

# WORLD TRADE ORGANIZATION

RESTRICTED

**WT/GC/M/62**

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**General Council  
Special Session on Implementation  
15 December 2000**

## **MINUTES OF MEETING**

Held in the Centre William Rappard  
on 15 December 2000

*Chairman: Mr. Kåre Bryn (Norway)*

### Subjects discussed:

- 1. Report by the General Council Chairman and the Director-General on their consultations on implementation-related issues and concerns, especially those reflected in paragraph 21 of the draft Ministerial text of 19 October 1999 and those reflected in paragraph 22 of the draft Ministerial text which were raised at the second Special Session;**
- 2. Decisions for appropriate action where possible and in accordance with the Decision of 3 May;**
- 3. Organization of further work.**

1. The Chairman proposed that all three agenda items be taken up together.

2. The General Council so agreed.

3. The Chairman recalled that the General Council had agreed at its May 2000 meeting that it would address outstanding implementation issues and concerns, particularly those raised during the preparations for the Third Session of the Ministerial Conference, by meeting in Special Sessions. It had further agreed that the first such Special Session would be held no later than June 2000, and that the process should be completed not later than the Fourth Session of the Ministerial Conference. In addressing these issues, the General Council would assess the existing difficulties, identify ways needed to resolve them, and take decisions for appropriate action. At the first Special Session held on 22 June and 3 July, the General Council had agreed on a programme and calendar of work. The General Council had also invited the Director-General and himself to carry out consultations in a transparent manner, with a view to identifying ways needed to resolve the issues raised at the Special Session, in accordance with the May Decision, and to report to Members sufficiently in advance of the next Special Session. In accordance with that work programme, their consultations had focussed especially on issues and concerns reflected in paragraph 21 of the 19 October 1999 draft Ministerial text (Job(99)/5868/Rev.1). He had conducted open-ended consultations together with the Director-General on these issues on 18, 19 and 25 September as well as on 6 and 12 October. From early October, a number of smaller consultations on specific subjects had also been carried out. He had reported on these consultations to the two open-ended meetings held in October, and the points made

in the discussion at those meetings had been taken into account. At the informal General Council held on 17 October, he had presented the progress report which the Director-General and he intended to make at the second Special Session the following day. In holding these consultations, their approach had been to focus first of all on those issues under paragraph 21 which seemed to offer the greatest prospect of progress, and it was the progress achieved which they had reported to the Special Session. At that time, however, he had emphasized that structuring the work in this way did not at all imply that the other proposals that had been made in those or other areas under paragraph 21 were being set aside or ignored. These were clearly issues on which work would have to continue.

4. At the Special Session on 18 October, the General Council had invited the Director-General and himself to continue their consultations on the issues reflected in paragraph 21 of the draft Ministerial text and to report to Members in advance of the next Special Session in December. The General Council had also invited them to also hold consultations on the issues in paragraph 22 raised by delegations at the October Special Session, in the same manner as for paragraph 21 issues. It had been understood that work on paragraph 22 issues would not be at the expense of paragraph 21 issues, which clearly had priority in the sequencing of the work programme. Since that Special Session, he had conducted open-ended consultations on 14 and 29 November, and 13 and 14 December, and had held a large number of intensive consultations on specific issues. He wished to offer his thanks to delegations for their co-operation with him, with the Secretariat and – most importantly – with each other during that process.

5. He intended to come back to the outcome of these consultations later in the present meeting, but first he believed that it was important to take stock of the work which the General Council had mandated to other WTO bodies on various occasions since May. In line with the mandate given to the Chairman of the Council for Trade in Goods on 8 May 2000, he proposed that the General Council hear a progress report on the consultations relating to the Agreement on Trade-Related Investment Measures (TRIMs).

6. Mr. Ehlers (Uruguay) said that the Chairman of the Council for Trade in Goods, Ambassador Pérez del Castillo (Uruguay), was not able to attend the present meeting, and the report was as follows:

"In accordance with the General Council Decision of 8 May 2000 on TRIMs transition period issues, I have held intensive bilateral and plurilateral consultations with interested Members to facilitate the process of finding a solution that is acceptable to all on the question of requests for extensions of the TRIMs transition periods. In keeping with the mandate I received from the General Council, I have taken particular account of the need to preserve and reinforce the multilateral nature of the process. At its meetings held in July, October and November 2000, I informed the Council for Trade in Goods of the progress made in these consultations. At those meetings, Members made comments of a general and more specific nature on the various requests that have been submitted under Article 5.3 of the TRIMs Agreement. I should also like to note here that there has been a useful exchange of written questions and answers between Members concerned. Based on the intensive and numerous consultations held in October and November, I presented to the Council at its meeting held on 15 November the elements of an approach that I believe can take into account the various positions conveyed to me and can serve as the basis for an appropriate solution. The comments made on this proposed approach at the meeting of 15 November were encouraging, but it was also clear that there remained a question as to whether it would be possible to reach agreement to apply this approach to all nine requests for an extension of the transition period. In sum, the consultations that I have conducted since the adoption of the 8 May Decision have been fruitful in that a possible approach has emerged that has attracted a considerable degree of support. While further work is necessary, I would hope to be able in the near future to circulate draft decisions for consideration by the Council for Trade in

Goods. Members will recall that, in addition to consultations on requests made under Article 5.3, the General Council Decision of 8 May also instructed me to hold consultations on the means to address the cases of those Members who had not notified TRIMs or who had not yet requested an extension. While I have given priority to the consultations on the requests made under Article 5.3, this was based on the belief that a solution to these requests might make it easier to find a way to address those cases. I would like to stress, in this respect, that I have consulted with these delegations and have kept them fully informed of the consultations which I have conducted under Article 5.3."

7. The Chairman recalled that the Director-General, in his report to the May General Council meeting on his consultations on the transition period issue, had pointed out that the process of examination and approval of requests for extensions of the transition period by developing countries had, in general, been proceeding well in the Committee on Customs Valuation, and he had suggested that Members should encourage the Committee to continue with this work. The Chairman said that since then, he understood that more progress had been made in this area, but also that some requests still remained pending.

8. At the October Special Session, in the light of the report on progress by the Director-General and himself, the General Council had agreed to his proposal to refer to the relevant WTO bodies a number of issues identified in that report as being appropriate for their action, with the mandates and time-frames he had suggested. These issues had been:

- the development of internationally agreed disciplines to govern the provision of export credits, export credit guarantees or insurance programmes pursuant to Article 10.2 of the Agreement on Agriculture, taking into account the provisions of paragraph 4 of the Decision on Measures Concerning the Possible Negative Effects of the Reform Programme on Least-Developed and Net Food-Importing Developing Countries, which was referred to the Committee on Agriculture;
- the concerns of developing countries regarding the equivalence of Sanitary and Phytosanitary Measures (SPS), referred to the SPS Committee;
- the problems faced by developing countries in both international standards and conformity assessment, referred to the Committee on Technical Barriers to Trade (TBT);
- the idea of information exchange between customs administrations on export values in doubtful cases, the addition of the cost of services in Article 8:1(b)(iv) and aspects of the residual method of determining customs value under Article 7 of the Customs Valuation Agreement, which were all referred to the Customs Valuation Committee; and,
- the issue of the relationship between the Trade-Related Aspects of Intellectual Property Rights (TRIPS) Agreement and the Convention on Biological Diversity, and the issue of the implementation of Article 66.2 of the Agreement on technology transfer, which were referred to the TRIPS Council.

9. The Chairpersons of the bodies he had just listed had been invited to report on the outcome of the consideration of these issues, and in all cases these reports had been issued as documents. He noted from the reports that the work of these bodies with regard to the issues referred to them would continue in most cases, and he underlined that this continuing process would remain under the overview of the General Council. It was this body which retained at all times the overall responsibility of the work on implementation, and the results of all work referred to subsidiary bodies should come back to this body.

10. At the October Special Session, the General Council had also requested the Director-General to work with the relevant international standard-setting organizations and relevant intergovernmental organizations in the areas of SPS and TBT on the question of the participation of developing countries in standard-setting activities. He wished to invite the Director-General to present his report on this work.

11. The Director-General reported on the actions he had taken to date in response to the request from the General Council that he explore with the relevant standard-setting organizations and other intergovernmental organizations financial and technical mechanisms to assist the participation of developing countries in standard-setting organizations. As his full report was contained in document WT/GC/42, he would summarize the main points. In November, he had sent letters to the three standard-setting organizations relevant to the SPS Agreement, inviting them to a meeting at the Deputy Directors-General level to discuss how to increase participation of developing countries in their standard-setting activities. At the same meeting, the four organizations would discuss how they could most effectively coordinate their technical assistance efforts to best address the needs of developing countries. The organizations invited to this meeting with Mr. Rodriguez were: the Food and Agriculture Organization (FAO), World Health Organization (WHO) and the international animal health organization (OIE). The meeting was tentatively scheduled for 7 February 2001. At the same time, he had sent letters to the organizations which had observer status in the TBT Committee, inviting them to a separate meeting, also at the level of Deputy Directors-General, to discuss the same issues in the context of the TBT Agreement. The organizations invited to this meeting with Mr. Ravier were: FAO, WHO, OIE, the UN Industrial Development Organization (UNIDO), International Electrotechnical Commission (IEC), International Organization for Standardization (ISO), International Organization of Legal Metrology (OIML), United Nations/Economic Commission for Europe (UN/ECE), and the Organization for Economic Cooperation and Development (OECD). The meeting was tentatively scheduled for 23 January 2001.

12. The Chairman then introduced the draft decision contained in Job(00)/8205/Rev.2. This text was the outcome of the consultation process the Director-General and he had conducted since the last Special Session. It had been considered in intensive consultations and at informal meetings of the General Council prior to the present Special Session, and it reflected the amendments agreed at these informal meetings. It contained a number of items for decision in the areas where they believed decision was possible at this stage of the work, and also a paragraph on further work.

13. However, he emphasized that all the issues in paragraphs 21 and 22 of the draft Ministerial text of 19 October 1999 which were not in the draft decision, including those which had not yet been fully addressed in the work, together with any other proposals raised by Members in accordance with the footnote to the June work programme, would go forward into the process which would continue the following year. This was strictly in line with the General Council's mandates contained in the Decision of 3 May and the 22 June work programme, and was reflected in the last point of the draft decision. As suggested at the informal meetings, the Secretariat would prepare a compilation of these outstanding items, to serve as background to the further work. He also reaffirmed that the texts submitted to him by delegations, either as separate or parallel suggestions in the consultations he had recently held, would also be carried forward into the process the following year, and here he was referring to the texts put forward by Egypt, Indonesia, Mauritius along with three other delegations, Jamaica, and others.

14. He mentioned three other points with regard to the draft decision. First, a technical correction had been made in the first tiret of the eighth indent of the preamble, to reflect more accurately the action agreed by the General Council at its October Special Session, and a reference to the provisions of paragraph 4 of the Decision on Least-Developed and Net Food-Importing Developing Countries had been added in this regard. Second, he wished to make clear that it was understood that the notification issue referred to in paragraph 1.1 of the draft decision should not put undue new burdens

on developing countries. Third, after consultations with Egypt, he wished to suggest an addition to paragraph 1.2, which would appear at the end of the paragraph and would read "... at the second regular meeting of the Council in 2001", to introduce a time-frame for the action in this paragraph. He proposed that this amendment be made to the draft decision if no Member objected.

15. He believed that the result of the General Council's work which was now before the Members, although modest, was important. It was a clear indication of the collective will to take decisions on implementation-related issues and concerns, and also to continue to find solutions in this area.

16. He proposed that the General Council take note of the reports by the Chairman of the Council for Trade in Goods, by the Chairpersons of the various WTO bodies he had referred to and by the Director-General and himself, and adopt the draft decision as contained in Job(00)/8205/Rev.2 with the amendment he had proposed.

17. The General Council so agreed<sup>1</sup>.

18. All representatives who spoke expressed their gratitude and appreciation to the Chairman, the Director-General and the Secretariat for the tireless efforts and hard work they had put into the process with a view to achieving results since the October Special Session.

19. The representative of Colombia, also on behalf of Argentina, Chile, Malaysia, Mexico, Pakistan, Philippines, Romania and Thailand, thanked the Chairman of the Council for Trade in Goods for his report and for his valuable work in seeking a multilateral solution to preserve the balance in the TRIMs Agreement. His efforts to pull together all the countries involved to define the extension of the transitional period had been most valuable and should continue so as to allow the Council for Trade in Goods to grant the extensions of the transitional period as established in Article 5.3 of the TRIMs Agreement. The Members on whose behalf he was speaking reiterated that Members had already agreed to give positive consideration to requests for extension in the Decision of 3 May, and that in this light, this subject still constituted a pending implementation issue.

20. Speaking on behalf of Colombia, he said that it was unfortunate that more progress had not been achieved at the present stage of the work on implementation issues, but that his delegation was sure that the Decision represented what had been possible. He would not attempt to qualify the Decision, since time would tell if it was sufficient to allow the work to advance in the coming year. Nevertheless, some of the elements it contained were significant, since they sent an important political signal to Members, and his delegation hoped the Decision was the beginning of a fruitful dialogue on the many remaining implementation issues. Some issues were undoubtedly sensitive, but the political will expressed by many Members should enable the work to progress with a view to resolving the problems faced by developing countries in order to allow them to benefit more from the Uruguay Round Agreements.

21. The representative of the United States expressed appreciation for the contribution made by other delegations to the present process, which had allowed significant work to be undertaken. The Chairman had characterized the results of the process thus far as modest, but although the Decision did not cover all the issues raised, it did show that Members could work together and move forward in this very important process. Her delegation believed that it was significant that good work had been done not only at the level of the General Council but also at the level of the Committees, and it was prepared to undertake more work at the Committee level without prejudice to a final outcome, since it had found that this work had led to a better understanding of the concerns. The General Council would have to ensure appropriate preparations for the fourth Ministerial Conference, and there should

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<sup>1</sup> The Decision was subsequently circulated as document WT/L/384.

be no additional burden on it in that period. As provided in the 3 May Decision and the June work programme, this work should continue, and her delegation had learned from the process that the expertise and clarifications at the Committee level were critical to any understanding and assessment of how to proceed on certain issues. As a result of the process thus far, her delegation had concerns that some of the issues raised were not related to implementation and would require new negotiations. In some cases, there were clearly differences of view as to what should be the subject of such negotiations, and it would be necessary to look at how progress could be made on these issues. The General Council had an important ongoing role with respect to implementation. Her delegation did not believe that continuing the process as at present would be the most advantageous way forward. In the coming year it would be important to recognize that some of the difficult issues to be addressed would require a realistic approach to finding ways to resolve them. The 1998 Ministerial Declaration committed Members to pursue effective implementation of the WTO Agreements. As such, her delegation accepted the present Decision without prejudice to any Member's rights and obligations under any WTO Agreement, or the outcome of any existing process underway in the WTO related to implementation reviews. Regarding the section of the Decision on rules of origin, since the beginning of the harmonization work programme and continuing to the present, no Member had made a greater commitment, offered more resources, actively participated in more meetings, contributed more proposals and worked harder towards solutions and the ultimate completion of the programme than the United States. This commitment would remain at the same level. However, given the amount of work ahead and the concerns of some Members, including their proposals, her delegation did not believe that the time-frame which had just been set in the Decision was realistic. As such, it was important for the General Council to monitor the efforts of the Committee on Rules of Origin, and to ensure that the Committee operated in an efficient and affective manner in light of the resource difficulties of some delegations, especially from developing countries. Her delegation was not alone in voicing these concerns. Oversight by the General Council would also have to ensure that the Committee was on the correct path towards high quality results that would facilitate trade rather than lead to the imposition of new paperwork and other technical red tape at borders. Her delegation looked forward to addressing these challenges, and it would continue to make every effort to work with all delegations to bring the process to a timely and successful conclusion.

22. The representative of India said that the importance his delegation attached to finding meaningful solutions to implementation-related issues and concerns was well known. India drew some satisfaction from the fact that at least a few decisions had been taken in the present meeting, months after the decision to establish a special mechanism to deal with the subject of implementation. While some of the major delegations had characterized the present Decision as modest and meagre, for India it was below its lowest expectations. His delegation was profoundly disappointed at the results obtained thus far. The Chairman's first draft decision of 29 November 2000 had incorporated possible decisions on 28 turrets of the 54 contained in paragraph 21. The draft of 13 December had contained possible decisions on 9 turrets, and that of 14 December had again contained 9, though one turret relating to services had been replaced by a turret on subsidies – a referral to the Subsidies Committee which did not ensure the qualitative equality of the two drafts. It was thus clear that out of 54 turrets in paragraph 21, the present Decision covered nine turrets, and even among these, five were merely referrals to subsidiary bodies and two were appeals to other international organisations. That left only two really meaningful decisions. One of these was a rectification of an error – the case of Honduras – and the other was a decision on tariff rate quota regimes in agriculture. Regarding the section of the Decision on rules of origin, his delegation was distressed to note that the United States was characterizing the decision as unrealistic. His delegation expected that all delegations would make good faith efforts to implement this decision. As for a qualitative assessment of the present Decision, the fact that there had been no decisions in areas like textiles, anti-dumping and subsidies spoke eloquently for the real impact these decisions would have in trade or economic terms for developing countries. It was regrettable that services, an area where results should have been possible, did not figure in the Decision. During the informal consultations delegations had agreed to a simple decision regarding mode 4, movement of natural persons. His delegation had accepted the text

on this issue suggested by the Chairman and had even accepted further dilution of it. However, regrettably, this issue had not found a place in the final Decision, and this was extremely disappointing. Therefore, it was obvious that the results achieved thus far represented, at best, the first minimal step.

23. India had always maintained that the issues it had raised under implementation required a certain amount of political sensitivity and could not be dealt with in a narrow and legal manner. It was for this reason that his delegation had been reluctant to refer the issues to subsidiary bodies. Yet, in a spirit of compromise and sometimes in deference to the Chairman's views, it had agreed at the last meeting to refer some of the issues to subsidiary bodies. His delegation had read the reports submitted by the Chairpersons of these bodies, and it recognized their valiant efforts to encourage their respective bodies to come up with meaningful recommendations. Nevertheless, India was disappointed at the lack of substantive results or progress, especially in the areas of TRIPS and customs valuation. For instance, in the TRIPS Council it had not even been possible to grant observership to the Secretariat of the Convention on Biological Diversity (CBD), much less conduct a serious examination of the relationship between the TRIPS Agreement and the CBD on the basis of a Chairman's checklist or a factual note by the Secretariat. Furthermore, his Government had sent an expert all the way from India to Geneva to participate in the Customs Valuation Committee. However, in spite of the clarifications provided by the Indian delegation, it had not been possible to persuade the Committee to accept even a simple proposal on exchange of information on export values in doubtful cases, with a view to reducing the scope for fraud. Thus, his delegation's scepticism about referring matters to subsidiary bodies had been vindicated. India reiterated that in accordance with the 3 May Decision, the General Council should refer matters to the subsidiary bodies only where absolutely necessary, and with a clear mandate and a specific time-frame.

24. He wished to mention one other important aspect of the present exercise and request all delegations to reflect further on it. Even in the case of a relatively minor issue, such as a best-endeavour clause or a desirable course of action already provided for in the various agreements, any move to make it meaningful was being resisted by some Members on the grounds that this required a change in domestic legislation. It was a matter of serious concern that the best-endeavour clauses in existing agreements did not figure in the domestic legislation of some of the major trading partners. Even best-endeavour clauses should be clearly provided for in legislation. This would be in line with both the letter and spirit of the WTO Agreements signed and ratified by Member Governments. He reminded all delegations that the present exercise on implementation-related issues and concerns had been, and should continue to be, about confidence building. This could be achieved only through a combination of political will and good faith effort. The present results demonstrated that these factors were not available to the extent needed. India strongly disagreed with delegations suggesting that the fault might lay with the process. The General Council had decided on 22 June 2000 that the present meeting would decide on the organization of future work in the year 2001. It was a matter of regret that at the present Special Session attention had not been devoted to this issue and a decision made about the organisation of work in the coming year. India requested that the Chairman hold informal consultations on this well in advance of the next General Council meeting scheduled for 8 February 2001. His delegation hoped that in the new year delegations would find the necessary political will, good faith and courage to address the remaining implementation issues and find meaningful solutions well before the deadline of the fourth Ministerial Conference. This alone would build confidence in the WTO and enhance its image in countries such as his. India would continue to persevere in its efforts to persuade its major trading partners to be more forthcoming in this area. This would be the most important common endeavour for all in the year ahead.

25. The representative of Brazil said that the Chairman had characterized the results of the present process as modest but important, and he agreed with this in one respect – even though there was not much in terms of a decision, Members had been able to treat the issues seriously. This was the most important aspect of the present exercise, and was systemic. The results thus far were almost

non-existent, and the most important element was paragraph 7. Most of Brazil's proposals were contained in paragraph 22 of the draft Ministerial text of 19 October 1999, including in the areas of subsidies, anti-dumping and TRIMs, and it was important that these proposals be addressed meaningfully before the fourth Ministerial Conference. Nevertheless, the agriculture section of paragraph 21 was also of interest to Brazil, specifically the issue of the implementation of Article 10.2 of the Agriculture Agreement. This issue had been included in the work leading to the present Decision, but did not appear in the final version. The problem in the implementation of this provision concerned not only whether it was being implemented, but also how. The point here was to establish the authority of the WTO in deciding on its rules – rules which would apply to all its Members. This was of great importance to all Members, and they should all be aware of it. Brazil had not been able to agree to the proposed language on this issue at the recent meetings because that language did not ensure that role for the WTO, and even tended to legitimize the idea that rules in this area might be negotiated elsewhere and then brought into the WTO. Brazil could not accept that, since it had already had the experience of delegating its rights in the Subsidies Agreement and would not repeat that experience. He urged all Members to pay the highest attention to this issue. He understood that a proposal would soon be submitted which addressed this issue and which referred to the integration of rules and disciplines agreed in other international fora into the Agriculture Agreement. This was a matter of the utmost concern to his delegation. Brazil did not deny the right of other organizations to negotiate rules. Its concern was that rules negotiated outside the WTO might, explicitly or by implication, become law for WTO Members. These organizations were not necessarily transparent to non-Members, as past experience had shown, and all Members should be aware that, sooner or later, they would be confronted with problems of this type. Finally, the work on implementation thus far spoke highly of the WTO, if not yet in terms of decisions, at least in terms of the seriousness with which issues of importance to developing countries were being addressed.

26. The representative of Poland, also on behalf of Bulgaria, Croatia, the Czech Republic, Estonia, Hungary, Latvia, and the Slovak Republic, said that the Chairman's approach of focussing on issues with a high degree of probability of acceptance had been correct, and the present Decision was in large part acceptable. These Members' approach to the work on implementation was based on the assumption that implementation had to be seen as a part of the 1998 Ministerial Declaration together with another essential element – the work programme. For these and other Members, such a work programme was an instrument for launching a comprehensive round of trade negotiations and they maintained this objective. It had been in this spirit that they had supported the confidence-building process. Particular implementation concerns reflected different situations and problems of countries with different levels of development. These Members understood and sympathized with these concerns, since some transition economies also experienced comparable implementation problems in certain areas. At the same time, they were aware of the existing limitations and difficulties in accommodating a number of implementation-related concerns, because satisfying these demands would change the existing balance of rights and obligations. In spite of this, they could not be satisfied with the rather modest harvest at this stage, and it would be necessary to discuss further the possibilities of collectively acceptable solutions. At the same time, it was clear that solutions to some of the issues could be found only in the framework of a wider context of the work programme as contained in the 1998 Ministerial Declaration, which they considered to be still relevant. In line with this approach, they believed that this discussion should not overwhelm the work in WTO in the coming year, but should be part of an intensive and ambitious process of preparing the ground for further trade liberalization. They cautioned against ignoring the genuine preoccupations of a large part of the Members, but at the same time cautioned against holding the new round hostage to implementation issues. They were confident that with time, all Members would realize that only a wide framework of an ambitious new round would offer real solutions to the many inadequacies and shortcomings of the multilateral trading system, including genuine solutions to real and serious implementation problems.

27. The representative of Egypt said that following the Seattle Ministerial Conference, Members had embarked on a package of confidence-building measures in which addressing and resolving implementation issues raised by a number of developing countries figured prominently. Furthermore, on 3 May the General Council had adopted a decision to guide the process of addressing implementation issues. Numerous meetings and consultations, and three General Council Special Sessions had been held since then. The result of this work was the present Decision, which was extremely disappointing to his delegation and could not even be considered minimalist. It did not help the confidence-building process, nor improve the present situation of many developing countries. This situation had been the reason for proposing work on implementation in the first place, in order to redress the imbalances and shortcomings of the Uruguay Round Agreements. One example of this disappointment was paragraph 1.2 of the Decision, concerning the Decision on Measures Concerning the Possible Negative Effects of the Reform Programme on Least-Developed and Net Food-Importing Developing Countries. His delegation regretted that it had not been possible, due to time constraints, to agree at this stage to the proposal for examining the idea of establishing an inter-agency Revolving Fund to work towards the realization of the objectives set forth in the Ministerial Decision; namely food aid, access to financing facilities, and technical and financial assistance to increase agricultural productivity and infrastructure. His delegation hoped that Members would approach this issue with an open mind later when it was discussed at the Committee level, so that the Committee would be able to report back positively to the General Council. His delegation also regretted the late deletion from the draft decision of the paragraph in the area of services on steps to increase the effective implementation of mode 4 supply commitments on movement of natural persons. There were also other important areas that were outside the scope of the decision in the first place. Despite these regrets, at least a decision had been taken, but not one that met his delegation's aspirations or minimum requirements. Egypt would thus characterize the present Decision as an interim decision. His delegation could, however, derive some comfort that the outstanding issues from the Chairman's consultations, and also those implementation issues that were outside the scope of the consultations, would be dealt with through the present mechanism in the course of the coming year, in accordance with the 3 May Decision and the 22 June work programme. His delegation thus attached great importance to paragraph 7 of the present Decision on further work. Egypt urged its trading partners to be more forthcoming and to show the needed political will to take decisions on the outstanding issues. In communications with the outside world, Members should endeavour to reflect the facts and the reality of the situation without exaggerating the outcome one way or the other.

28. The representative of Uganda said that the results of the process thus far were modest, and few genuine decisions had been taken. His delegation hoped that by referring a number of issues to the subsidiary bodies, the General Council was sending a message of good will. His delegation was disappointed in the lack of meaningful results, and hoped that more would be achieved before the fourth Ministerial Conference. The areas of TBT and SPS were important to his country, since measures in these areas often impeded LDCs from benefitting from the improved market access accorded to them. Increased technical assistance in these areas would be needed, including on conformity assessment, and his delegation hoped that the TBT Committee would address this issue in its work. In the area of TRIPS, the issue of making Article 66.2 operational was also important to Uganda, and a means of achieving this should be found. With regard to paragraph 1.2 of the present Decision, his delegation supported the suggestion by Egypt to establish a fund. Finally, the issue of mode 4 under the GATS was another area where further work would be needed.

29. The representative of Pakistan said that implementation was the most important issue on the agenda of the General Council for his delegation, and for most developing countries. Pakistan had estimated that, of all the international trade-related issues for developing countries, between 60 and 70 per cent were related to or had arisen from the implementation of the WTO Agreements. After the Seattle Ministerial Conference, his delegation had welcomed the Decision adopted by the General Council on 3 May to address implementation issues in a special mechanism. It had concurred with the general consensus that progress on these issues was essential to building the mutual confidence

which had been eroded as a result of the events which had preceded and followed that Conference. Much time had been spent discussing implementation issues, and his delegation appreciated the Chairman's patience and fairness in his work on these issues, as well as the efforts of the Director-General and his staff. Pakistan agreed with the Chairman that the results were indeed modest. Agreement had been reached on only 9 items out of 54 in paragraph 21 – the glass was not only half empty, there was barely any water in it. Pakistan deeply regretted that the areas of its primary trade interest, in particular textiles, which accounted for 60 per cent of its exports, had not been covered in the Decision. It also regretted that the area of services had been excluded, in particular a decision relating to the movement of natural persons. Until these principal concerns of the developing countries were addressed, these countries would have little stake in the wider work of the WTO. His delegation had been able to accept the present Decision because of the inclusion of the last paragraph relating to further work. The modesty of the results would invigorate Pakistan's endeavours to pursue the proposals in paragraphs 21 and 22 in the continuing work the following year. His delegation trusted that the large amount of work already accomplished would not lead to any slackening in the pace of the work. In particular, it hoped that a decision granting the requests for extension of the transition period under the TRIMs Agreement would be adopted early in 2001. It also hoped that the subsidiary bodies would submit their conclusions to the General Council Special Session early in the year, and that the General Council itself would take action in the cases where those reports were not available. Pakistan agreed with the Chairman that the General Council had the ultimate responsibility for the implementation process, and it trusted that there would be no attempt to change the nature of the process and to link it to wider negotiations. This could result in a negative symmetry which could have a chilling effect on the rest of the work in the WTO. The implementation process had to be completed by the fourth Ministerial Conference, and his delegation would work with others to seek to resolve problems and adopt decisions by that time. This would be a precondition for the success of that Conference and for the further endeavours of the WTO system.

30. The representative of Hong Kong, China said that his delegation welcomed the progress made, even if it was more limited than his delegation and many others would have wished. Further efforts would be needed, concentrating on the substance of the individual outstanding issues. The fourth Ministerial Conference was more likely to be successful against the background of a solid and productive confidence-building phase, and there was still much work to do in this connection. It had been said that textiles and clothing was the quintessential implementation issue. This involved effectively just three major developed Members delivering the promised liberalization in a sector of vital economic interest to a large number of developing Members. The structure of the Agreement on Textiles and Clothing (ATC) was such that, although it emphasized the benefits of progressive liberalisation, it allowed heavy backloading as a minimalist approach to integration. That, unfortunately, was the approach chosen by the three importing restraining Members, which left a tremendous gulf to be crossed on 1 January 2005 at the end of the transitional period. While the three Members in question had asserted that this gulf would be crossed at that time, experience had been such as to breed caution among the exporting developing Members. His delegation was concerned that in the present situation, some developing Members might be tempted to wait and see what happened in 2005 before being willing to commit themselves to a broader programme of trade liberalization. Against this background, it had been slightly disappointing that those developed Members who did not maintain restrictions on textiles and clothing products – essentially all but three – had not shown more interest in the debate on this issue. Instead, they had sometimes seemed as anxious as the three restraining Members to turn the page on implementation and move on. This could turn out to be a miscalculation, and his delegation hoped they would give further thought to the matter. In this connection, it did not appear to be clearly understood that throwing ATC implementation into a broader negotiation was not an option. No one was seeking to renegotiate anything. Since full integration was scheduled to take place anyway on 1 January 2005, none of the exporting developing Members would be willing to pay a price for something which had already been agreed. The main issue was simply the pace of liberalisation between the present and the end of 2004 which, in the exporters' view, should be sufficiently progressive as to facilitate as smooth a transition

as possible, resulting in the bringing of trade in textiles and clothing within the normal GATT/WTO disciplines. As Members were aware, Hong Kong, China was a proponent of further negotiations aimed at balanced and gradual multilateral trade liberalization. It saw the current debate over implementation as an opportunity to remove, or at least reduce, one of the main roadblocks to future negotiations on a broader agenda. The time might not yet have come, but soon, when Members turned to that broader agenda, it would be helpful if they could do so against a background of solid progress on implementation that would have built a satisfactory degree of confidence among Members. His delegation therefore appealed to Members to adopt an even more constructive and flexible attitude to the implementation issues raised by a large number of developing Members. The WTO could move forward only on the basis of give-and-take and a genuine spirit of consensus.

31. The representative of Zambia said that with regard to the fifth paragraph of the report by the Chairman of the TRIPS Council on that Council's work on the implementation of Article 66.2 of the TRIPS Agreement, his delegation had understood that the intergovernmental organizations would be invited to participate in the TRIPS Council meetings, and not simply to provide written information. The organizations with observer status in the TRIPS Council should be invited to present their information at its meetings.

32. The representative of Thailand said his delegation was disappointed with the marginal outcome of the consultations on implementation issues, but was encouraged that the process would continue by addressing the remaining issues under the same mechanism until the fourth Ministerial Conference. Thailand hoped that the present Decision was just a first step towards resolving the remaining issues in significant numbers. However, unless the major Members showed more political will and flexibility, the result would not be different from the present one. His delegation encouraged these Members to engage in good faith in further work with a view to obtaining as much as possible in the coming year. Only substantial achievements in this area could enhance the process of building confidence in the WTO and the multilateral trading system, and only after that could Members devote more time and effort to other issues.

33. The representative of Jamaica said that his delegation noted with minimal satisfaction the adoption of the present Decision, which was only a modest contribution to, and of uncertain impact on, the confidence-building exercise so important to the WTO. The importance of implementation to developing countries had been emphasized by the ACP Ministers of Trade when the 77-member group had met in Brussels earlier that week. In this context, Jamaica hoped that the process in the coming year would build a more ambitious structure on the present modest foundation. His delegation had a particular interest in the issue of Annex VII of the Subsidies Agreement, and hoped that all Members would continue their efforts and deepen their cooperation so as to ensure greater progress and more significant results. Jamaica had agreed to the adoption of paragraph 1.1 of the present Decision on the understanding that it related only to administration of tariff rate quotas and not their structure or other characteristics.

34. The representative of Indonesia said that although her delegation had joined the consensus on the present Decision, it was disappointed that agreement had not been reached on a large number of the implementation issues raised by developing countries. Like others, her delegation was also interested in moving on to discussion of other issues of mutual interest to all Members, however the resolution of implementation issues was important to Indonesia, since it was one of the confidence-building measures. Without adequate resolution of these issues, it would be unrealistic to expect her country to be more forthcoming on negotiating new agreements. Indonesia did not rule out the possibility of discussing other issues to open the prospect of further trade liberalization. However, it was reluctant to engage in serious discussions of other issues at the present stage, mainly out of concern that new agreements, which would entail additional burdens and obligations, would create additional problems and be more difficult to implement. For this reason, Indonesia's first priority the resolution of the difficulties faced in implementing the existing agreements. From its experience in

this area, Indonesia had learned that it needed to understand all the implications, especially on the negative side, before entering into negotiations on any issue, since some of the problems stemming from the Uruguay Round Agreements had not been anticipated at the time of the negotiations. The existing mechanism should be maintained for further work on implementation, and Thailand was prepared to discuss the details of the work programme for the coming year. While it agreed that the General Council might take into account any implementation-related issues under consideration in other WTO bodies, it could not accept any attempt to link implementation issues with the objective of launching a new round.

35. The representative of Saint Lucia said that while the present Decision was indeed modest, the effort expended on all sides merited a positive attitude, irrespective of the outcome. Paragraph 7 of the Decision on further work was of paramount importance. Saint Lucia's proposals addressing the vulnerabilities of small developing countries in transition from preferences built on the recognition in paragraph 6 of the Geneva Ministerial Declaration of the growing marginalization of certain small developing countries in the multilateral trading system – an issue which had yet to be meaningfully addressed. Her delegation trusted that the compilation to be issued by the Secretariat of outstanding items for further work would contain a reference to issues which it had raised in the course of the recent consultations. These issues included: possible measures for granting additional flexibility to developing countries, such as threshold limits relating to percentage share of exports in import markets and global trade; the need to secure a redistribution of negotiating rights in favour of small and medium-sized exporting Members, which was an outstanding concern specifically highlighted in the Understanding on the Interpretation of Article XXVIII of the GATT 1994; and the need to enhance the security of market access for traditional small suppliers, addressing the definition of the term "substantial supplier" in the context of Article XIII of the GATT 1994. These issues stemmed from proposals contained in document Job(99)/4797/Rev.3, some of which had been further elaborated in specific proposals made during the consultations. Saint Lucia looked forward to the important work to be undertaken by the Committee on Agriculture to address the possible negative effects of the reform programme on least-developed and net food-importing developing countries, which it hoped would soon lead to positive decisions in the General Council.

36. The representative of Honduras said that his delegation appreciated the support by the Members and the Secretariat for the inclusion of his country in Annex VII(b) to the Subsidies Agreement. Honduras had been seeking to rectify this error for five years, including in the relevant committees, and the language in present Decision would finally allow this. His delegation requested the Director-General to proceed as soon as possible with this rectification.

37. The representative of El Salvador said that the results contained in the present Decision were limited, and the only result of importance to her delegation was paragraph 6.1 on the inclusion of Honduras in Annex VII(b) to the Subsidies Agreement. Resolving the problems faced in implementation was of vital importance to her country, in particular in the areas of textiles, subsidies and services, all of which were missing from the Decision. It was important to respect the 3 May Decision, and El Salvador hoped that the further work envisaged in paragraph 7 of the present Decision would bring positive results in the areas of interest to it and to other developing countries.

38. The representative of Turkey said that his delegation was gratified that a positive result had been reached in the present process, although it fell short of the expectations of many Members. Nevertheless, the present Decision was a first step, which was always the most difficult one to take. The present process should bring to life the provisions of the WTO Agreements, and identify and correct any problems by revealing deficiencies in them. However, the process was not aimed at amending the Agreements or creating new provisions, which was a completely different exercise, and this was the basis for his delegation's support of the implementation proposals. Turkey hoped that further work on implementation would be in parallel with advances towards broader negotiations.

39. The representative of Bolivia said that implementation of all WTO Agreements was of high importance to her country, in particular those on agriculture and sanitary and phytosanitary measures, but her delegation was disappointed that the area of textiles was absent from the present Decision. Although progress had been made on some implementation issues, it had been a long and arduous process. Delegations would need to reflect on how to achieve solutions to these issues in the short time available up to the fourth Ministerial Conference, since implementation had become one of the determining elements in recuperating the confidence in and credibility of the WTO. The results obtained in the present process would be key to Members, in particular developing countries, being open to starting new liberalization activities. For small economies with a limited range of exports, such as Bolivia, it was fundamental that concrete solutions be found in this area.

40. The representative of South Africa said that there were many issues in the area of implementation that his country wished to be addressed in a decisive manner to serve its trade and development objectives. His delegation had been largely absent from the meetings in the present process because of the need to allocate limited resources across the work of the organization. It appeared that in the case of the work conducted in the implementation review mechanism, its assessment had proven accurate. Despite intensive efforts by the Chairman, the Director-General and the Secretariat, as well as by other Members over many months, the results had been minimal. The outcome was not commensurate with the effort. Other delegations had characterized the outcome as meagre, modest or lower than their lowest expectations, and his delegation would concur with these assessments. As a small delegation, his delegation would not have been able to afford that much time for such meagre returns. There was little to be gained by raising questions of good faith or the lack of political will on the part of some Members during the present process. The results reflected a certain and somewhat intractable political reality and the very serious difficulties that the WTO found itself in, not only on these issues, but more generally across its work programme. As long as implementation issues were not resolved, Members remained locked into an unacceptable and untenable situation that severely prejudiced and undermined their trade and development interests. South Africa had no ready or easy answers to this. At the current juncture, there appeared to be no alternative but to continue the consultations to seek to resolve the outstanding implementation issues in the framework of the review mechanism. For this reason, his delegation supported the calls to continue the work in the existing framework until the fourth Ministerial Conference and encouraged the Chairman and the Director-General to continue to facilitate it. However, in light of experience thus far, South Africa was not optimistic that the review mechanism would deliver the meaningful outcomes so important to it. If the current trajectory was to continue, it was concerned that the sense of frustration now evident among Members would grow, since all that could be expected was, at great cost, more of the same – very little.

41. The representative of the Philippines said that in the multilateral process concerning the transition periods under the TRIMs Agreement to which Members were committed, applicant countries having a similar situation should be treated in a similar way. From the report by the Chairman of the Council for Trade in Goods, it would appear that one Member could not agree to this modality. However, the statement by Colombia on behalf of a number of Members should be taken into consideration, bearing in mind the multilateral character of the WTO and in the interests of fairness and equity. Regarding the outcome of the implementation process, the present meeting was a significant turning-point in terms of the Decision adopted, the work referred to the subsidiary bodies and the further work envisaged in paragraph 7 of the Decision. The present results were a breakthrough, in particular after the difficulties encountered thus far. Sensitivity to developing countries' concerns had been shown, and putting the 3 May Decision into effect in this way was a start to rebuilding confidence after Seattle, and showed the way to wider engagement and a possibility of further negotiations. Progress in the area of implementation was the key to this. The results thus far could be considered meagre, but at least a decision had been adopted, and this would form a basis for further, more fruitful work. His delegation hoped that the spirit of compromise now in evidence would facilitate this.

42. The representative of Malaysia said that the present results were far below the expectations of his country, and were not commensurate with the time and efforts put in to the process. His delegation regretted that decisions had not been possible in some of the more fundamental areas of interest to developing countries, some of which had not been fully addressed in the consultations thus far. Nevertheless, the present Decision was a useful first step, and his delegation hoped for more substantive results in the coming year. It was not difficult to identify the reason why more had not been achieved thus far. There was nothing wrong with the process or the mechanism, both of which should be maintained. The reason was rather a lack of political will. Some had stated that political will was a two-way process, and his delegation agreed with this, but only in the context of negotiations. The present process was not a negotiation, but rather a confidence-building exercise, and in these circumstances it was more appropriate for the major Members to display the political will and the flexibility to achieve the necessary results. For Malaysia, resolution of the problems in the area of implementation was imperative for the creation of the confidence necessary for developing countries to engage in other areas of the WTO's work. Under no circumstances should any link be established between the work on implementation and broader negotiations. His delegation was confident that in the coming year, a favourable and conducive environment would exist to allow substantive results to be achieved on implementation.

43. The representative of Venezuela said that the present Decision was below the expectations of his delegation, in particular when compared with the first draft submitted by the Chairman, and was disappointing. It would be important to renew the political will shown at the time of the adoption of the May Decision on implementation. The remaining issues in paragraphs 21 and 22 and those contained in the compilation of proposals of 18 November 1999 had been incorporated in the coming year's agenda as priority issues, and there remained only the question of how to organize the work so as to achieve solutions satisfactory to developing countries. There was no need to revisit the structure of the process, since any change there would make no difference if the necessary political will and flexibility was not shown by certain Members. The reasons behind the failure at Seattle had not been only those reported in the press, but also included a lack of flexibility similar to that being experienced in the present process. For this reason, his delegation underlined the importance of showing willingness to progress rapidly on implementation. This would be the only way to achieve substantive results by the fourth Ministerial Conference. He reiterated that any outcome of the present process should lead to benefits for developing countries, but it would be unacceptable that any additional administrative or other burdens be placed on these countries as a result. Venezuela had agreed to the present Decision on the understanding that the process would be intensified in the coming year. The May Decision and June work programme were the framework in which implementation issues would be addressed on their own merits up to the fourth Ministerial Conference, and it had never been agreed that this process would lead to additional obligations for developing countries.

44. The representative of Zimbabwe said that his delegation was concerned at the lack of progress in the implementation process, and the present Decision failed to meet its lowest expectations. There was a need for major delegations to show political will to engage more meaningfully and constructively in resolving implementation concerns. His delegation hoped that greater progress could be made on the outstanding issues in the coming year, since the agreement which had been reached on further work was a great achievement. With regard to the referral of issues to subsidiary bodies, his delegation reiterated its misgivings to this approach and hoped that these issues would be rapidly brought back to the General Council for decision. The success of the fourth Ministerial Conference hinged on the progress made on implementation, and it was incumbent on all Members to resolve the outstanding issues in the coming months.

45. The representative of Nigeria said that his delegation was disappointed at the outcome of the present process. At face value, there were some results, although meagre. However, on careful reflection, one could see that there was no substance in them. This made one wonder about the much

vaunted confidence-building process. Perhaps some expected that time would dim expectations on implementation issues. But since developing countries were facing genuine difficulties in implementing WTO Agreements, implementation issues could not be wished away, and something concrete had to be done to alleviate these difficulties. While the importance of implementation had been duly acknowledged in the preamble to the present Decision by reference to the Geneva Ministerial Declaration and other texts, no action had been taken to help developing countries to overcome their implementation difficulties. Much had been said about integrating developing countries into the multilateral trading system, but he wondered how this could happen without the necessary flexibility and consideration for their difficulties. He also wondered why no concrete action had been taken to make operational provisions for special and differential treatment. It should remain clear to all that confidence building could not be fully achieved until enough flexibility was shown for the concerns of developing countries. Nigeria appreciated all the bilateral assistance supplied to it individually and to others, and was grateful to the individual donors for its technical assistance programmes. However, the Sw F 5 million approved in the WTO budget was far from the Sw F 10 million proposed. Nigeria believed that this was inadequate and a further increase should be considered.

46. The representative of Ecuador said that the present Decision was modest and did not include the issues of principal interest to developing countries. His delegation hoped that the work would be more productive in the coming year and would contribute to resolving the increasing implementation problems faced by developing countries. Paragraph 7 of the Decision on further work was important to his delegation, and this work should be accompanied by a process of reflection on the objectives of the WTO, which was meant to be a universal organization. He wondered if these objectives included the development needs of the majority of the Members, or whether the organization had been conceived to satisfy the aims of only a few. Members needed to ensure that the dissatisfaction of some of them was not increased.

47. The representative of the European Communities said that his delegation was disappointed by the present Decision. The Community would have been ready to go considerably further. Certain important and sensitive sectors had been left out and the Community would have been ready to include all those sectors, and on a significant number of points would have been ready to agree to the texts proposed by the Chairman at the end of November. His delegation would provide its full support to the Chairman and the Director-General when the work recommenced in the coming year, as also in the other areas of common endeavour which made up the work programme. The Community looked forward to working with all Members to continue to build confidence within the organization, as well as outside. The opportunity to revitalize the WTO's work was at hand, and to embark seriously on the preparations for a further exercise in multilateral liberalization, hopefully through the early launch of negotiations.

48. The representative of Barbados said that the results of the work thus far and the present Decision fell far short of the expectations of his country and its needs as a small and vulnerable developing economy. He reaffirmed the importance to Barbados of the effective implementation of the WTO Agreements. Barbados had not reaped from the Uruguay Round the benefits it had envisaged and which it had been promised. The rebalancing of the existing inequities among Members would be required to restore his country's confidence in the multilateral trading system, as well as to enable it to participate as an equal trading partner in the liberalization process and to empower it to assume, at some future date, further commitments. It was thus important to advance the work on implementation in the coming year in a constructive and positive manner within the framework established on 3 May, and with the aim of achieving substantive progress in resolving the existing difficulties by the fourth Ministerial Conference.

49. The representative of Singapore said that while it had not been possible to agree on number of issues raised in paragraph 21, the present Decision represented some positive results and was an

important step forward. Members should build on this progress and work towards a package where a decision could be taken in the coming year on outstanding implementation issues. The most important aspect was that the work on implementation would continue and all unresolved issues would remain on the table. Members should strive to achieve a good outcome by the fourth Ministerial Conference. However, in pursuing the work on implementation, Members should not forget the core business of the WTO, which was to further multilateral trade liberalization. For this reason, it was important to bear in mind the Geneva Ministerial Declaration which provided that implementation work should be seen in the wider context of furthering the trade liberalization objectives of the WTO. Her delegation agreed that progress in implementation should not be linked to progress in other areas of the WTO's work and vice versa, and believed that work should advance on all fronts in the coming year.

50. The representative of Paraguay said that his delegation understood that the issue of implementation was difficult since it entailed altering existing circumstances to allow developing countries to participate more fully in international trade. For this reason, his delegation was satisfied by the modest progress which had been achieved. The process would continue, as reflected in paragraph 7 of the present Decision, and his delegation was optimistic that agreement on solutions to the problems faced by developing countries could be found. It was fundamental to resolve these problems before turning to a new round of negotiations and modifications to the existing system. Globalization had brought benefits for some countries, but not for others such as Paraguay. His delegation hoped that these benefits would soon be available for all Members.

51. The representative of Panama said that evaluations of the present Decision varied across the membership, but it was important not to underestimate the work which remained, including those issues referred to subsidiary bodies in this Decision. His delegation was pleased that the issue of the inclusion of Honduras in the annex to the Subsidies Agreement had been resolved, but this issue had been among the easiest to resolve, and since it was the only substantive issue in the Decision, it underlined the amount of ground yet to be covered. His delegation wished to reiterate its interest in participating in future consultations, in particular on subsidies. In this respect, paragraph 6.2 of the Decision was important to his delegation since it concerned Articles 27.5 and 27.6 of the Subsidies Agreement which were special and differential treatment provisions. In discussions on this issue, some of the points of view expressed on these provisions were cause for concern for his delegation, and this issue would need to be addressed in the consultations.

52. The representative of Guatemala said that the present Decision was a step forward, but it did not contain many significant results from the months of effort put into the process. Only two substantive paragraphs were contained in the present Decision, and her delegation was concerned that many issues of importance to it had been omitted, such as those in the areas of textiles, anti-dumping and subsidies. These issues had important implications for the trade of developing countries and her delegation hoped that concrete results would soon be achieved in these areas. The work on implementation would continue, and while this was a difficult issue for developed Members, it was of utmost importance to developing countries, and her delegation hoped that balance could be found in the results.

53. The representative of Chile associated his delegation with the statement by Brazil, in particular on the implementation of Article 10.2 of the Agriculture Agreement. The results of the present process were modest thus far, but it would be premature to evaluate them now, since the first three months of the coming year would reveal the consequences of the results obtained by then, in particular with relation to the expectations attached to them and the possibilities they offered to resolve the problems faced in implementation.

54. The representative of Japan said that his delegation was disappointed by the present results and believed that more could have been achieved. In the coming year, it would be important to reflect

on how to make the process more productive and meaningful in the light of experience. In this respect, his delegation believed that the best way would be to place the exercise in a broader context, with a view to launching a new round.

55. The representative of Korea said that while his delegation agreed with others that the present results were modest, it believed that it was important to have some results at this stage, even if modest. In accordance with the 3 May Decision, the present Decision and the Chairman's statement confirmed that the process would continue in the coming year and that all the issues would remain on the table. The present Decision should thus be seen as a mid-term result in a continuing process, and his delegation hoped that it would help build a more constructive environment for further work. Implementation issues were important and deserved priority attention in the coming year, but, in the light of experience thus far, his delegation believed that the implementation review mechanism had limitations in finding solutions to all of the issues raised. For this reason, some of these issues might have a better chance of resolution if addressed in a different context, including broader negotiations. Furthermore, it would soon be necessary to start the preparations for the fourth Ministerial Conference, which should encompass the entire spectrum of WTO activities, while the present process continued. It would be important to ensure that the two processes were managed in an efficient and mutually supportive manner.

56. The representative of Canada said that the present results were the maximum that could have been achieved at this stage. In the continuing process in the coming year, a constructive and realistic approach by all delegations would allow further progress to be made.

57. The representative of Cuba said that the present results were modest, but that if the process thus far had led to an improved environment in the search for results, the exercise had been worthwhile. There was now an awareness of the need to resolve implementation problems to allow the focus to turn to other issues. Political will, goodwill and determination were all required for the resolution of these problems, which was important for the future of the organization and should be achieved before the fourth Ministerial Conference in order for it to be a success. There should be no link established between implementation issues and the preparations for that Conference, and developing countries should not be asked to pay twice for the Uruguay Round Agreements.

58. The General Council took note of the statements.

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