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**General Council**

**AGENDA ITEM 2: IMPLEMENTATION OF THE BALI, NAIROBI AND BUENOS AIRES  
OUTCOMES – STATEMENT BY THE CHAIR**

TUESDAY, 27 JULY 2021

1.1. This item remains on the agenda so that the General Council can continue to follow up, in a horizontal and transparent manner, on the Ministerial decisions adopted in Bali, Nairobi and Buenos Aires.

1.2. My report today is based on the information provided by the Chairs of the regular bodies on the implementation work taking place further to Ministerial mandates in their respective areas. For some issues, including the Work Programme on Small Economies and the Work Programme on Electronic Commerce we have separate items later in the agenda.

1.3. Regarding TRIPS non-violation and situation complaints, I understand that there have been no new substantive developments to date. Members have largely reiterated their known positions regarding the applicability of NVCs in TRIPS, and the Chair will continue to seek engagement from Members ahead of the next TRIPS Council meeting.

1.4. There are a few matters to report in the area of Agriculture. In particular, concerning the Ministerial Decision on Public Stockholding for Food Security Purposes, the Committee on Agriculture reviewed notifications by a Member invoking the Decision for the breach of the de minimis limit for rice for the marketing years 2018/19 and 2019/20, including at its latest meeting in June.

1.5. As regards the follow-up to the Bali TRQ Decision, Members have been engaged to find a solution to the outstanding issue of the future operation of paragraph 4 of the underfill mechanism within the agreed deadline of December 2021. The Chair of the Committee on Agriculture has held consultations on this issue in various formats, and Members have put forward some concrete textual suggestions.

1.6. Regarding the implementation of the Nairobi Decision on Export Competition, the Committee on Agriculture continued its deliberations on the second triennial review of the Decision at its June meeting. The Secretariat circulated few days ago the background document that will serve as a basis for the next dedicated discussion on export competition planned during the September 2021 CoA meeting.

1.7. Turning now to the LDC Services Waiver, following an initial proposal by the LDC Group, the Council for Trade in Services held a webinar on "Least Developed Country services export performance and facilitating implementation of preferences notified under the LDC Services Waiver". At the subsequent meeting of the Council, Members shared their reflections on the event.

1.8. All delegations who intervened expressed appreciation for the webinar. Many noted that the event had illustrated the opportunities and challenges faced by LDC suppliers in participating in global services trade, while also highlighting the significant gaps in LDC services trade data. The LDC Group put forward a number of suggestions for next steps and indicated that it would submit them in writing, for further reflection.

1.9. In the area of Preferential Rules of Origin for LDCs at the meeting of the Committee on Rules of Origin in May, a number of items related to the implementation of the Ministerial Decisions were raised. In relation to transparency, almost all preference-granting Members, except two, have notified their preferential rules of origin for LDCs. There has also been some progress on coverage

of import statistics. Full notifications have been received from several preference-granting Members. I understand that there are still some important gaps in the statistics, which hinder the ability of the Committee to comprehensively monitor the utilization of these preferences. On this, the Secretariat has continued to examine patterns in the utilization of trade preferences by LDCs and has presented a report analysing trends for a 5-year period. In addition, a webinar took place in May on preference utilization. I would encourage delegations to visit the WTO website to review the available materials. Also in May, several Members updated the Committee on recent developments in their preference schemes.

1.10. Regarding Duty-Free Quota-Free market access for LDCs, at the last CTD meeting, a number of Members provided updated information on their DFQF schemes for LDCs. At the next meeting in November, the Committee will undertake its annual review of the steps taken by Members to provide DFQF market access to LDCs.

1.11. Regarding the Monitoring Mechanism for S&D, the situation remains the same. The CTD Chair once again urged Members to come to a common understanding on how to move forward with the Mechanism. He also indicated his intention to work with Members in informal settings to explore ways to make the Mechanism operational.

1.12. Concerning the Working Group on Trade and Transfer of Technology, I understand that at the May meeting some Members stressed that advancing the work in this area had become imperative because of COVID-19, including in the context of assisting LDCs level up their development. The Chair has initiated a process of informal consultations to assess how to revive work and what could be done differently to fulfil the mandate.

1.13. Regarding Aid for Trade, a formal meeting of the CTD's Aid for Trade session was held to launch preparations for the 2020-2022 monitoring and evaluation exercise. The CTD Chair gave an overview of the plans for the exercise in terms of themes to be addressed, timelines and survey methods. The Secretariat has prepared draft monitoring and evaluation questionnaires, and Members have been invited to provide comments by the end of August. A further informal session to discuss these comments will be scheduled. The monitoring and evaluation exercise will then be launched, with a deadline for responses at the end of the year. The results of this exercise will be presented at the Eighth Global Review of Aid for Trade, which is envisaged for mid-2022.

1.14. And finally, on Trade Facilitation, the Committee continues its work on the four-year review of the TFA, and aims to have it completed ahead of MC12. The rate of implementation commitments currently stands at just over 70% for the entire Membership and at 61% for developing country Members and LDCs. The rate of ratification remains at 94% with 9 Members still to ratify.

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