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PROPOSAL ON MC10 MINISTERIAL DECLARATION - PART III

The following communication, dated 11 November 2015, is being circulated at the request of the delegation of the Russian Federation.

INTRODUCTION

1. The Russian Federation strongly supports the rules based multilateral trading system and the process of its progressive negotiations-based evolution. Therefore, we are of the view that the negotiating function should remain in the core of the organization's activities preserving possibilities to adjust the multilateral trading system to new realities and challenges of international economic relations.

2. Although the Doha Development Agenda (DDA) negotiations were being conducted for over 15 years, it is clear now that the deliverables of this process are significantly smaller than those expected by the Membership at the time when the DDA was agreed. Recent developments show that the process cannot be brought back to life without creation of a certain degree of convergence on the cornerstone issue of development. It is crucial to find a common approach, which would stimulate building consensus between the Members standing on different positions, including on crucial issues of development agenda and implementation of current trade rules.

3. Given this background, the Russian Federation proposes to agree on incorporation in the post Nairobi agenda of those DDA elements that are in demand of the Membership and can be agreed at the multilateral level.

4. The crucial point is that a specific plan for post Nairobi work should be embodied in Part III of the Ministerial Declaration adopted by the 10th Ministerial Conference in Nairobi (MC10). The suggestions of the Russian Federation follow in the next part of this paper. They are subject to modifications and may be complemented by other Members' proposals.

PART III - POST-NAIROBI AGENDA

Equalization of Commitments

1.1. We recognize the extensive commitments, which were undertaken upon accession to the WTO by the very recently acceded Members. In this context, Members confirm their intention that the future negotiations should result in the overall equalization of the level of commitments of such acceded Members with those of the founding Members.

Services

1.2. We will continue negotiations on disciplines regarding domestic regulation. These negotiations should be aimed at reducing obstacles to trade and investments in services sectors, increase transparency and predictability of regulatory systems.

WTO Rules

1.3. In view of the experience of application of anti-dumping and countervailing measures we mandate the negotiations that shall have a special focus on rules regarding procedures governing the initiation, conduct and completion of investigations and reviews, including with a view to strengthening and enhancing due process and transparency of the procedures as well as consistent application of these rules within both anti-dumping and countervailing procedures where they are appropriate to both instruments.

Regional Trade Agreements

1.4. Recognizing the need of strengthening the compatibility between the multilateral trading system and numerous regional trade agreements (RTAs), we agree that additional rules for conclusion and implementation of RTAs should be elaborated to secure the interests and create more predictability for Members, which do not participate in such RTAs.

Interpretation and Implementation of Security Exceptions provided in the Multilateral Trade Agreements

1.5. With reference to the "Decision Concerning Article XXI of the General Agreement" adopted by the CONTRACTING PARTIES on November 30, 1982 and with the view to ensure clarity and predictability of implementation of Security Exceptions Provisions of the WTO Agreements¹ Members shall develop a General Council decision on joint understanding on the interpretation of the scope of the rights and obligations of the WTO Members under these Provisions. With this in mind the Members shall engage in negotiations and the General Council shall take the decision on interpretation of the said Provisions pursuant to Article IX:2 of the Marrakesh Agreement by 1 June 2016. To this end, the negotiations shall focus on identification of circumstances when application of the measures pursuant to Security Exceptions is justified, as well as provision of specific transparency requirements and possible retaliatory measures.

¹ Such as GATT Article XXI, GATS Article XIV bis, TRIPS Article 73, TRIMS Article 3, Import Licensing Agreement Article 1.10, TFA Article 24.7.