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General Council

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

MONDAY, 9 MAY 2022

1.1. Item 2 'Implementation of the Bali, Nairobi and Buenos Aires Outcomes' remains on the agenda so that the General Council can continue to follow-up, in a horizontal and transparent manner, on the implementation of the relevant Ministerial decisions.

1.2. As always, the statement made under this item is based on the information and updates provided by the Chairs of Regular Bodies on the work carried out with regards to the Ministerial mandates in their respective areas. I held a first meeting, in my capacity as Chair of the General Council, with the Chairs last week. My report will only focus on areas where there have been developments since the last General Council meeting in February. For those areas that I do not mention today, I would refer you to previous reports under this item.

1.3. Let us begin with the Work Programme on Electronic Commerce and the moratorium on customs duties on electronic transmissions. Discussions on the Work Programme and the moratorium are continuing under the General Council and in the relevant bodies – for example, the General Council will take up the work programme and the moratorium in a separate agenda item today. The Committee on Trade and Development recently considered a submission on global electronic commerce for inclusive development. In the Council for Trade in Services, Members continue to share national experiences and initiatives. At its March meeting, one delegation suggested that the CTS consider how to enhance the participation of women from developing countries in e-commerce.

1.4. With regards to preparations for MC12, as reported by my predecessor, despite the many consultations and exchanges held in different configurations, delegations could not reach consensus on a draft decision for Ministers' consideration ahead of the postponed MC12 in November last year. As a result, two draft Ministerial Decisions, submitted by Members, were to be forwarded to Ministers for their consideration. These two drafts are contained respectively in documents WT/GC/W/831 and WT/GC/W/838 and their revisions. As I reported at the TNC meeting and as I will also note later, I intend to consult on the e-commerce Work Programme and moratorium closer to MC12 - and my door remains open for any delegation, group coordinator or group wishing to discuss this matter further in the meantime.

1.5. As regards the follow-up to the Bali Decision on TRQ Administration, as you will recall, at its special meeting on 31 March, the General Council, based on the recommendations of the Committee on Agriculture, adopted the decision on future operation of paragraph 4 of the Underfill Mechanism - which was then circulated in WT/L/1132. With the adoption of this decision within the exceptionally extended deadline of 31 March 2022, the review of the operation of the Bali TRQ Decision mandated under paragraphs 13-15 of the Decision has been concluded.

1.6. With respect to the implementation of the Nairobi Decision on Export Competition, the Committee on Agriculture concluded the second triennial review of the Nairobi Decision on export competition at its March 2022 meeting and adopted the report of the review, contained in document G/AG/33.

1.7. On the implementation of the Bali Ministerial Decision on Public Stockholding for Food Security purposes, a developing Member who had invoked the Decision for the first time for 2018-19 upon exceeding its *de minimis* level for rice has recently notified the invocation of the Bali PSH Decision for the third consecutive year for the breach of the *de minimis* limit in respect of the same product. The notification will be subject to review at the next meeting of the Committee on Agriculture.

1.8. On Preferential Rules of Origin for LDCs, at its meeting on 7 April the Committee on Rules of Origin continued its discussions about how Members are implementing the Bali and Nairobi Ministerial Decisions.

1.9. The LDC Group made a presentation on certificates of origin and self-certification. This is one of the areas covered by the Nairobi Decision, but Members had not yet zoomed into this topic. Discussions will certainly continue in the coming committee meetings.

1.10. I also understand that the LDC Group confirmed its interest in the Committee adopting language confirming Members' commitments to the Bali and Nairobi Ministerial mandates, and that language to this effect has now been agreed by Members, and has been circulated as a Committee decision¹.

1.11. On the Services Waiver for LDCs, at the March meeting of the Council for Trade in Services, the LDC Group called on Members to explore how to complement the Waiver preferences and help LDC suppliers increase their participation in global services trade. The LDC Group also recalled the services-related recommendations put forward in the LDC Trade Ministers Declaration for MC12, as well as the elements contained in the General Council draft outcome document for the Ministerial. A number of delegations intervened to underscore the importance of the Waiver.

1.12. Regarding Duty-Free Quota-Free Market Access for LDCs, I understand that the matter was on the agenda of the CTD meeting in March, and some Members used the opportunity to provide updates on their DFQF schemes for LDCs.

1.13. Concerning the Monitoring Mechanism on Special and Differential Treatment, as the situation remains unchanged, I refer you to earlier statements made under this item.

1.14. On Aid for Trade, the Committee on Trade and Development met last week to discuss Aid for Trade implementation issues, in line with the work programme for 2020-22. The CTD was also updated on the status of preparations for the forthcoming Global Review (from 27-29 July). The focus will be on: "Empowering Connected, Sustainable Trade". The interest expressed by Members and observer Organizations to organize sessions is a testament to their commitment to engage in the forthcoming review. I have been informed that a workshop on the results of the 2022 monitoring and evaluation exercise is scheduled to take place at the end of the month, which should further assist delegations in preparing for the Global Review.

1.15. And finally, on Trade Facilitation, the Committee is currently working on implementing the decisions and recommendations contained in the four-year review of the Trade Facilitation Agreement, which was concluded in November. I was also informed that, at its recent April meeting, the Committee adopted a Trade Facilitation Agreement Facility Framework, outlining the relationship between the Committee and the Trade Facilitation Agreement Facility.

1.16. Regarding the implementation of the agreement, the rate of implementation commitments currently stands at just under 75% for the entire Membership and just over 67% for developing countries and LDCs. The rate of ratification remains at 94% with 9 Members still to ratify.

1.17. This concludes my report.

¹ G/RO/95.