should be thus finished within the set timetable. In these negotiations, the concerns and interests of developing countries should be in the forefront. As to the consultations which the Chairman intended to undertake, his delegation expected particular importance to be given to transparency, and any group established to this end should be open to the participation of all delegations. Finally, his delegation believed that it was essential to reach agreement on the structure of the Declaration before drawing up the actual text.

35. The representative of Switzerland believed that the Chairman's draft outline would serve as an excellent basis for the next part of the work, as it reflected in a balanced manner the different elements from the second phase of the preparatory work. The order in which the different elements of this outline had been set out seemed to draw inspiration from the structure of the Geneva Ministerial Declaration, while at the same time not strictly following the structure. The few differences between the two were not of real importance because in the Chairman's approach it had been necessary to ensure coherence and overall logic. The important task was to develop the different types of mandate that would fit into the different parts of the outline and drafting should thus be the absolute priority. With regard to the substance of the outline, his delegation believed that the important principle of transparency in the negotiations should be included in section B.2(a). The duration of the negotiations, set out in section B.2(a), was not an overall principle and should come under section (b). In section B.2(c), his delegation preferred the heading "government procurement" rather than "transparency in government procurement" because it was not a question of determining the target or aim of the negotiations rather the issue to be negotiated. With regard to future work, he noted that the second phase had been underway since March, and that it had been agreed that the third, or drafting, phase would start in September. Since the end of March, many proposals had been made, both in writing

and orally, which had prompted detailed comments and reactions. All delegations knew exactly what others wished to see in the negotiating mandate. It was therefore neither desirable nor useful to continue this exercise collectively because any further clarification needed could be requested bilaterally between delegations. It was necessary now to start the drafting stage. The process should be chosen in the light of four different criteria: the nature of the work which delegations had to undertake; the time available; the coherence of the work; and participation in the work. It was necessary to choose a method of work which guaranteed that nothing would impede the work of drafting. Delegations should not be trying at this stage to achieve results for the negotiations which were to be initiated at the beginning of 2000. Delegations also could not continue, directly or indirectly, the second phase. There were about seven weeks left for the work to be completed before the deadline of 5 November, and the pressure in Seattle would be tremendous and therefore not very conducive to negotiation. It would also be essential for Members to undertake this drafting with an overall view of the text that was being discussed. The major balances in the text should be visible from the outset so that they could be changed with full awareness of the whole picture. Finally, the process should enable the participation of all Members, which imposed a certain structure and method for the work. On the basis of these different criteria, his delegation had reached the conclusion that the drafting process should begin as soon as the current clarification process had concluded, and that it should begin on the basis of a draft text submitted by the Chairman. This text should be based on the proposals submitted, the reactions to these proposals, the Chairman's draft outline and the reactions prompted by it. His delegation supported the statements by New Zealand, the European Community, Australia and Hong Kong, China on the need for direction in the procedure to be followed. He believed that the suggestion by India of attempting to reach agreement on isolated elements and subsequently bringing them together to achieve complete agreement was idealistic. His delegation could not agree to this since time was too short. Some of the elements of the mandate would be more difficult to deal with than others, and greater flexibility would be available on these difficult elements if the easier elements were also on the table, and this flexibility was needed from the outset. A view of the whole text was absolutely necessary from the beginning to avoid having two successive negotiating processes, one on each element separately and a second one to set up a balance between the different elements. There was not enough time to enter into these two processes. The only reasonable solution at this stage was for the Chairman to submit a complete draft text the following week to allow a rapid start to in-depth discussions. Clearly, many delegations would have to send this draft to their capitals, so time was extremely important as the deadline of 5 November was approaching very rapidly.

36. The representative of Malaysia said that his Government was a co-sponsor of the proposal on a draft outline of the Ministerial Declaration introduced earlier by Pakistan, which emphasized the importance of implementation issues that, for these Members, had a higher place in the hierarchy of issues to be included in the Ministerial Declaration. Paragraph 8 of the Geneva Ministerial Declaration already provided clarity on this, as Ministers had foreseen an evaluation of the implementation of existing agreements. This would mean highlighting the areas of concern to developing countries in the implementation of the Agreements, including those provisions that had constrained or limited their policy options or that had been the subject of abuse for protectionist purposes. Malaysia placed emphasis on the importance of several deliverables on implementation issues in Seattle. The proposal by the United States on implementation (WT/GC/W/323) was unacceptable, since technical assistance alone was not a panacea for all the concerns of developing-country Members. The proposal by his Government and others also called for the continuation of the study processes already underway on the Singapore issues. On many occasions, Malaysia had also highlighted several other areas of concern, such as access to technology, the relationship between trade and finance, and the declining terms of trade of developing-country Members. Malaysia urged all Members to support these initiatives and to use the proposed draft outline presented by Pakistan as a basis for discussions. With regard to the proposal on trade and environment contained in the Chairman's outline, his delegation wished to reiterate its support for the continuation of the work of the CTE under its present mandate. There was no utility in changing either its mandate or its mode of operation. While not much time was left, the pressure of time should not be used as an excuse to push

for the agreement of all delegations, especially in the light of discussions during the previous few months in the General Council. Malaysia and some other Members had certain fundamental difficulties as regards many of the issues at hand, and other delegations should take this into account since, even with the pressure of time, one could not just wish away those difficulties. The Chairman's draft outline was clearly an attempt to reflect the discussions but, as mentioned in the covering note, it was not definitive and did not exclude other possibilities. The proposal introduced by Pakistan stemmed from a realistic appraisal, not an idealistic one, of the process. It was not a question of trying to be ambitious, but of trying to follow what Ministers had agreed at Geneva. It would be difficult for his delegation to go back to the Minister who attended that Conference and say that the General Council had changed what he had agreed to. His delegation did not believe that further discussion in formal or informal meetings was a waste of time because it was important that delegations discuss the issues and try to understand each other. If the European Community was of the view that delegations had just been talking at each other and not to each other, his delegation regretted if it had not been able to push its views forward, and although it had tried to talk to that delegation, it was left with the impression that some of the problems it had raised had not been heard. Japan had suggested that the results of the Seattle Conference should allow for the fuller integration of developing countries into the international trading system, and his delegation was surprised at this as it believed that the Uruguay Round had been supposed to do just that. Perhaps the reason why this group of Members had submitted an alternative outline was that they wanted to be fully integrated into the international trading system because there were so many issues in the implementation part of the Uruguay Round causing real difficulties to some of them. It was difficult to understand why the hierarchy in the proposed alternative outline would cause problems for other delegations. Throughout the discussions of the previous few months, there had been agreement that implementation issues were important. It should be borne in mind that many delegations had problems with some of the new issues and that these were at the bottom of the hierarchy agreed at Geneva. Japan also stated that the Chairman's outline was not enough, but Malaysia believed that it was more than enough. It had also been said that some Members had a minimalist approach, but while wanting implementation issues to be in the forefront of future work, Malaysia had agreed to the mandated negotiations on agriculture and services which was already more than minimalist, and was even coming on board on industrial tariffs. This was not a minimalist approach, it was more than that and it was difficult for developing countries, even one in an advanced stage of development such as Malaysia, to be able to go full swing into a comprehensive round. This was not a question of being idealistic, but rather of being realistic. It was necessary to be pragmatic in the approach to these issues, and Malaysia would be open to the Chairman's suggestions on how to advance the work, but expected the Chairman to take into account that there were other proposals on the table. Any intensive consultations were the prerogative of the Chairman, although his delegation expected that they would take place in a transparent manner.

37. The representative of Mexico said that the Chairman's draft outline, along with submissions by Switzerland, CEFTA and Pakistan on behalf of several Members, would allow work to commence on the third phase of preparations for the Ministerial Conference, although the second phase was continuing. His delegation understood from the Chairman's statement that it was not a question of negotiating his outline as such, but rather that it should serve as a basis to allow the work to progress. The future work, including the use of outlines, should meet with three basic requirements. First, the work should reflect the structural balance which had been reached in the Geneva Ministerial Declaration; second, it should in no way prejudice the position of any Member; and third, it should be clear and specific. From this point of view, his delegation believed that further work should be based on a structure relatively different from the one contained in the Chairman's draft outline. Mexico envisaged the use of two major sections, one relating to scope, and the other on the structure, organization and time-frames of the post-Seattle negotiations. In the section relating to scope, there would be five sub-sections which would correspond to paragraph 9 of the Geneva Ministerial Declaration, namely on implementation, the built-in agenda, the work deriving from the Singapore decisions, the follow-up to the high-level meeting on least-developed countries, and new subjects. Mexico believed that such a structure would not prejudice the positions of Members and the relative importance of each one of these elements in paragraph 9. In the other section on structure,

organization and time-frames, matters related to the general principles to be applied in the post-Seattle negotiations would be set out. In this section, one could have some reference to the need to avoid a multiplicity of meetings and also a paragraph related to the negotiating structures, similar to the Chairman's outline, and to the length of the negotiations, as well as a reference to the treatment to be given to independent customs territories in accession after Seattle. Mexico considered that it would not be appropriate to enter into detail at present as to what could be expected in the area of immediate decisions to be taken at Seattle. As a member of APEC, Mexico would expect that anything agreed in APEC would be undertaken in that forum, and with regard to the post-Seattle negotiating agenda, would prefer to avoid mixing the two. His delegation believed that an appropriate structure would facilitate drafting of text by Members for each issue and, at the beginning of the drafting work, there should be at least two positions for each major section to accommodate those who were interested in including the issue in the post-Seattle negotiating package and those who did not want, for some reason or another, to include it.

38. Mexico supported the suggestion that the Chairman should prepare, as soon as possible, a new document going further in terms of specifics than the draft outline. It should contain the key elements of each of the sections of the Geneva Ministerial Declaration and possibly also the sub-elements within the sections. It would be important to have some indication in this document of the status of the proposals presented in the light of the Geneva Declaration. This was important for a number of reasons, such as the emphasis which had been placed in this Declaration on a double consensus in the case of proposals under paragraph 9(d). This concept allowed many Members to be able to accommodate discussion of these additional issues and his delegation believed that some mechanism had to be found to reflect this, either by presenting these issues under 9(d) or by listing them on separate sheets, to avoid stopping discussion on the specific draft. Furthermore, the new document should reflect the position of Members through alternative texts for the same subject when appropriate. Intensive discussions and the drafting process should be started as soon as possible, although no more than two issues should be addressed at the same time, and the whole process should be carried out in the General Council as a continuous process.

39. The representative of Honduras, introducing a proposal on transfer of technology also on behalf of Cuba, Egypt, India, Pakistan, Malaysia and Uganda (WT/GC/W/327), said that since the establishment of the WTO, developing countries had often expressed their concern regarding one of the most visible imbalances in the multilateral trading system, namely that while countries had been obliged to expand their legal regimes to give protection to intellectual property, there was little in the WTO Agreements to promote and facilitate access to technology. Nevertheless, a considerable number of the Agreements acknowledged the fact that access to technology was a determinant for their appropriate implementation. The TBT Agreement, for example, recognized the contribution that international standardization could make to transfer of technology from developed to developing countries. Similarly, the need to provide developing countries with necessary technical assistance was recognized in the SPS Agreement in areas such as processing technologies, research and infrastructure, and this was also covered in Article 66 of the TRIPS Agreement. To give focus to these various concerns, their proposal suggested the establishment of a working group to study the implications of existing agreements for the transfer of technology, and the ways of enhancing such transfer, particularly to developing countries. As to the draft outline circulated by the Chairman, his delegation believed it would be a good basis for the initiation of discussions on the Ministerial Declaration, along with the proposal on elements of the Declaration submitted by Honduras with other Members, which contained a structure for the Ministerial Declaration reflecting the delicate balance achieved in the Geneva Ministerial Declaration in paragraphs 8, 9 and 10. This proposal highlighted the importance that many Members attached to implementation problems. These problems had two different aspects: first, the lack of clarity of provisions regarding special and differential treatment contained in various WTO Agreements; and second, the difficulties encountered by countries in their efforts to comply with the commitments undertaken at Marrakesh. The Chairman's outline contained some points, particularly in section A, that could be incorporated in the Ministerial Declaration. However, it also contained issues on which there was no mandate, and his delegation believed that it

would be difficult to continue moving ahead on such issues while favourable results were not being achieved on implementation. It was important that a special mechanism be set up with a mandate to terminate work on implementation issues within a specified period of time. His delegation expected that the further consultation process would be conducted transparently and take account of the views expressed by all delegations. His delegation believed that Members should agree on a structure reflecting the interests of all Members, before initiating the drafting process, and would have great difficulty in joining a consensus on a text based on another structure.

40. The representative of Egypt appreciated the Chairman's efforts, in elaborating his draft outline, to respond to the concerns identified by delegations and also the Chairman's indication that his outline was without prejudice to the views of any delegation, did not exclude any possibilities, and that it should not be seen as an item for negotiation in its own right, but rather as a means of focusing and assisting future work towards a draft text. Implementation issues and the mandated negotiations and reviews constituted the cornerstone of any Declaration to come out of Seattle. It was important for Ministers to take the necessary decisions at Seattle to rectify many of the shortcomings in the implementation of a number of WTO Agreements. It had been in this context that Egypt had proposed the establishment of a negotiating group at Seattle to find meaningful solutions to implementation difficulties before the end of the year 2000 (WT/GC/W/216). Egypt would not accept any commitment to negotiate new issues without the completion of the consideration of implementation difficulties in a satisfactory manner. He wished to clarify his Government's position in this respect, because paragraph 13 of the submission on implementation by the United States (WT/GC/W/323) might give the impression that Egypt agreed to an approach in which delegations discussed in parallel implementation and other areas or new issues which might become subject to negotiations or be the subject of exploratory work. Egypt was committed to the mandated negotiations in agriculture and services, but was not yet convinced that a new comprehensive round of trade negotiations would bring greater prosperity to all, believing rather that it would further marginalize developing countries and add to the existing imbalances. The Chairman's outline was to be seen as a checklist of issues raised by various delegations during the second phase of the preparatory process. This in itself was a good exercise, although the third phase should concentrate on those elements which enjoyed a consensus with regard to their inclusion in the Declaration. Egypt believed that the draft outline fell short of adequately reflecting the needs and aspirations of developing countries, and had difficulty with the reference to a new negotiating round under section B, because there was no consensus as yet on this, with the exception of the mandated negotiations in the built-in agenda. Developing countries should be allowed the time and space to tackle the problems of implementation of the existing agreements before considering a new round, and his delegation was seriously concerned at the linkage of development objectives, special and differential treatment, and recognition of autonomous liberalization to the new round. Another concern related to the advisory role to be given to the Committees on Trade and Environment and Trade and Development. Egypt believed that the former had a specific mandate which was being carried out satisfactorily and did not want to see any deviation from this mandate. On the other hand, developmental aspects were a part of the WTO work programme overseen by the Committee on Trade and Development. As to the subjects for negotiations and guidelines, Egypt agreed with the listing of agriculture, services, and mandated reviews, but was not in a position to accept the rest of the list. With respect to the decisions to be taken at Seattle, such decisions should address, in clear and no uncertain terms, implementation problems and the structure of work for those implementation problems not resolved in Seattle. Egypt strongly supported the statement by Pakistan and the proposal it had introduced on behalf of a group of developing countries, including Egypt, which represented a solid basis for discussion and a positive contribution to the deliberations. Like others, Egypt believed that intensive consultations on the elements of the draft were needed. However, it was equally important that this process be transparent and open to all interested parties. It was also important to have some indication of timing and to keep as close to it as possible. However, the issue of time should not be used as a pre-text for producing a text detrimental to the concerns of many of the Members; it was rather more important to produce a document that would be inclusive and thus satisfactory to all.

41. The representative of Romania, referring to his Government's submission on trade defence instruments (WT/GC/W/319), said that clearer disciplines needed to be developed under the Anti-Dumping Agreement, including guidance for the exporting country in order to be able to better defend its interests. As a first step, the development of new recommendations based on the work of the Ad Hoc Group on Implementation should be envisaged in the new round, which should address the ambiguity of some provisions in the Agreement which had already been highlighted during the discussions. Strengthened disciplines concerning the initiation of the investigation and review procedures would also be necessary. In this regard, the implementation of Article 15 of the Anti-Dumping Agreement, related to the recognition that should be given by the developed Members to the special situation of developing countries, should be addressed with a view to establishing clearer rules on this matter. The application of the provisions concerning the possibilities of constructive remedies provided by the Agreement, as well as exploring additional possibilities, could also represent items of interest to be included in the agenda of the new round. Such constructive remedies could also be envisaged as a priority measure to be taken between developing countries in anti-dumping cases, in order to mutually support their common objective of development. On regional trade agreements, Romania shared the views of others on the need to move forward in completing the reviews of the RTAs before the Committee on Regional Trade Agreements and in the discussion of systemic issues, and that no link should be created between the two processes. The RTAs presently under review or notified to the WTO should be considered against GATT/WTO conformity conditions prevailing at the time of the conclusion of such agreements. Therefore, like some other Members, Romania believed that the General Council should recommend to the Ministerial Conference that the process of review of the RTAs before the CRTA should move rapidly forward pursuant to the existing WTO rules (WT/GC/W/317). Such an action was clearly necessary for the credibility of the multilateral trading system. On the other hand, should Members reach consensus on systemic issues, supplementing the existing WTO provisions relating to RTAs, the new rules should be applied exclusively to those RTAs concluded after the entry into force of the agreed new rules.

42. The representative of Indonesia said that her delegation shared the view that the Chairman's draft outline, together with other proposals by Members, could be a basis for further discussion. Together with several Members of ASEAN, Indonesia had already expressed its preliminary views on the broad elements which could be included in the Ministerial Declaration (WT/GC/W/307). An effort should be made to arrange the Ministerial text in a systematic manner, and it should be reader-friendly and reflect both the discussions and a continuity of the decisions taken at previous Ministerial Conferences. The General Council had been tasked with providing recommendations to the third Ministerial Conference based on the mandate stemming from the Geneva Ministerial Declaration, and her delegation was of the view that the Ministerial text should be arranged in a hierarchical manner, following paragraph 9 of that Declaration. Pakistan, in introducing a proposal on behalf of several Members including Indonesia, had clearly described that hierarchical structure, and her delegation wished to elaborate on some of the elements of the proposal. Section A, concerning the preamble, could present a brief collective assessment of the global economy, reflecting the fact that despite signs that many countries had emerge from the financial crisis, many were still experiencing difficulties in recovering. Therefore, there was a need to reiterate the importance of the multilateral trading system and the need for international markets to remain open and resist protectionist tendencies. The preambular part should also reflect a brief assessment of implementation problems, the need to take into account the development dimension in undertaking further liberalization and the need for concrete special and differential treatment for developing countries. A recognition of autonomous liberalization measures as having negotiating value in future multilateral trade negotiations should also be included. On implementation, the draft Ministerial text should clearly reflect the assessment of Ministers on the state of play as well as problems encountered, as mandated under paragraph 8 of the Geneva Ministerial Declaration. The implementation section should also include decisions on implementation issues to be taken at Seattle. The General Council should make recommendations in this regard on the manner in which commercially meaningful implementation of the Agreement on Textiles and Clothing could be achieved, on the issues of anti-dumping and subsidies, as well as on other issues pertinent to developing countries. On implementation issues requiring further negotiation

and discussion, there should be a clear decision on the time-frame to conclude such negotiations. On the mandated negotiations, her delegation supported the suggestion made by others to include decisions on the mandate of the negotiations including the scope and time-frame. The section relating to the reviews of various agreements should, at the very least, include decisions on the Agreements on TRIMs, TRIPS, DSU, SPS and TBT. On the Singapore issues, decisions should be included on extending the mandate of the various working groups to undertake further study so as to enable Members to better comprehend the issues involved. It would be difficult for developing countries to embark on negotiations at this stage on these issues. The Ministerial Declaration should also set out the appropriate mechanism to undertake future negotiations, the duration of which should preferably be not more than three years, with the possibility of a mid-term review. Unlike the second Ministerial Conference, the preparations for the third Conference entailed substantive discussions and negotiations on many important issues, and her delegation, although it believed that the General Council should remain the supreme body to discuss recommendations for Ministers, would consider suggestions to facilitate the work in the remaining period.

43. The representative of Argentina said that both the draft outline submitted by the Chairman as well as that proposed by Pakistan on behalf of a number of Members were useful contributions. On the Chairman's outline, his delegation could go along with many of the proposals made at the present meeting to supplement section A, and would envisage a paragraph referring to implementation concerns and the need for the mandated reviews, and another paragraph making specific mention of the mandated negotiations. On the future work programme in section B.1, the establishment of an implementation mechanism had been suggested in various proposals and in the proposal introduced by Pakistan. However, his delegation did not clearly understand whether this would be a mechanism established for the duration of the round of negotiations or whether it would become an additional permanent body in WTO. In the latter case, his delegation wondered how that mechanism would work together with the existing WTO bodies responsible for the regular follow-up of implementation. Regarding section B.2(a), his delegation agreed with others, in particular Switzerland, that the duration of the round was not a principle and should be placed under structure, organization and participation. On section B.2(b), his delegation would not oppose the creation of individual negotiating bodies in principle, but believed that they should not constitute an impediment to the rapid progress of the negotiations. Certain procedures would thus have to be set out for the launching of these negotiating groups, whether in the Ministerial Declaration itself or in an annex, and mandatory time-frames would be necessary for the appointment of the Chairpersons of such groups. As regards the advisory role for the Committees on Trade and Development and Trade and Environment, it would be necessary to discuss carefully how this role would be carried out if this exercise were to have any sense at all. With regard to benchmarks, these would surely be set out in each of the negotiating mandates and may not be necessary under this section. Like others, his delegation was agreeable to the suggestion for a mid-term review, although the problem was the degree to which the Fourth Session would have to decide on the early harvest items or anticipated results. The section on subjects for negotiations and guidelines did not highlight the distinction between the issues on which there was already a political decision to carry the negotiating exercise forward, and others that were as yet under discussion with no consensus to include them on the negotiating agenda. In this respect, the use of the word guidelines in the areas of agriculture and services was not appropriate, because if a decision was taken to include other issues in the negotiations, then it might be agreed that the sights would be set lower for these issues, in which case there would be a distinction between the type of guidelines. On non-agricultural market access, his delegation would suggest the use of mental square brackets, in particular around the word non-agricultural in the item, as this concerned full market access negotiations and not simply industrial products. As regards a work programme on coherence, his delegation believed that a section directly aimed at specific action for developing countries, together with the proposed plan of action for the least-developed countries, the suggestions made on technical cooperation and a general approach to coherence, could constitute a very important section of the Declaration.

44. Finally, on section C, his delegation agreed with Uruguay that the only immediate decision to be taken at Seattle involved the launching of the round. All Members should agree to this and it should appear without any square brackets. As to further work, his delegation placed its trust in any course of action the Chairman wished to take in the following days. Like others, his delegation believed that a timetable was necessary, and the sooner the consultation process started the better, with the tabling of a draft text. Transparency should not be forgotten and the Chairman should find a way to inform all Members of his actions and of how the consultation process was proceeding. The process should also be sufficiently inclusive to allow all interested delegations to take part. The draft text should have as few restrictions and constraints as possible, and it was necessary to make rapid progress in view of the rapidly approaching deadline. The only way to do this would be to give priority to the two issues which would be the subject of major negotiations, and to discuss them as soon as possible. If progress were made in these two principal areas, delegations could determine exactly how ambitious the rest of the whole negotiating exercise could afford to be.

45. The representative of Norway said he supported the Chairman's draft outline, and that the other proposals submitted were equally as good. The main reason for using the Chairman's outline as a basis for further work was to save time, because a discussion on the structure itself could take too long. Like Australia, Norway believed that the structure would change as work progressed. The Chairman's proposal to enter into an intensive consultation phase was the only way to go forward. The next part of the process should not be too elaborate, but should be based on transparency, with the Chairman reporting back to the General Council. The Chairman should aim to get an impression of the general feeling of Members and come up with concrete elements for discussion. There should, however, not be too much discussion before the drafting process began and the Chairman should table a text as soon as he believed there was something to put forward. On the Chairman's draft outline, his delegation envisioned three groups of issues in section A: one on the overall objectives, another on the more general principles and a third addressing the horizontal issues of global concern. His delegation had a high interest in the element on coherence in global economic policy-making. While the WTO should look at the importance of global issues of concern for the multilateral trading system, it should also relate to the outside world as part of the global system of today. An element on the promotion of sustainable development should also be reflected in the objectives. On the future WTO work programme in section B, various Members put a different emphasis on different aspects of implementation issues, and the submission by the United States was a useful input to try to clear up some of the lack of clarity in this respect. Furthermore, technical assistance should also be mentioned in this section, as it had a role to play in implementation. On the subjects for a new round in sub-section B.2, his delegation would have expected to see the notion that the outcome of a new round should be balanced as an overall principle. His delegation also believed that standstill should be reflected as a principle. Finally, while development was indeed a priority, this concept might be reflected as an objective in section A. Turning to section C, his delegation wondered what was meant by the items on issues relating to other existing agreements and the functioning of the WTO system. In section 3, his delegation believed that the item on coherence should reflect issues of global concern to the WTO and to the trading system. On deliverables, it would be important to have a quick and good start to the round together with quick decisions at Seattle on several items. These should be given a high status as decisions by Ministers, and that indicated that the proper place for them was in the Declaration itself.

46. The representative of Uganda appreciated the attempt by the Chairman to capture in his draft outline all the levels of ambition expressed by Members. Uganda was a co-sponsor of the proposal introduced by Pakistan, and believed that it reflected the guidance that Ministers had given to the preparatory process in the Geneva Ministerial Declaration. Paragraphs 9 and 10 of that Declaration had been carefully negotiated, and the proposal was based on the structure contained in these paragraphs. With regard to the Chairman's draft outline, his delegation agreed with India that the statement of objectives should mention growth with equity, and believed that there should be a distinction between the mandated negotiations and the new issues in section B.2(c). His delegation welcomed the reference to coherence, and the list of deliverables. It also agreed to the suggestion of



intensive consultations, although it was important that they be inclusive. With regard to the suggestion made by Australia that some delegations might have to be put aside in discussions on certain issues, his delegation saw a danger in this and believed that the process should not only be fully inclusive but also be seen to be inclusive. His delegation put its confidence in the Chairman in this respect, and believed that the process outlined by India was a useful way to proceed.

47. The representative of El Salvador supported the suggestion that the Ministerial Declaration should be based on the priorities established in paragraphs 8 to 10 of the Geneva Ministerial Declaration which had also been used as a basis for the preparatory work. The Seattle Ministerial Declaration should also take into account the concerns of many Members regarding the marginalization of least-developed countries and developing countries with small economies and their problems in integrating into and participating in the multilateral trading system. For this reason, her delegation supported the proposal on elements of the Declaration introduced by Pakistan on behalf of a number of Members, which respected the structure and the priorities of the Geneva Declaration. This proposal also suggested continuing the educative processes on investment, competition, trade facilitation and transparency in government procurement, which her delegation supported. As to further work, her delegation believed that the structure should first be agreed, followed by drafting of text. Her delegation would not agree to the setting up of informal drafting groups, as this would marginalize smaller delegations.

48. The representative of Iceland said that the Chairman's draft outline was an excellent starting point for further work. His delegation welcomed the reference to trade and the environment in the section on objectives of the trading system, as also to the advisory role of the Committees on Trade and Environment and Trade and Development in sub-section B.2(b). He recalled that proposals had been submitted by the EC, Norway and the United States regarding trade, environment and sustainability, by Iceland with other Members on fisheries subsidies, and by New Zealand calling for a work programme on that issue. His delegation suggested that the term sustainability be added to the overall principles in sub-section B.2(a) and that, in the subjects for negotiation and guidelines, a reference to trade and environment and/or win-win-win strategies for sustainable development should be added. On the question of how to proceed, his delegation suggested that the Chairman take the initiative again and submit, as soon as possible, a first draft text of the Ministerial Declaration based on the current outline. Members could then discuss this text paragraph by paragraph and submit proposals for changes. This was the most manageable way of putting together the Declaration. It would be confusing and difficult if delegations were to discuss a number of different drafts for the Ministerial Declaration.

49. The representative of Bangladesh said that the Chairman's draft outline had helped delegations in the formulation of ideas for the Ministerial Declaration, which would continue to evolve. While Bangladesh shared many of the concerns expressed by developing-country delegations on the outline, he wished to address the question of capacity-building technical assistance activities. Bangladesh believed that technical assistance programmes should receive a high level of recognition in the next Ministerial Declaration. In this light, his delegation welcomed a draft revised proposal on technical assistance and capacity building by the United States<sup>1</sup>, which reflected inputs and comments by a number of delegations. This proposal came at a critical time in the run-up to the Seattle Ministerial Conference and should receive careful consideration by all. His delegation had often stated that was an urgent need to look for more coherence, more value addition and beneficiary participation in the current technical assistance system. Bangladesh thus supported the US proposal for greater coherence and wider participation in the new post-Seattle technical assistance regime. The US proposal, among other things, suggested a separate assistance framework for non-LDCs employing the concepts used in the Integrated Framework, and Bangladesh supported this approach. Before launching a second part of the Integrated Framework, however, a critical evaluation of the 1997 Integrated Framework needed to be undertaken. Bangladesh supported the deadline of July

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<sup>1</sup> Subsequently circulated as document W/GC/W/276/Rev.1.

2000 in the US proposal for an evaluation of the current technical assistance delivery mechanism. Bangladesh believed that perhaps the most important suggestion in the US proposal was the attempt to address the supply-side, regulatory and infrastructure needs of the beneficiaries. Bangladesh suggested that the Ministerial Conference should exhort the wider WTO community to undertake time-bound work in this area, and underlined the need for fund outsourcing and the establishment of a "resource centre" in WTO to facilitate research on the needs of developing countries. The present WTO technical assistance outlay was small compared to actual needs, and as a result the current programme suffered from ad-hocism. In the same vein, the US proposal for the establishment of a mechanism for the regular review and evaluation of technical assistance activities and a reporting system to the General Council would be helpful. Bangladesh believed that the statement in the last sentence of paragraph 5 of the proposal required review, as it did not believe that each country concerned in the 1997 Integrated Framework had received an integrated technical assistance plan from the six agencies involved. Bangladesh agreed with the US view that while the 1997 Integrated Framework had been based on a sound approach, its implementation had been poorer than expected. The coordination among the concerned inter-governmental organizations had been less than necessary. Another novel aspect of the US proposal was that it supported the inclusion of business organizations, NGOs and philanthropic organizations in the new post-Seattle programme. While Bangladesh did not necessarily oppose the concept that these sectors could work together more often, it believed that forging an effective partnership among them in this area would require more careful analysis before being put into practice, as there might be difficulties of coherence and coordination. He noted that Bangladesh had joined a number of developed countries in submitting a proposal to, among other things, include technical assistance in the regular WTO budget (WT/GC/W/259 and Add.1). WTO technical assistance activity should be stable, predictable and demand-driven, which would be possible only with a known budget line within the current WTO budget. Bangladesh believed that this proposal and the US proposal should be considered together and merged. Bangladesh agreed with the US that work on a comprehensive, sustainable and long-term approach to funding technical assistance and capacity building was an important factor, and believed that work towards achieving sustainability for a meaningful result-oriented technical assistance programme should begin within WTO. The joint proposal by Bangladesh and others addressed the important issue of sustainability and a post-Seattle technical assistance programme could not, and should not, depend on uncertain voluntary contributions. Predictability and respectability should be the core principles of any new technical assistance regime.

50. The representative of Thailand said that the Chairman's draft outline should facilitate further discussion aimed at seeking consensus on the substance of various elements contained therein. Thailand believed that the Ministerial Declaration should be concise and, at the same time, clear and detailed enough so that Members did not find themselves engaged in a protracted exercise after Seattle in further interpreting or clarifying the Declaration. Thailand believed that the further process in the run-up to Seattle should be open-ended, encompassing the broad membership, and transparent. With little time remaining, delegations needed to consider effective mechanisms which would contribute to producing an agreed text expanding on the Chair's outline with the least number of brackets. His delegation believed that a number of sub-indentations could be added to the Chair's text on agriculture, to include issues such as the elimination of agricultural export subsidies, disciplines on the use of export credits and a substantive increase in market access. Apart from the subjects for negotiations, the issue of implementation remained a top priority for Thailand. In order for the multilateral trading system to be fully functional and effective, Members should decide on action to redress the specific problems based on the collective evaluation of implementation foreseen in paragraph 8 of the Geneva Ministerial Declaration. They should also agree to establish an improved mechanism for overseeing implementation and addressing these problems. In this regard, his delegation believed that the elements concerning implementation in the proposal submitted by Pakistan on behalf of a number of Members should be used to further elaborate the points in the Chairman's outline. Thailand also agreed that it would be desirable to have immediate decisions at Seattle. While advocating an ambitious agenda was not a bad thing, it would be counter-productive if Members' wish list did not truly reflect the essence and character of multilateralism. In the view of

his delegation, any decisions to be taken should be firmly based on those issues which concerned systemic improvement, which would strengthen the multilateral trading system, and which came within the purview of the WTO Agreement. Thailand would not be able to go along with any decisions which were not based on these principles. Lastly, it would be imperative for Members to agree at Seattle on the modalities of a new round of negotiations. Thailand subscribed to the points outlined in the section on overall principles, and it was important that the Declaration clearly addressed the concept of single undertaking, as well as establishing the duration of a new negotiating round, which should be no more than three years with a mid-term review built in.

51. The representative of Bulgaria supported the view that delegations should quickly enter into a phase of intensive consultation, and start discussing texts as soon as possible. Discussion of the outline or the structure itself was not substantive work, and his delegation would support any pragmatic way of proceeding which would help produce a text for further drafting as quickly as possible. His delegation believed that the Chairman's draft outline could serve as a useful tool without prejudice to the views of any delegation and to further drafting. Specifically, in the third tirit of section A dealing with the development dimension, his delegation believed that reference should also be made to countries in transition, which also had specific problems of development and capacity building, including the need for improved technical cooperation.

52. The representative of Chile said that the Chairman's outline was useful as it included all the possible issues that could be included in a future work programme. Chile believed that the subjects for negotiation should form part of comprehensive negotiations in a single undertaking which should be one of the principles of the negotiations. The various elements of the outline should be addressed sequentially, on the basis of the hierarchy in paragraph 9 of the Geneva Ministerial Declaration to allow for the distinction between matters for negotiation and other issues that would be considered for inclusion in the work programme. Chile believed that the third phase of the preparatory process should be dedicated to the drafting of the Ministerial Declaration. As not much time remained, intensive work should be undertaken in this regard. Further discussions on substantive issues should take place the following week with a first draft of the Ministerial Declaration made available rapidly, and if possible at the beginning of the week of October 4. Most proposals in the second phase had been submitted in a form which would allow a first draft to be produced by that time, and negotiations on the issues should intensify after that. The various issues should be dealt with in specific groups, which should be open-ended to allow interested parties to participate, and be chaired by the Chairman. Only if work was intensified in this way would a final draft Ministerial Declaration be available by 5 November, as proposed by the Chairman, leaving sufficient time for the text to be sent to capitals for final consultations.

53. The representative of Mauritius said the Chairman's outline was a good basis for further work, and appreciated the care taken in outlining in the cover note that it was only indicative and evaluative. This inspired his delegation to have confidence in the Chairman to ensure that the entire process would be participative and transparent, and that it would end with a desired consensus. As the work evolved, his delegation could see that it was taking a positive direction, building steadily on the valuable contributions made by Members. This would eventually give rise to a product that would take care of the interests and concerns of all. Many Members had underscored the need to draw upon the Geneva Ministerial Declaration and his delegation agreed with this suggestion. The Geneva Ministerial Conference was part of a continuum and was a point at which Members were anchored. It was, therefore, only logical that the direction to be taken should be charted from there. In this context, his delegation wished to echo the points raised by Bolivia, regarding the inclusion of the concerns expressed in paragraph 6 of the Geneva Ministerial Declaration. Several Members had also expressed the need to take care of the small delegations which were not able to be present due to their inability to be represented in Geneva. If the Chair's outline was still not all inclusive, his delegation believed that the Chairman would not ignore these concerns and that all the gaps in terms of interests and concerns as in paragraph 6 of the Geneva Declaration would be filled. The Chairman's continuing disposition to take into account the interests of all Members gave his delegation confidence in the

balance of rights and obligations and the benefits and responsibilities that would accrue in an equitable manner from Seattle.

54. The representative of Venezuela welcomed both the Chairman's draft outline and the proposal on elements of the Ministerial Declaration introduced by Pakistan on behalf of a number of Members. Venezuela believed that any consultations should take place under conditions of complete transparency, and with the participation of all Members to avoid the problems which had been experienced at the Singapore Ministerial Conference. In the very short term, Venezuela suggested that delegations should try to elaborate a structure and a list of issues to be addressed by consensus, and then go on to review the contents. Sometimes the very mention of an issue for inclusion led to a debate on its substance, and delegations should therefore try to reach consensus on a structure and then start discussing content. His delegation preferred a structure where the objectives of the trading system were highlighted and reaffirmed, particularly its role as an instrument for development, and it should be made clear that WTO would take concrete steps to promote the development objective. The structure should also reflect the priorities and relationships among the issues in paragraphs 8, 9 and 10 of the Geneva Ministerial Declaration. Future negotiations should guarantee benefits for developing countries and also preserve their space for development policies, and this should be a general principle of the negotiations. Regarding the section on organization and participation in negotiations in the Chairman's outline, his delegation believed that existing WTO bodies should be responsible for the negotiations and that the General Council should act as a supervisory body. Clarification was needed on the role to be given to the Committees on Trade and Development and Trade and Environment. In principle, his delegation supported the concept of benchmarks but wondered how such benchmarks might be implemented. Clarification was also needed on the concepts of single undertaking, early provisional results and deliverables, and more explanation was needed by the proponents of the issues for immediate decisions.

55. The representative of South Africa said his delegation recognised that considerable effort had gone into formulating the Chairman's draft outline to reflect the entire range of issues that Members had raised over the course of the preparatory process. While this approach resulted in a safe compilation of all the issues, it did not attempt to provide direction other than to continue the work begun at previous Ministerial meetings. By following this route, the process might become embroiled in familiar tensions as the membership became increasingly polarised around particular elements identified in the outline. For South Africa, the Ministerial Declaration should begin by articulating unambiguously the priorities and objectives of the new negotiations reflecting the membership's collective response to the central challenges confronting the multilateral trading system. The key challenge was to ensure that development issues were addressed decisively in the new negotiations, and rising to this challenge would serve to strengthen the trading system, enhance its legitimacy and create a sustainable basis for a new round of global economic growth from which all Members could benefit. The third Ministerial Conference represented the opportunity to deliver the launch of new negotiations with this objective at the centre of its considerations and the question was how to address development in these new negotiations. South Africa believed that a sustained rise in the income of developing countries would offer a real prospect for economic growth in the next millennium and, to achieve this, developing countries should pursue industrialisation by processing their natural resources where they possessed comparative advantage. Developing countries had considerable advantages in sectors such as agriculture, textiles and clothing and resource-intensive industries, and negotiations in sectors where the natural advantage lay in the intensity of the resource use of the product should be seen as structural negotiations. These negotiations were fundamentally about the distribution – and redistribution – of production in the world economy as a whole and this approach required an explicit recognition that further liberalisation demanded structural adjustment in all economies, including in developed countries. Such restructuring implied substantially improved market access and the elimination of the range of protective and supportive measures that shielded inefficient industries. Structural adjustment in developed economies would allow a relocation of production and investment to developing countries. To facilitate such restructuring, multilateral rules might need to be re-designed in some areas. In this regard, South Africa shared many of the views

expressed by others on the need to improve certain provisions of particular agreements to achieve greater clarity and balance, in particular the agreements on subsidies, anti-dumping and intellectual property.

56. Challenges confronting the multilateral system demanded further strengthening of global economic governance and more effective multilateral management of the diverse consequences of globalization. In this rapidly unfolding environment, Members should respond positively and proactively to the challenges, and the deepening integration of global financial, technological, service and commodity markets required more effective global economic governance. To avoid responding to these new challenges posed a real danger. Without an effective multilateral response, globalization would proceed unbridled with the attendant risks. Alternatively, plurilateral and regional agreements could proliferate among smaller groups of countries and thereby fragment the trading system further. While multilaterally negotiated rules and disciplines might be needed in new areas, these should be designed to level playing fields by enhancing certainty, consistency and transparency in the system. If negotiations were merely attempts to open up the markets of the developing world, little progress would be achieved. If they were treated as ways of creating a level playing field, then it was possible to define more clearly the terms and conditions of special and differential treatment in these areas. Negotiations which facilitated and governed new forms of trade not envisaged or well understood during the Uruguay Round would also need to be addressed. In the light of these considerations, and whatever the final structure, the Ministerial Declaration should give prominence to the developmental imperative. This imperative should be interpreted, principally, in terms of significantly improved market access for developing-country exports through a reduction of protective and supportive measures in developed-country markets. The Declaration should identify aspects of the new negotiations that : i) contributed to structural change and an appropriate relocation of production in the global economy; ii) addressed concerns and imbalances in existing multilateral agreements; iii) extended disciplines to areas in recognition of the increasingly integrated nature of the global economy; iv) established rules to govern to new forms of trade; and (v) contributed to the sustainability and equity of the system including through the extension and elaboration of more effective S&D provisions. South Africa also sought the establishment of principles to govern the conduct of the negotiations. Principles of relative reciprocity which ensured that concessions, commitments and obligations were commensurate with levels of institutional and economic development, as well as human and financial capacity, needed to be specified. Effective implementation of obligations would also need to be linked to the provision of sufficient financial and technical assistance. Due restraint should be exercised by developed countries in initiating disputes against developing countries while the negotiations were under way. In addition, developed countries should maintain current access conditions, including preferential access, for the duration of the negotiations. More thought needed to be given to elaborating a framework in these terms as it might facilitate the drafting of the Declaration in a manner which integrated issues of concern and interest to the entire membership.

57. The Chairman said that he sensed that the large majority of delegations were agreed that one should move forward with a sense of urgency towards the drafting of a text for Ministers, and that all the inputs that had been made should be taken fully into account in the further process that all would be embarking on. Having listened carefully to all the points of view that had been expressed, including that the immediate process should be inclusive and allow the opportunity for all delegations to participate in the building up of an initial overall text for further consideration, it was his intention to conduct in the following week an intensive process of informal consultations at the Heads-of-Delegation level. His aim in conducting this process would be to circulate, on the basis of the discussions at those consultations as well as the work thus far, an initial text of a draft declaration immediately thereafter. The discussion the following week would be open-ended as regards participation, and would be the opportunity for delegations to indicate to him what they wished to see in the first draft that he intended to circulate. Clearly, the intensive informal meetings could not be a repeat of the discussion that had been held thus far in the second phase, but would have to focus on the content of the text to be submitted to Ministers. On this basis, he intended to circulate to

delegations as soon as possible a programme for these meetings setting out the times and the subjects for discussion on each of the elements he intended to take up.

58. The General Council took note of the statements and agreed to the Chairman's suggestions for the organization of further work in the preparatory process.

**(b) WTO Symposium at Seattle on International Trade Issues in the First Decades of the Next Century.**

59. The representative of the United States said that over the past few weeks her delegation had engaged in intensive consultations with other Members on a proposal to organize an event in Seattle which would bring together WTO Members and NGOs for a one-day symposium on international trade issues. On the basis of these consultations, her delegation believed that a consensus existed on the proposal. Her Government saw the symposium as being chaired by the Director-General and organized by the WTO Secretariat in consultation with Members. The US Government agreed to cover any costs associated with the holding of the event. Although the symposium would take place the day before the opening of the Ministerial Conference, it would be outside the formal structure of the WTO and the Conference. Her delegation recognized that the proposal was not perfect and that some aspects perhaps did not meet fully with some Members' aspirations for such an event. However, the current proposal was a consensus proposal which owed much to the flexibility of other delegations. In broad terms, the proposed event would draw on the experience from the two symposia organized in March. There would be two sessions where discussions would focus on two broad issue-areas. The first session would address trade and development issues in the next decade and the second would focus on the impact of new technology and evolving public concerns on the WTO's future negotiating agenda. In both cases panel discussions would be followed by comments and questions from the floor. Her delegation hoped that the General Council could endorse the proposal at its present meeting in order to allow the Secretariat to proceed with preparations for the symposium and Members to turn their full attention to the drafting of the declaration as well as other decisions for Seattle. The US believed that with over 750 NGOs registered for the Ministerial Conference it was important that the WTO as an institution be seen as continuing to make an effort towards improving dialogue with civil society.

60. The representative of Costa Rica said that his Government was still studying the proposal and requested a few more days before formally commenting on it.

61. The representative of Egypt welcomed the US proposal and appreciated the objective of the symposium to enhance awareness of the WTO as well as to provide a forum for an exchange of views on the contribution of the WTO in these areas. Concerning the organization of work he noted that the symposium would take place outside the formal structure of the WTO. In this respect, and to achieve consistency, he requested that the title of the symposium not include any reference to the WTO. Finally, he enquired about the possibility to ensure the participation of the International Trade Centre in the symposium since its role in development and enhancing capacity building for developing countries was widely recognized.

62. The representative of Korea welcomed the re-drafted US proposal as reflecting the concerns of many Members. He noted that the inclusion of the issue of development on the agenda was welcome and agreed that the WTO should support the symposium since the agenda covered a wide range of issues of importance to all Members. Holding the symposium was consistent with the wish of the WTO to improve its dialogue with civil society and NGOs. The formal endorsement of the symposium by the General Council was coherent with this wish.

63. The representative of the European Communities said that his delegation had serious doubts about the symposium. The EC believed that a dialogue with NGOs was absolutely necessary and

remained in intensive consultations with a very large number of these organizations, both in Brussels and in member States, and would continue this activity until the date of the Ministerial Conference. The EC did not believe that staging a one-day event just prior to the Conference would achieve the objective of a continuing dialogue with NGOs. Only a few of the registered NGOs would have an opportunity to speak at such an event, and those that did not get a chance to do so might feel even more frustrated than if the event did not take place. Furthermore, the short period of time would hardly allow for any dialogue. There was real risk of the symposium being seen as a token event which would damage the WTO's credibility in dealing with NGOs more generally. His delegation had argued for continuous contacts with NGOs throughout the Ministerial Conference which would allow for a serious discussion with civil society as the conference proceeded. However, this idea had not gained much support among Members, and genuine concerns about the capacity of delegations at the Conference had been raised. The EC would not stand in the way of a consensus on the US proposal, especially since time was very limited. While it agreed with the title of the first session, it wished to see the title of the second session broadened to allow NGOs to address their concerns on a broader range of issues. He suggested that the reference to the future negotiating agenda be replaced with an overall mention of the multilateral trading system.

64. The representative of Japan welcomed the US proposal. The dialogue with civil society and NGOs was important and Japan could therefore support the general idea behind the symposium. His delegation saw the symposium as falling outside the formal structure of the WTO and distinctly different from the normal work of the WTO and in that respect his delegation had a number of suggestions. First, it would be more appropriate to delete the reference to WTO in the title of the symposium. Second, regarding the purpose of the symposium it would be appropriate to delete the mention of Article V:2 of the WTO Agreement. Third, the title of the second session should not contain any reference to the negotiating agenda. He supported the EC idea of replacing the reference to the WTO's future negotiating agenda with the multilateral trading system. He asked for clarification on the issue of participation of NGOs to ensure that only accredited organizations would be able to participate.

65. The representative of Bolivia said that his delegation could support the US proposal. It was important that this event take place outside the formal structure of the WTO and that it contribute to the liberalization of trade and place particular emphasis on the elimination of poverty.

66. The representative of Argentina welcomed the US proposal as well as the informal consultations which had resulted in its current wording. He suggested that re-opening the text of the proposal might force delegations to review their positions. His delegation's position remained that relations with NGOs was a concern for each Member government. The WTO, as an intergovernmental institution, could do only what Members asked it to.

67. The representative of Canada supported the US proposal. He agreed with the EC and others that the proposal was imperfect due to a number of positions and limitations. His delegation supported the holding of the symposium because trade, like politics, had become increasingly local and many people equated the processes to the substance of trade deals. It was clear that although Member governments engaged NGOs at the domestic level it was equally important that the WTO as an institution be seen as coming closer to the various domestic constituencies. His delegation supported keeping the symposium under the auspices of the WTO because it would send a complementary and reinforcing signal to the domestic efforts by Members.

68. The representative of Australia welcomed the US proposal. The main concern for his delegation was how to avoid the symposium becoming a distraction from the core work of launching a new round of trade negotiations at Seattle. Although his delegation could accept the current text, it would prefer the rewording of the title of the second session along the lines suggested by the EC.

69. The representative of Brazil said his delegation attached importance to the fact that the symposium fell outside the formal structure of the WTO and the Ministerial Conference. In this regard a change of the title of the symposium by deleting the reference to the WTO might be considered. Brazil could support the change in the wording of the second session, as suggested by the EC.

70. The representative of Mexico said that his delegation was not enthusiastic about holding a symposium one day before the Ministerial Conference. The responsibility of dealing with NGOs was a domestic matter. This allowed governments to know with whom they were dealing and balance the different interests and not just the loudest NGOs or those with most resources. He said that if there were a representative of civil society it was the governments. He expressed concern that such an event could become politicised and create expectations which could not be realized. There was also a danger that some NGO participants would interpret, wrongly, that the symposium created a precedent for other Ministerial Conferences. In referring to the consultations held by the US, he said that these had taken into account a large number of the concerns expressed by some Members. He supported the modifications suggested by Egypt, Japan and to some extent the EC. First, the inclusion of a reference to the WTO in the title of the symposium did not make sense as it was held outside the formal structure of the WTO. Second, the elimination of the reference to Article V:2 would similarly be consistent with the event being organized outside the WTO. Finally, eliminating the reference to the future negotiating agenda of the WTO in the wording of the second session was important. While Mexico's preference would have been not to have a symposium of this kind just prior to the Ministerial Conference his delegation would not stand in the way of a consensus. He recalled that one of the reasons for accepting the two symposia held in March was that these events had to be separated as much as possible from the Ministerial Conference itself.

71. The representative of the United States said that her delegation had attempted to keep both sessions of the symposium as broad as possible to allow for delegations to become more involved when deciding how to achieve the best balance in terms of speakers and issues. Engaging in a re-drafting of the current text could be difficult since it was almost inevitable that some delegations would then have certain concerns about the new draft. Her delegation's understanding of the discussion thus far on the symposium was that, despite the imperfections of the current draft, most delegations were willing to go forward with the proposal. Only one delegation had expressed difficulty in joining the consensus. She suggested that the General Council endorse the proposal ad referendum so as to allow the delegation that had expressed difficulty with the proposal to consult with its capital. The Chairman could then inform Members whether there was a consensus to move forward.

72. The representative of Costa Rica said that his country normally preferred working towards a consensus but his delegation had not participated in the consultations referred to by the US, despite having expressed great interest as well as certain reservations about the proposal. He suggested that no decision be taken at the present meeting and that his Government be allowed time to consider the proposal.

73. The Chairman noted that only one delegation had expressed difficulty with the proposal. In light of the large number of delegations that were prepared to go along with the US proposal he proposed that the General Council endorse it ad referendum to allow the delegation of Costa Rica a few days' time to consult with its capital.

74. The General Council took note of the statements and so agreed.<sup>2</sup>

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<sup>2</sup> The delegation of Costa Rica having subsequently removed its reservation, the proposal was considered endorsed.