

**THE WORK PROGRAMME OF THE COMMITTEE  
ON TRADE AND ENVIRONMENT (CTE)**

Submission by Canada

1. During the preparation of the report of the CTE to the Fifth Ministerial Meeting at Cancun, Canada submitted a proposal (JOB(03)/105) suggesting that a recommendation for Ministers be included in the Committee's Report to give the Committee a mandate to review and, if warranted, amend its work programme. The purpose of this suggestion was to ensure that the consideration of trade and environment issues in the World Trade Organization reflects current issues and concerns, and incorporates legal and policy developments that have occurred since the work programme of the CTE was initially established.
2. At the time we made our submission, some Members expressed support for a review of the work programme, but did not feel that such a review required a recommendation from Ministers at Cancun, as we had proposed. Other Members expressed reservations, fearing the opening of long procedural disagreements. A number of Members requested more information about what such a review would entail. The Chairman of the CTE invited Canada to elaborate on its proposal at the meeting of the CTE of 7 July 2003.
3. With the benefit of some reflection, and in light of the helpful comments and reactions from Members, we have revised our proposal, in order to take a more methodical approach to our work programme, but with the same goal of revitalizing the work of the CTE.
4. The current work programme of the CTE was set out in the Ministerial Decision on Trade and Environment adopted in Marrakech on 14 April 1994. The Decision set out a number of matters that the "Committee will *initially* address", that then formed the basis of the work programme. That work programme has not been amended since. The 1996 Singapore Ministerial Declaration directed that "further work needs to be undertaken on all items of its agenda...under its existing terms of reference". The 2001 Doha Declaration also instructed the Committee to pursue its work "on all items on its agenda within its current terms of reference", and highlighted issues for particular attention. As we approach the 10<sup>th</sup> Anniversary of the Marrakech meeting, we thought it useful to reflect on how best to continue in the exercise of our mandate as established by Ministers.
5. In short, while there has been substantive and useful discussion on all parts of the work programme in the past, we feel that the Committee could benefit from an injection of focus. With the present meeting format, which sees equal weight given to all matters on the work programme, it is difficult to know on what items of the work programme Members should engage. Substantive and interactive discussion is often difficult to achieve, as members and observers arrive at meetings having prepared or focussed on different part of the work programme.
6. Therefore, we propose that the Committee begin to choose subject meeting themes for each of its future meetings. This would involve identifying two of the items currently on the work

programme to be the items on which Members be asked to arrive at the meeting prepared to discuss in some detail. One item would be one of the issues which Ministers instructed the Committee to give particular attention to, and which are enumerated in paragraphs 32 (as well as the subject matter of paragraphs 33 and 51) of the DDA. The second item chosen would be one of the other items on the work programme, and if possible, related to the item of the DDA to be considered at that meeting.

7. These “meeting focus items” would be agreed upon in advance of each meeting. Members and observers would then be encouraged to provide submissions on these items, and to be prepared at each meeting for an interactive discussion to debate existing issues and concerns, as well as ideas for future work. The Secretariat could be asked to prepare a short document summarizing previous discussions in the Committee on the work items to be considered and provide a list of submissions made on these items in the past. This would provide the necessary historical context for the discussion and contribute to an informed discussion of that work item.

8. We believe the advantage of such a structure is self-evident -- namely more focussed and prepared discussions in the Committee. All Members would come to CTE meetings prepared to focus on two items of the work programme, providing a much greater opportunity for an engaged and interactive discussion in the Committee. Notwithstanding the meeting focus items, the agenda would remain open for any Member to raise any other issue within the broader work programme if it so wished. This might be especially useful for bringing new developments to the attention of the Committee. In this way, the rights of Members would not be prejudiced, but there would still be a clear understanding among all Members regarding what the main elements of the meeting would be.

9. Another advantage of a focussed meeting approach is to reacquaint the Committee with its work programme. Many items have not seen substantive discussion in years, and present delegates and officials may not be aware of the Committee’s previous discussions and have not had the benefit of hearing other Members’ views. At the conclusion of a focussed discussion on an item, Members will be better informed as to the status and relevance of that item, and the Committee could be better placed to decide whether an examination of the work programme is merited. However, that is not a decision that we feel the Committee should make now, given the differing views of Members. Instead it remains only an option for Members to take up in future. If the Committee should decide to undertake such an examination, it could be made on the basis of a recent and substantive consideration of all items on the work programme.

10. The following chart indicates the type of approach the Committee could take if it decides to adopt the ideas we put forward in this proposal.

Suggested Illustrative Format:

<b>Meeting</b>	<b>DDA item focus</b>	<b>Other Work Programme item focus</b>
Summer 2004	32 i (item 6)	item 4
Fall 2004	32 ii (item 8)	item 9
Spring 2005	32 iii (part of item 3b)	items 2 and 3
Summer 2005	33, 51	item 7

11. We suggest that items 1 and 10 not be included in the proposed table, as they are related to the mandate of the CTE in Special Session (CTESS). Item 5, although not covered by the CTES mandate *per se*, is sufficiently related to paragraph 31(i) to favour not addressing as a focus item in the CTE until completion of the DDA negotiations.

12. Canada has no particular attachment to the order or pairing of the items, so the above chart is provided simply as an example of how the work might be structured. We favoured approaching the DDA items numerically, in order to avoid a procedural discussion as to what items ought to be considered first.

13. If Members agree that this proposed structuring of the CTE's work would be useful, the Committee could decide at its April 2004 meeting to undertake such a model, for a trial one year period, from the summer meeting of 2004 to the summer meeting of 2005.

14. We look forward to thoughts and reactions to this paper at the April meeting.

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