



17 November 2021

(21-8696)

Page: 1/2

**Committee on Trade and Development
Special Session**

**REPORT BY THE CHAIRPERSON OF THE COMMITTEE ON TRADE AND DEVELOPMENT IN
SPECIAL SESSION, AMBASSADOR KADRA AHMED HASSAN (DJIBOUTI),
TO THE TRADE NEGOTIATIONS COMMITTEE**

1.1. At the informal Heads-of-Delegation meeting of 25 October 2021, I reported on the discussions that had taken place at the formal meeting of the Special Session of the Committee on Trade and Development (CTD SS) on 24 September 2021. I had, in particular, highlighted the fact that divergent views remained among Members on the ten G-90 Agreement-specific proposals on S&DT. Progress in the CTD SS was proving challenging, due to a lack of engagement on the substance of the ten proposals.

1.2. I had also reported on the informal bilateral meetings that I subsequently held in the first half of October with interested delegations. As will be recalled, I sent out an open invitation to all Members for this purpose. My objective in holding these bilateral meetings was to explore how progress could be made in the discussions in the CTD SS in the time remaining until MC12, and what elements would need to fall in place for an outcome on S&DT at MC12 to become possible. Although the bilateral setting was conducive to a frank and open sharing of views, Members' positions on the G-90 proposals remained broadly unchanged.

1.3. After the bilateral consultations had been completed, I started a process of informal consultations in small groups. The objective was to facilitate an exchange of views between interested delegations and the G-90 on how Members could arrive at an outcome on S&DT at MC12, and what this outcome might look like.

1.4. Shortly after I began this small-group process, the G-90 made a submission, in the form of draft Ministerial text on S&DT. A proposed paragraph was submitted to the General Council Chairman for inclusion in the MC12 outcome document. Subsequently, on 3 November 2021, the G-90 circulated a draft Ministerial Decision on S&DT in documents JOB/TN/CTD/1, JOB/TNC/100 and JOB/GC/280.

1.5. The proposed language by the G-90 reaffirms S&DT as an integral part of existing and future WTO Agreements. Recalling paragraph 44 of the Doha Ministerial Declaration, the proposed language instructs the CTD SS to expeditiously complete the review of the ten G-90 proposals and report to the General Council, with clear recommendations for a decision, at the next Ministerial Conference.

1.6. This language proposed by the G-90 inevitably formed a large part of the discussion in the small-group consultations that I held. In these consultations, the G-90 explained that, given the short time remaining until the Ministerial Conference, they had adopted a pragmatic approach and were no longer aiming to have agreement on their proposals by MC12. Rather, they were seeking instructions from Ministers to continue the work on the G-90 proposals after MC12, on the basis of the original mandate given at Doha.

1.7. Reactions from other delegations to the proposed language by the G-90 were mixed. While all delegations recognized the importance and significance of S&DT as a fundamental pillar of the multilateral trading system, some of them did raise concern with the reference in the proposed Ministerial text to paragraph 44 of the Doha Declaration, as well as the instructions to continue work on the G-90 proposals in the CTD SS. On the other hand, a number of delegations fully supported the proposed G-90 text and said that this was a good basis to make progress in the CTD SS.

1.8. Some delegations felt that it would be important to have a broader and forward-looking discussion on development and S&DT after MC12. The G-90 also indicated that they would be willing to have such a discussion in the future, but stressed that a distinction must be made between such a discussion, and the mandate in paragraph 44 of the Doha Declaration, which the proponents believed still needed to be fulfilled.

1.9. In spite of these different perspectives on what an outcome on S&DT at MC12 might look like, it appeared that all the delegations that participated in the small-group consultations at least remained open to consider the possibility of a forward-looking outcome on S&DT. Furthermore, it was recognized that the stalemate in the CTD SS was not healthy for the work in other areas, and for the organization as a whole. I therefore encouraged delegations to continue their discussions. I indicated that I remained available to convene any further meetings, or assist in any way that I could in my capacity as Chair of the CTD SS, in order to help move the process forward.

1.10. As I understand it, consultations in this area are now continuing at the level of the General Council Chair, and possible language that may be acceptable to both sides is being actively considered. I am hopeful that the discussions among Members will help lead to an understanding on how work on S&DT in the CTD SS can continue after MC12. As I have said before, it is only by tackling the difficult issues relating to S&DT and working together creatively that Members will be able to find the much-needed solutions.

1.11. I shall be maintaining close contact with delegations, and with the General Council Chairman, to keep informed of how the discussions are progressing, and how this might be translated into language for the MC12 outcome document. While I stand ready to facilitate any further discussions that may be required, I would like to stress once again that it is ultimately for Members to show the necessary flexibility and political will to collaborate, so as to collectively determine how to arrive at an outcome on S&DT at MC12.

1.12. Finally, as we enter the last phase before MC12, I would like to share a few thoughts with Members. In my view, it is largely because of a lack of political will that discussions in the CTD SS have not been able to advance. Indeed, since I took over as Chair two years ago, I have heard delegations repeat their positions many times, but I have not seen readiness to engage in actual negotiations on the proposals on the table. This is regrettable, because the work of the CTD SS remains extremely important to this organization. Furthermore, any progress that is made in the CTD SS can also have a positive impact on other discussions taking place in the WTO which are concerned with issues relating to S&DT.

1.13. In that regard, the opportunity provided by MC12 should not be missed. I believe that what will be required to make real progress in the CTD SS will be for Ministers to send a clear and strong political signal of their willingness to conclude these negotiations. This would set the stage for a more positive, substantive and constructive discussion after MC12, where delegations embrace the process of negotiations, without prejudice to the outcome. Ultimately, it will be for Members to work together to determine a commonly achieved outcome to these negotiations. We are living in exceptional times, and this outcome should form part of the much-needed multilateral solutions in a post-COVID-19 era – for all Members, and in particular for developing countries and LDCs.
