



Geneva WATCH

An overview of the bilateral, plurilateral and multilateral trade negotiations

Charles Akande, Editor

WTO Members to Consider Draft Decisions on TFA and Food Security at November 26th General Council Meeting

Following a number of consultations and green room meetings held over the past few days in which the U.S. and India presented their recent compromise on trade facilitation (TFA) and on public stockholding for food security purposes, WTO Director General, Roberto Azevêdo, circulated draft decisions on the two issues at an informal heads of delegation meeting held on November 24th. WTO Members were urged to consult with their respective capitals in order to adopt them when the full Membership gathers at a special meeting of the General Council on November 26th.

On food security, Azevêdo suggests that Members agree not to challenge developing countries food security programmes through the WTO Dispute Settlement Mechanism, “until a permanent solution is agreed and adopted.” Members will now tackle the issue as a priority next year, in an “accelerated time-frame,” in parallel with the rest of the agriculture negotiations under the leadership of the chairman, John Adank, New Zealand’s Ambassador to the WTO. The draft decision also suggests that Members agree to “make all concerted efforts to agree and adopt a permanent solution” on this issue by the end of 2015. However, if by the time of 11th Ministerial Conference (MC11), a permanent solution of food security had yet to be agreed upon, the peace clause will remain in place “until a permanent solution is agreed and adopted,” the draft decision says.

With respect to a TFA, Azevêdo suggests that the July 31, 2015 date to ratify the implementation of the TFA be dropped. Some Members, particularly from the African group, voiced concerns with respect to linking the TFA to the overall Doha Development Agenda (DDA) – the so-called paragraph 47 of the 2001 Doha Ministerial Declaration which calls for the single-undertaking. One WTO official said Azevêdo held several consultations with the African group to address this issue. His draft decision on TFA simply recalls paragraph 47 without specifying whether the TFA should be linked to it.

These two decisions will allow work in various negotiating groups to recommence. In effect, Members have been unable to pursue their discussions in the areas of services, industrial products market access and agriculture due to India’s refusal to implement the TFA last July.

“In now taking this action, and based on the consultations held, we are collectively acting on the premise that the entire Bali Package can and must be pursued,” the statement of the Chairman of the General Council, Canada’s Ambassador to the WTO, Jonathan Fried, reads. “I therefore propose that, in adopting the two Decisions on the Protocol of Amendment for Trade Facilitation and on Public Stockholding for Food Security Purposes simultaneously, the General Council also agrees that we will resume work immediately and that all Members will engage constructively on the implementation of all the Bali Ministerial Decisions in the relevant WTO bodies, and on the preparation of the clearly defined Work Program on the remaining DDA issues mandated in para. 1.11 of the Bali Ministerial Declaration,” the General Council Chairman’s statement stressed.

In addition, with regard to the remainder of the DDA issues, Members will be instructed to prepare a clearly-defined work program by July 2015 as they won’t be able to reach the previous deadline (December 2014) agreed to in Bali last December.

WTO sources say Members seemed to be cautiously optimistic that everything will be agreed at the November 26th General Council meeting.

TPP CN & Negotiating Groups to Meet in Washington on Dec 7–12

Chief negotiators (CN) of the 12 TPP countries will meet one last time this year in Washington D.C., according to sources close to the negotiations. The meeting will only last a week (from December 7–12, 2014) and will post-mortem the recent ministerial meetings in Sydney and Beijing as well

as the leaders' summit in Beijing. "We're now laying out a series of movements over the next couple of months at the negotiator-level (...) to make progress on the remaining outstanding issues," U.S. Trade Representative, Michael Froman said, adding that his country is "also dealing bilaterally with various countries on market access" issues.

On the latter issue, which is seen as paramount for the TPP negotiations to conclude, Froman said the U.S. has made

some significant progress in those discussions, most particularly with Japan on agriculture and on autos.

Froman meanwhile insisted that a number of outstanding issues still remain. "We still have a ways to go and we're going to continue to press those bilaterally as well," the USTR stressed.

KEY UPCOMING EVENTS

- WTO General Council, November 26, December 10–11
- Potential TPP CNs, December 7–12, Washington D.C. (U.S.)

Geneva Watch is published by Dairy Farmers of Canada, Chicken Farmers of Canada, Egg Farmers of Canada, Turkey Farmers of Canada and Canadian Hatching Egg Producers to report on the various events occurring in Geneva, particularly on the WTO negotiations on agriculture.

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Legal Deposit: National Library of Canada, ISSN 1496-9254



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