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**THE BALANCE OF NEGOTIATIONS AND DISCUSSIONS IN THE DOHA WORK PROGRAMME:  
OVERVIEW MATRIX OF NEGOTIATING AND NON-NEGOTIATING AREAS**

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## INTRODUCTION

1. The Doha Ministerial Conference of the WTO, held in November 2001, launched an ambitious work programme. The discussions/negotiations initiated under this work programme include a number of issues in addition to the WTO built-in agenda and purely trade-related issues. The Ministerial Declaration also envisaged that the negotiations on most issues would be conducted as part of a Single Undertaking. The final date to complete all negotiations/discussions was set as 1 January 2005. But negotiations on some issues were mandated to be concluded earlier (e.g., paragraph 6 of the Ministerial Declaration on TRIPS and Public Health, strengthening and operationalisation of S&D provisions, resolution of implementation issues, etc.), and intermediate timelines and benchmarks were established in respect of the negotiations on a number of other issues. Finally, the 5<sup>th</sup> Ministerial Conference of the WTO, now scheduled to be held in Cancun, Mexico, in September 2003, was assigned the responsibility to conduct a mid-term stocktaking exercise of the progress in the negotiations/discussions, and to take decisions as necessary.
2. Developing countries have been participating in Doha work programme of the WTO, despite a clear mismatch between the depth and breadth of the agenda on the one hand and, their very limited resources, on the other. But still the progress so far has been unsatisfactory. Almost all the deadlines have been missed. Contrary to the Doha mandate, issues of particular interest to developing countries have not been addressed. This lack of progress, and postponing all the decisions to the Cancun Ministerial Conference, raises the importance of this event. Developing countries are cognizant of this and getting ready to fully participate in the preparations for the Ministerial Conference. The attached Overview Matrix of Doha Negotiations/Discussions has been prepared by the South Centre to assist developing countries in this respect.
3. This Overview Matrix is an attempt to clearly and concisely present the state of negotiations/discussions on all the issues, and to raise questions that require strategic thinking by developing countries. The Matrix has been divided into sections with each section dealing with an issue in the WTO Doha work programme. The presentation and assessment of issues in each section has been grouped under six columns. The first column gives the reference to the relevant part of the Ministerial Declarations/Decision that has provided the mandate for negotiations/discussion on a specific issue. The second column gives the mandated dates for the conclusion of various phases of negotiations/discussions, and serves to highlight the temporal dimension of the negotiations that needs to be dealt with. The third column provides a brief description of the status of negotiations/discussions. This also includes the main points of differences between developing and developed countries. The information and analysis in this column should be helpful in understanding the state of affairs, and the

reasons thereof, in respect of each issue. The fourth column outlines possible negotiating objectives and interests of developing countries. The fifth column attempts to indicate the possible links of the issue under analysis to other issues in the Doha work programme. Possible offensive and defensive linkages are important to keep in mind as negotiations on most of the issues included in the Doha work programme are to be conducted as part of the Single Undertaking. Finally, the sixth column is based on the analysis and information in earlier columns and raises some questions that are important to address to better prepare for further negotiations/discussion on the issue, particularly in the context of the Cancun Ministerial Conference.

4. Annexed to the Overview Matrix is a graphical representation of the status of negotiations/discussions on these issues. Various qualitative indicators have been identified and presented in respect of all the issues covered in the Overview Matrix. These include the following:
  - Discussions or negotiations initiated
  - Agreement on working mandate post-Doha reached
  - Agreement on modalities or on content of mandated report moving process forward
  - Participation by developing countries
  - Mandated negotiating deadlines met
  - Developing countries' negotiating objectives met
  - Negotiations concluded
5. This graphical representation should help developing countries in having a broad view of the issue-specific as well as overall situation in a manner that will be quick and easy to grasp visually.
6. The Overview Matrix and its Annex are aimed to focus developing countries' attention on some strategic considerations. It is hoped that this will stimulate further discussion among developing countries and hence contribute to their preparations for the WTO Cancun Ministerial Conference.

### ***Negotiations on Implementation-related Issues and Concerns***

| Mandate                                       | Timeline   | State of play (brief description of negotiating status and major differences in positions)  | Developing country interests   | Possible link to other negotiating issues   | Some Ideas for a Possible Strategy for Cancun   |
|---|--|---|--|---|---|
| Para 12 DMD<br><br>Decision on Implementation | 31 December 2002 to TNC for “appropriate action” | The current status is that all implementation-related issues (IRIs) listed in the Doha Decision on Implementation Issues and the Ministerial Declaration have not yet been resolved; most reports of relevant negotiating bodies for 2002 did not indicate any resolution. TNC meetings held in February and March 2003 did not come to any resolution of these issues. Many developing countries wanted IRIs to be negotiated and resolved at TNC level, rather than be sent back to relevant subsidiary bodies. | Resolution of IRIs are intended to redress some of the imbalances against developing countries contained in the current texts of the Uruguay Round agreements<br><br>Maximum benefit for developing countries re IRIs would be achieved if resolution is obtained as “early harvest” under Para 47 DMD | IRIs likely to be used as trade-off bargaining chips in other negotiating areas – i.e. progress in resolution of IRIs may be linked to progress in other negotiations | 1. Should developing countries insist on early resolution of IRIs before:<br><br>- submission of GATS offers?<br>- establishment of modalities for non-agricultural goods negotiations?<br>- establishment of modalities for agriculture negotiations?<br><br>2. Is it possible to prioritize or identify IRIs that can be traded off – i.e. in exchange for no negotiations on Singapore issues? |

## ***Negotiations on Special and Differential Treatment***

| Mandate  | Timeline  | State of play (brief description of negotiating status and major differences in positions)   | Developing country interests   | Possible link to other negotiating issues  | Some Ideas for a Possible Strategy for Cancun  |
|--|---|--|--|--|--|
| <p>Paras 12 and 44, DMD</p> <p>Para 12 of Ministerial Decision on Implementation</p> | <p>July 2002, with clear recommendation to the General Council for decision</p> | <p>Despite two extensions in the timeline (31 December 2002 and 10 February 2003), no agreement has been possible regarding consensus recommendations and decision on this issue of great importance to developing countries. Moreover, no new timeline has been established and the future course of action is not quite clear.</p> <p>Developed and developing countries, even after a year-long engagement, remain far apart on some fundamental issues. These include: 1) mandate and forum: against a simple interpretation of the language in relevant Doha texts which is supported by developing countries, many developed countries still argue that the CTD Special Session does not have a negotiating mandate and many of the proposals by developing countries for operationalisation of S&amp;D provisions should be dealt with other WTO bodies; and 2) agreement specific vs. cross-cutting issues: while the language in para 12 (i) and (ii) is quite clear that the July 2002 timeline for decision relates to the strengthening and operationalisation of the existing S&amp;D provisions, many developed countries insist on first discussing the broader issues of principles and objectives of the S&amp;D.</p> | <p>The operationalisation and strengthening of existing S&amp;D provisions in various UR agreements is important to mitigate the development deficit in these agreements, to ensure the mutuality of benefits among members as envisaged during the UR when developing countries agreed to the package including new and far reaching obligations for them on the expectation of meaningful S&amp;D, and to create the trust among members for the success of Doha Round negotiations. These factors, and the original deadline in Doha text, require an immediate and successful outcome of the exercise as “early harvest” under para 47 of DMD.</p> <p>While an immediate and satisfactory outcome of this exercise is clearly in the</p> | <p>The successful conclusion of provision-specific S&amp;D review should not be linked to any other issue on the Doha Agenda. This has been the objective of developing countries and the intent behind relevant Doha texts and deadlines. But the lack of progress and the current stalemate on this issue means that some developed countries will try to link progress on this issue with developments on other issues. The approaching deadlines on agriculture, and non-agriculture market access, modalities, and services initial offers can be used by them. This applies as well to the status of Singapore Issues if S&amp;D provision-specific review continues till that date.</p> <p>On the other hand, will it be feasible and desirable for</p> | <ol style="list-style-type: none"> <li>1. What should be the preferred option for developing countries: to complete provisions-specific negotiations before Cancun, at Cancun or after Cancun?</li> <li>2. If no immediate and successful conclusion to the provision-specific review is possible, can developing countries consider that such a solution may require a payment to be made in other areas?</li> <li>3. Can developing countries consider trading off this issue with other issues of interest at Cancun (e.g., no negotiations on Singapore Issues)?</li> <li>4. Can developing countries consider prioritizing the issues already on the table?</li> <li>5. Should developing countries use lack of progress on this issue as a political argument to question whether development di-</li> </ol> |

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|  |  | <p>Developing countries have made more than 85 specific proposals. Only 12 of these that require only minor changes and are largely symbolic have so far been close to an agreement. One major development has been an in principle and early agreement (by July 2002 deadline) regarding the establishment of a monitoring mechanism. However, this too has run into problems as the developed and developing countries view the possible role of this mechanism very differently. Developing countries want this mechanism to come into effect after the completion of the present provision-specific review. Some developed countries, on the other hand, seem to indicate the establishment of this mechanism as a precondition for moving forward with provision-specific review.</p> | <p>interests of developing countries, their full and continued engagement in these negotiations requires a commitment of limited negotiating resources, perhaps at the cost of less than full participation in many other negotiations under the Doha Agenda.</p> | <p>developing countries to link the lack of progress on S&amp;D review with either better results on issues of interest to them (e.g., TRIPS) or stalling any progress on Singapore Issues?</p> | <p>mention is really part of the so-called Doha Development Agenda?<br/>6. Can developing countries consider demanding for the successful conclusion of S&amp;D provision-specific negotiations before progress can be made on other issues such as services, non-agricultural market access, additional protection of geographical indications for wines and spirits, etc.?</p> |
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## Negotiations on Agriculture

| Mandate             | Timeline   | State of play (brief description of negotiating status and major differences in positions)  | Developing country interests  | Possible link to other negotiating issues  | Some Ideas for a Possible Strategy for Cancun  |
|---------------------|--|---|---|--|--|
| Para. 13 and 14 DMD | <p>Modalities, including provisions for special and differential treatment, to be established no later than 31 March 2003.</p> <p>The negotiations, including with respect to rules and disciplines and related texts, concluded not later than 1 January 2005</p> | <p>Current status: work programme developed as planned. A revised draft modalities paper produced by the Chairman and discussed in the March Special Session of the CoA. The 31 March 2003 deadline for establishing modalities has been missed. There is still no consensus among Members on fundamental issues of the negotiations.</p> <p>Different country positions:</p> <ul style="list-style-type: none"> <li>- <b>Cairns Group</b>: considers the modalities papers presented by the Chairman to be a good basis for continuing the negotiations. Agrees with the objective of eliminating export subsidies although would like a shorter timeline. Would prefer a clear commitment to eliminate trade distorting domestic support. Considers market access provisions not adequate. Hopes a more ambitious approach could be taken. Opposes to provisions in favour of developing countries such as the concept of strategic products and Special safeguard mechanism.</li> <li>- <b>US</b>: considers that the draft modalities proposed by the Chairman does not take reform as far as it should. It is lacking ambition in most areas. Concern with flexibilities provided for developing countries such as the concept of strategic products and special safeguard mechanism. Any flexibility should be based on strict criteria and be restricted to a few products.</li> <li>- <b>EC and its like minded countries</b>: considers that the proposed modalities are not balanced. Opposed to the elimination of export subsidies. Disciplines in areas such as export credits and food aid are</li> </ul> | <p>Redress the current imbalances in the AoA.</p> <p>Remove distortions from agricultural trade stemming from high levels of support and protection in the North.</p> <p>Flexibility as to the level of commitments required from developing countries, in particular in the area of market access, and including the concept of strategic or special products.</p> <p>Adoption of a special safeguard available to all developing countries.</p> | <p>Negotiations on agriculture constitute a key element of the overall Doha agenda. In that respect, linkages may be established with other areas of negotiation.</p> <p>There is a clear link with the services negotiations in terms of specific deadlines and for being both components of the built-in agenda of the UR.</p> <p>Clear links as well with the negotiations on market access for non-agricultural goods in which the EC and like-minded countries have presented very ambitious proposals for the reduction and harmoni-</p> | <ol style="list-style-type: none"> <li>1. Should developing countries establish linkages between agriculture and other areas of the work programme to leverage their negotiating position on agriculture?</li> <li>2. On what areas should those linkages be established and how (e.g. services, market access for non-agricultural goods, etc.)?</li> <li>3. What should be the content of modalities for developing countries being satisfied? In particular what should be the S&amp;D component of those modalities?</li> <li>4. How can the process towards Cancun be influenced for those issues being reflected in a</li> </ol> |

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|  |  | <p>not constraining enough for the US. Reduction of tariffs is too ambitious. Support the Uruguay Round approach towards tariff reductions. Willing to work on the concept of strategic products (although it is not clear how flexible the EC could be on this) and to consider a very restricted safeguard for developing countries, for a few products.</p> <p>- <b>Developing countries:</b> Concerned about the level of ambition of the proposed modalities, in particular as regards tariff reductions for developing countries. Would like to build on the concept of strategic/special products and safeguard mechanism for incorporating meaningful S&amp;D for developing countries. Would like tougher disciplines on domestic support and export subsidies. Some are concerned regarding the erosion of trade preferences. LDCs and NFDCs concerned by the lack of progress over the implementation of the Marrakech Decision.</p> |  | <p>zation of tariffs.</p> <p>Developing countries may consider establishing links with other issues of the Doha agenda (e.g. Singapore issues).</p> | <p>new draft modalities paper to be produced by the Chair?</p> <p>6. Should developing countries withhold schedules until satisfied with the modalities proposed?</p> |
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## ***Negotiations on Services***

| Mandate     | Timeline  | State of play (brief description of negotiating status and major differences in positions)   | Developing country interests   | Possible link to other negotiating issues   | Some Ideas for a Possible Strategy for Cancun   |
|-------------|---|--|--|---|---|
| Para 15 DMD | <p>Initial market access requests to be submitted by 30 June 2002 and initial offers by 31 March 2003. The services negotiations are to be concluded not later than 1 January 2005, as part of the Single Undertaking.</p> <p>Negotiating Guidelines: Members should aim to complete negotiations relating to Articles VI.4, XIII, and XV before the conclusion of the negotiations on specific commitments (i.e. before 1 January 2005).</p> | <p>Negotiations relating to specific commitments for market access: Some 30 WTO Members have made requests to other WTO Members. This implies that many developing countries have not yet submitted their initial requests. As of this writing (8 April 2003), around a dozen Members have submitted their initial offers by or shortly after 31 March 2003. Several Members have expressed the concern that these negotiations progress more quickly than the rules and regulation negotiations and that the bilateral approach takes precedence over the multilateral approach.</p> <p>Horizontal issues: the services negotiations include certain issues under negotiation that could influence the general outcome of the negotiations and should therefore be considered as horizontal issues though they may sometimes be principally dealt with under a specific subsidiary body and/or have been brought into the bilateral discussions. These include issues such as the modalities for the special treatment of LDCs, classification issues, mutual recognition of qualifications, and issues relating to mode 4 and visa procedures.</p> <p>Domestic Regulation: Members are currently examining regulatory examples of measures that would require the development of disciplines under Article VI.4. Another issue under discussion is that of general disciplines for professional services, on the model of the disciplines for the accountancy sector.</p> <p>GATS Rules:</p> <p><i>ESM</i> - discussions relating to desirability and feasibility of a safeguard</p> | <p>Many developing countries Developing countries are still attempting to identify their national interest in services. Therefore, one major objective for developing countries in the negotiations is to ensure that the pace of the negotiations is not too quick in order for them to develop their negotiating positions. Individual developing countries will certainly have interests in one or several services sectors and modes, e.g. construction, energy, maritime transport, mode 4.</p> | <p>As many Developing countries do not have a comparative advantage in trade in services, this may be one area of the Doha agenda where they may try to link concessions on their part to concessions in other areas by their trading partner - one 'obvious' area for concessions seems to be agriculture for many developing countries. The outcome of Cancun with regard to the Singapore issues will also influence the</p> | <p>1. Should developing countries insist in the run-up to Cancun on their interests <i>within</i> the negotiations (though it is true that some Members may use the services commitments they take as a trade-off for concessions by their trading partners in other areas) so as to ensure that there is a balanced outcome in services as well as in the general round?</p> <p>2. Will it be particularly important to focus on</p> |

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|  | <p>The work programme of the WPGR has established that the negotiations on an ESM should be completed before 15 March 2004.</p> | <p>measure are still taking place. More recently, Members began trying to identify common elements from the different proposals submitted so far. They are also examining cases where a safeguard mechanism may be needed.</p> <p><i>Subsidies</i> - Negotiations relating to disciplines aiming to avoid the trade-distortive effects of subsidies and to determine the appropriateness of countervailing procedures are still at an early stage. So far, work in the Working Party on GATS Rules (WPGR) has focused on information exchange relating to existing subsidies. Several elements make this exchange particularly difficult, including the absence of a definition for a subsidy and for a trade-distortive effect.</p> <p><i>Government Procurement</i> - The EC considers that the negotiations under Article XIII cover a general mandate and should address progressive liberalisation in government procurement, transparency rules and procedures, and modalities of applications of commitments. Many developing countries feel that this is not the scope of the mandate of Article XIII. Several Members question the relationship between the work in the WPGR and the Working Group on Transparency in Government Procurement (WGTGP) and whether there is not duplication of work in these 2 bodies.</p> | <p>It is important for them to achieve increased market access for their exporters in these areas.</p> <p>Developing countries may wish to wait and see how issues relating to rules and regulation evolve before taking commitments on market access.</p> | <p>linkages the Members will attempt to make. It is therefore important that no early harvest occurs in services negotiations.</p> | <p>achieving results in the rules and regulation negotiations? What are the main objectives of developing countries in this area beyond ensuring that the rules and disciplines that are agreed to are not unduly burdensome?</p> |
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## Negotiations on TRIPS

| Man-date   | Timeline   | State of play (brief description of negotiating status and major differences in positions)  | Developing country interests   | Possible link to other negotiating issues  | Some Ideas for a Possible Strategy for Cancun   |
|--|--|---|--|--|---|
| <p>Paras 12, 17, 18 and 19 DMD</p> <p>Paras 6 &amp; 7 TRIPS and Public Health Declaration.</p> <p>TRIPS Arts. 27.3b &amp; 71.1</p> | <p>Para 6 TRIPS and Public Health Declaration negotiations to be concluded by the end of 2002.</p> <p>Para 12(b) DMD TRIPS implementation issues as well as the implementation of TRIPS Art. 66.2 by end of 2002.</p> <p>Recommendations relating to non-violation and situation complaints to be submitted to the Fifth Ministerial in Sept</p> | <p>Five main issues have dominated the discussion in the TRIPS Council in the post-Doha period, namely, Paragraph 6 negotiations on TRIPS &amp; public health; non-violation and situation complaints; TRIPS, CBD, TK &amp; folklore under art. 27.3b review; implementation of art. 66.2 of TRIPS and; extension of geographical indications. The two main issues that have not received much attention are: (i) the review under art. 71.1; and (ii) other outstanding implementation issues. The status of the various issues is as follows:</p> <p>- <i>Paragraph 6 TRIPS and public health</i> negotiations aborted when the US blocked consensus on the Chair's compromise December 16, 2002 text.</p> <p>- The discussions on <i>non-violation and situation complaints</i> remain generally as before Doha with the US insisting for their applicability to TRIPS disputes while developing countries supported by the EU, Canada and other developed countries oppose the application of such complaints to TRIPS Disputes. 14 developing countries submitted a detailed paper in Sept. 2002 recommending that the 5<sup>th</sup> Ministerial decides that these types of complaints should not be applicable to TRIPS disputes.</p> <p>- The discussions under the <i>review of art. 27.3(b)</i> have largely centred on the issue of the relationship between the CBD and TRIPS and TK issues. Developing countries have maintained their pre-Doha positions that the TRIPS Agree-</p> | <p>On paragraph 6 of the TRIPS and Public Health declaration, negotiations developing countries would be interested in finalizing this discussion. In particular, developing countries would not be interested in paying again for public health if the paragraph 6 issues go to Cancun.</p> <p>On non-violation and situation complaints the ideal for developing countries is to have a Ministerial decision that these types of complaints will not be applicable to the TRIPS disputes. If this is</p> | <p>The EU has raised the issue of geographical indications in the Agriculture Committee in an attempt to make a direct link between geographical indications and the agriculture negotiations. The EU is likely to try and push this link.</p> | <p>In developing a strategy for Cancun several questions need to be addressed in respect of the various issues.</p> <p>- TRIPS &amp; public health: The main question is: should developing countries consider a re-opening of the paragraph 6 negotiations or insist on the adoption of Chairman's compromise text of 16 December 2002? With respect to Cancun, in particular, two questions arise: Should the issue be a subject at all in Cancun? And if it is on the agenda at Cancun, what are the dangers that developing countries will pay again for TRIPS and public health issues?</p> <p>- With respect to non-violation &amp; situation complaints the main questions are: Should the strategy be to isolate the US while at the same time avoiding falling prey to the Australian route which ultimately will lead to a discussion about modalities? Will the developed countries that are currently supporting the position of developing countries stick to their positions or trade this off with issues such as the new issues? What should be the de-</p> |

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|  | <p>2003.</p> <p>Negotiations for the establishment of a multilateral system of notification and registration of geographical indications for wines and spirits, by the Fifth Ministerial in September 2003.</p> <p>For all other TRIPS issues, negotiations to conclude by 1 January 2005.</p> | <p>ment should be amended to ensure prior informed consent, disclosure of origin of genetic resources &amp; folklore and benefit sharing. Not much discussion has been had on folklore on the other issues under 27.3b such as patenting of life forms and farmers rights.</p> <p>- On <i>geographical indications</i> there have been discussions on the legal issues relating to the difference between general protection of GIs and the additional protection for wines and spirits; on broader policy issues on the impact of extended protection on consumers and producers and on the administrative costs and burdens of any procedures associated with extended protection. There has been a coalition of developed and developing countries that have been active in these discussions although another large number of developed and developing countries remain unsure of the benefits and have not taken any firm positions.</p> <p>- On the <i>implementation of TRIPS Art. 66.2</i>, a decision containing an implementation mechanism was adopted in February 2003. The mechanism requires developed countries to provide reports on their incentive systems every three years and annual updates in the intervening years. The reports will be reviewed and questions can be raised in each last meeting of the TRIPS Council every year. The whole mechanism is to be reviewed in three years from the date of adoption with a view to improving it.</p> | <p>not possible then developing countries might be interested in extending the moratorium indefinitely.</p> | <p>veloping countries strategy if these developed countries decide to trade off the issue?</p> <p>- On article 27.3b the questions include the following. How to ensure that the focus on the TRIPS, CBD &amp; TK issues does not push everything else aside, such as on patenting new life forms, farmers rights etc? Should the discussions be strictly confined to an art. 27.3b issue or broadened to open room for other possibilities such as amendment to art. 29?</p> <p>- On the review under art. 71.1 developing countries have not taken any firm position on how to proceed. Should they continue with the same position in the short term, i.e., continue to consider how to use the mandate? Can they also find a longer-term strategy, ideally by Cancun, to revive the review with the least danger?</p> <p>- With respect to TRIPS implementation issues two questions arise: Should pushing for implementation issues remain a strategic objective for developing countries? If so, how do the TRIPS implementation issues fit into the bigger implementation issues debate and discussions in the TNC and other bodies?</p> |
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## Negotiations on Market Access for Non-Agricultural Goods

| Mandate     | Timeline                                       | State of play (brief description of negotiating status and major differences in positions)   | Developing country interests  | Possible link to other negotiating issues   | Some Ideas for a Possible Strategy for Cancun  |
|-------------|--|--|---|---|--|
| Para 16 DMD | Negotiations to be concluded by 1 January 2005 | <p>Various submissions regarding the modalities for these negotiations have been made. However, the nature of the submissions have differed considerably, with some containing concrete proposals for modalities, others containing general views or ideas about the negotiations, and others being a mix of the two.</p> <p>No consensus has yet been achieved with respect to:</p> <ul style="list-style-type: none"> <li>- product coverage</li> <li>- scope and timeframe for the elimination of tariffs</li> <li>- elimination of low/nuisance tariffs</li> <li>- elimination of tariff peaks, tariff escalation, and high tariffs</li> <li>- modalities for tariff reduction commitments, whether using a formula approach or a line-by-line approach</li> <li>- operationalisation of special and differential treatment or less than full reciprocity</li> <li>- use of other approaches such as harmonization or sectoral elimination initiatives or the use of a request/offer approach</li> <li>- levels of binding coverage and reduction of differences (“overhang”) between bound and applied rates</li> <li>- base rates and base year for reduction commitments</li> <li>- the HS nomenclature (i.e. whether HS2002 or HS1996) to be used</li> <li>- the implementation period and stages of implementation</li> <li>- credit for autonomous liberalization</li> <li>- use of non ad valorem duties</li> </ul> | <p>Developing country interests in this area are to ensure that :</p> <ul style="list-style-type: none"> <li>- market access in developed countries for their products of export interest is expanded</li> <li>- tariff protection for domestically produced industrial goods remain flexible and existent so as to support continued domestic industrial development, flexible import substitution, and a shift from low value-add to high value-added production</li> </ul> <p>Across-the-board tariff liberalization in industrial goods will benefit mostly developed countries and higher income developing countries that export industrial goods. At the same time, unless carefully targeted and controlled, such tariff liberalization can lead to accelerated de-industrialization in developing countries as domestic industrial output finds it more difficult to compete with imported industrial products.</p> <p>Furthermore, tariffs on industrial goods in most OECD countries are already</p> | <p>Developing countries might wish to peg forward movement in this area, especially with respect to modalities, to progress in areas of interest to them in other negotiating areas such as agriculture, IRIs, and S&amp;D.</p> | <p>Should developing countries focus submissions on modalities on elimination of tariff peaks and escalation, especially for products of export interest to them?</p> <p>Should they also look at how to operationalise special and differential treatment and less than full reciprocity?</p> <p>How can developing countries make use of the Doha mandate regarding the conduct of appropriate studies to their advantage in these negotiations?</p> |

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|  | <ul style="list-style-type: none"> <li>- simplification of tariff structures</li> <li>- inclusion of export taxes in reduction commitments</li> <li>- reflection of initial negotiating rights</li> <li>- adjustments for any erosion of preferential market access</li> <li>- special rules for newly acceded countries and LDCs</li> </ul> <p>Various submissions were also made relating to negotiations on environmental goods under Para 31(iii) DMD, with however, discussions on this issue still inconclusive.</p> | <p>very low due to previous GATT 1947 negotiations, while those of non-OECD countries generally tend to continue to be at high levels. Hence, most tariff reductions will most likely be done by developing rather than developed countries, unless SDT and less than full reciprocity are made operational.</p> |  |  |
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### ***Negotiations on WTO Rules (Subsidies and CVM, Anti-Dumping, and RTAs)***

| Mandate             | Timeline                                       | State of play (brief description of negotiating status and major differences in positions)   | Developing country interests  | Possible link to other negotiating issues  | Some Ideas for a Possible Strategy for Cancun  |
|---------------------|--|--|---|--|--|
| Paras 28 and 29 DMD | Negotiations to be concluded by 1 January 2005 | <p>Negotiations currently being conducted in Negotiating Group on Rules are focused on three areas: (i) AD; (ii) SCM and fisheries subsidies; and (iii) RTAs.</p> <p>On negotiations for rules on AD and countervailing measures, negotiations are currently focused on issue identification rather than actual rules-related negotiations with Members submitting substantial and specific proposals</p> <p>On negotiations for rules on subsidies, proposals have generally been general and not much movement has been achieved in issue identification. There have been no specific proposals relating to fisheries subsidies, and Group is divided on propriety of sector-specific work in this area</p> <p>On RTAs, work has focused on transparency issues with respect to RTAs. Other than that, negotiations have not progressed far.</p> | <p>Negotiations on rules regarding AD, CVM, and Subsidies need to progress and achieve some clarity (especially for developing country exporters) before market access negotiations advance in the agriculture and non-agricultural goods negotiations.</p> <p>Blockage in rules negotiations, while going ahead in market access negotiations, could result in double or triple payments by developing countries at the conclusion of the Doha round.</p> <p>Changes in subsidies and CVM rules must be such as would allow developing countries to use these for development purposes, while restricting or limiting their use by developed countries for protectionist purposes.</p> <p>In fisheries subsidies, rule changes must allow developing countries to use subsidies to support the development of their fisheries sectors, while at the same time prohibiting developed countries from providing production-related support or to support illegal or ecologically unsustainable fishing practices.</p> | <p>Achievement of substantial progress on subsidies, AD, and CVM rules should be made among the prerequisites before any further movement in the agricultural and non-agricultural goods market access negotiations are agreed to.</p> | <p>Should developing countries press for forward movement on subsidies and CVM, AD, and RTA rules negotiations?</p> <p>Should developing countries press for clearer identification of issues subject to negotiation?</p> <p>Should developing countries press for a stronger negotiating mandate that would subject the negotiating group to specific deadlines and clear negotiating modalities?</p> <p>Do developing countries need to adopt a differentiated approach towards negotiations on AD, Subsidies and CVM, and fisheries subsidies, on one hand, and on RTAs, on the other hand?</p> |

## ***Negotiations on Trade and Environment***

| Mandate                     | Timeline  | State of play (brief description of negotiating status and major differences in positions)   | Developing country interests  | Possible link to other negotiating issues  | Some Ideas for a Possible Strategy for Cancun  |
|-----------------------------|---|--|---|--|--|
| Paras 31, 32, 33 and 51 DMD | Cancun for stock-taking<br><br>Negotiations to be concluded by 1 January 2005 | A “bottom-up” approach for Para 31(i) has been agreed to. EU, Japan, Switzerland, Norway, and some others want inclusion of general conceptual discussion. US, Australia, most developing countries want narrow focus on specific trade obligations. | The pace of MEA-WTO relationship negotiations need to be adapted to negotiating capacity of Members. Developing countries also need to be aware that many MEA trade obligations were included due to, or reflect, developing country environmental interests. | Para 31(i) negotiations could be more closely linked to Para 31(ii) negotiations on information exchange as a way to sidestep any possible new rule-making under Para 31(i). | Should developing countries push for clarification of the concept of MEAs and “specific trade obligations”? Should more clarity be sought on exact scope and nature of any proposed rule-making to deal with MEA-WTO rules relationship?<br><br>Would suggesting ways of structuring current approach so as to: (i) slow down pace of negotiations; (ii) show that no conflict exists; and (iii) prevent any rule-making as the outcome, be good move for developing countries? (One way could be to cluster MEA provisions by type and then discuss them sequentially)<br><br>Could developing countries also suggest that work in Para 31(ii) regarding information exchange should focus on setting up institutional mechanisms that could effectively address Para 31(i) problems, and thereby avoid need to craft new WTO rules to deal with MEA-WTO relationship issues? |
|                             |   | Para 31(ii) negotiations moving forward on info exchange. Still deadlock on observership, although the CTE Special Session (CTE SS) has agreed to invite 6 MEAs to attend next CTE SS, with future   | Institutional arrangements between MEA Secretariats and WTO Secretariat need to be transparent and provide opportunities for  | Para 31(ii) negotiations on MEA-WTO information exchange could be more closely linked to Para 31(i) negotia-   | Should developing countries suggest that Para 31(ii) info exchange negotiations result in institutionalization of MEA-WTO Secretariats’ info exchange mechanisms on level similar to that governing WTO relationship with  |



|  |  |   |  |   |   |
|--|--|---|--|---|---|
|  |  | <p>attendance to be subject to new decision on a per meeting basis. Observership discussions are subject to GC-level political decision on observership in WTO.</p>   | <p>input to developing country MEA Parties/WTO Members. Issue of observer status need to be resolved in tandem with general observer status issue before General Council.</p>  | <p>tions</p>  | <p>WB and IMF?<br/><br/>Should developing countries suggest set up of new joint MEA-WTO body to address and provide recommendations on specific MEA-WTO rules relationship issues in future without involving WTO dispute settlement mechanism?</p>   |
|  |  | <p>Para 31(iii) on environmental goods and services moving forward with submission of proposals. APEC or OECD-based listings or definitions of environmental goods in CTE SS and Negotiating Group on Market Access (NGMA) have been submitted. Some developing countries saying that CTE SS needs to develop its own definition of environmental goods. The definition of environmental services is that contained in W/120, is currently being used in GATS negotiations. No specific focus on environmental services in GATS negotiations.</p> | <p>Increased market access for environmental goods and services, as currently listed or defined by APEC or OECD, will mostly benefit developed countries because most such goods or services are industrial goods or services produced by developed countries. Benefits for developing countries may come in having access to cheaper environmental goods or services, but at the expense of making it difficult for their domestic industries to produce competing environmental goods or services.</p> | <p>There is already existing linkage due to transfer of negotiating venue from CTESS to the NGMA (for goods) and the Council for Trade in Services Special Session (CTSSS) (for services). Progress on environmental goods and services dependent on progress in NGMA and CTSSS negotiations.</p> | <p>Do developing countries need to identify specific environmental goods and services for which they wish to obtain market access; or which they wish to develop domestically and hence provide some level of protection for; or which they do not want to permit into their countries?<br/><br/>Should developing countries submit proposals in NGMA and CTSSS that seek market access opportunities for their environmental goods and services?</p> |

### ***Negotiations on Dispute Settlement Understanding***

| Mandate        | Timeline                                 | State of play (brief description of negotiating status and major differences in positions)  | Developing country interests  | Possible link to other negotiating issues   | Some Ideas for a Possible Strategy for Cancun   |
|----------------|--|---|---|---|---|
| Para 30<br>DMD | Negotiations to be concluded by May 2003 | <p>Members continue to submit specific draft text, which has been compiled by the chair (in Job(03)10/Rev.2), relating to various provisions of the DSU (i.e. Arts. 3 to proposed Art. 28 DSU). This includes proposals relating to panel procedures, third party rights, public transparency, and the composition of the AB.</p> <p>Discussions continue to show “significant differences in views as to the possible scope of the outcome that can be agreed on by May, reflecting diverse levels of ambition in these negotiations.”</p> | <p>Most developing countries have great interest in changing DS rules with respect to:</p> <ul style="list-style-type: none"> <li>- monetary compensation for developing countries</li> <li>- third party rights</li> <li>- panel and AB procedures, including: (i) clarification of panel and AB power to “seek” information; (ii) to issue interpretations; (iii) writing of separate or dissenting opinions</li> <li>- provision of legal and financial support for developing countries in DS proceedings</li> <li>- use of non-litigation procedures in disputes involving developing countries</li> <li>- composition, terms of reference, and tenure of panel and AB members</li> <li>- ensuring that panel and AB recommendations take into account impact thereof on developing country parties</li> <li>- ensuring impartial and transparent supportive role of WTO Secretariat in DS proceedings</li> <li>- operationalise special and differential treatment provisions in DSU</li> </ul> | <p>No link can be made since these negotiations are outside the single undertaking.</p> | <p>What if the negotiations are not concluded by May 2003? Should such negotiations then be incorporated into the single undertaking package?</p> <p>Should the negotiating mandate be changed as to its scope?</p> <p>Should the negotiations be extended?</p> |

### **Singapore Issues: Trade and Competition**

| Mandate     | Timeline   | State of play (brief description of negotiating status and major differences in positions)   | Developing country interests   | Possible link to other negotiating issues   | Some Ideas for a Possible Strategy for Cancun   |
|-------------|--|--|--|---|---|
| Para 25 DMD | Cancun for possible explicit consensus decision on launch and modalities | <p>Membership still divided, with most developing countries still opposed to negotiations on WTO framework agreement on competition policy.</p> <p>Working Group on Trade and Competition Policy (WGTCP) meetings to focus on:</p> <ul style="list-style-type: none"> <li>- Further discussion of Para 25 DMD elements for multilateral framework on competition</li> <li>- Compliance mechanism for such framework</li> <li>- Elements of progressivity and flexibility for possible inclusion in the framework</li> <li>- Technical assistance</li> <li>- Other matters, including stocktaking of national legislation</li> </ul> <p>EC has submitted a paper (WT/GC/W/491, 27 Feb 2003) outlining suggested elements for modalities for the 4 Singapore issues.</p> | <p>The creation of a competition framework in the WTO may eventually lead to increased access by developed countries into developing country markets. WTO may not be the forum for crafting such a multilateral framework.</p> | <p>Demandeurs may link progress in agriculture (i.e. agriculture production and export subsidies) in favour of developing countries, or progress in IRIs, to the achievement of consensus on negotiations modalities for trade and competition in Cancun</p> <p>Demandeurs may use other WTO bodies to push for further movement in this area in the event that modalities discussions do not go anywhere</p> | <p>Should developing countries:</p> <ul style="list-style-type: none"> <li>- Oppose any discussion on modalities in preparation to the Cancun Ministerial?</li> <li>- Oppose any 'explicit consensus' on modalities in Cancun for starting negotiations on trade and competition?</li> <li>- Prepare in advance by identifying the issues that <u>should not</u> be included in a modalities paper on competition and those that could be of interest from the perspective of developing countries to include?</li> <li>- Insist on UNCTAD continue providing support on technical assistance activities; and/or place emphasis on policy and institutional issues; and/or focus on the need for assessment and evaluation of technical assistance activities?</li> </ul> <p>Can developing countries suggest discontinuation of the mandate of the WGTCP in light of on-going work in other international forums such as UNCTAD and International Competition Network?</p> <p>Finally, should all 4 Singapore issues be considered as a single package for purposes of developing the positions of developing countries, or should they be treated as separate and distinct issues that can be split up from each other?</p> |

## ***Singapore Issues: Trade and Investment***

| Mandate                  | Timeline   | State of play (brief description of negotiating status and major differences in positions)  | Developing country interests   | Possible link to other negotiating issues  | Some Ideas for a Possible Strategy for Cancun  |
|--------------------------|--|---|--|--|--|
| Paras. 20, 21 and 22 DMD | Cancun for possible explicit consensus decision on launch and modalities | <p>Members divided on this issue. Most developing countries are still not convinced on the merits to negotiate a multilateral framework on investment at the WTO.</p> <p>Two formal meetings to take place in 2003. Discussions will continue around the issues listed under para. 22 of the DMD and a check-list of key questions drawn by the Chairman and presented as ‘conclusion’ in the 2002 Annual Report to the General Council. Main broad categories of issues included in the check-list: scope and definition, substantive provisions and specific commitments. No specific indication has been made regarding the discussion on modalities. However, the Chairman would hold consultation with Members regarding the agenda of the working group. EC has submitted a paper (WT/GC/W/491, 27 Feb 2003) outlining suggested elements for modalities for the 4 Singapore issues.</p> <p>Differences remain as to the interpretation of the Doha mandate on investment. Most developing countries insist that a decision needs to be made by explicit consensus at the Cancun Ministerial Conference for initiating negotiations on this issue. Other countries like the EC, Japan and Korea (demandeurs) consider investment as part of the single undertaking and that a decision was already made at Doha about</p> | Most developing countries oppose negotiations on investment within the WTO. Some question the competence of WTO to deal with investment issues. Most are concerned with the implications for development of a multilateral framework on investment at the WTO and are not convinced of the benefits it may provide in terms of increased investment flows and technology transfer. | <p>Most likely, demandeurs of this issue would make a link with agriculture negotiations conditioning any concession to developing countries in those negotiations to their agreement on starting negotiations on investment and other Singapore issues.</p> <p>The same could happen with issues related to implementation.</p> | <p>Should developing countries:</p> <ol style="list-style-type: none"> <li>1. Oppose any discussion on modalities in preparation to the Cancun Ministerial?</li> <li>2. Oppose any ‘explicit consensus’ on modalities in Cancun for starting negotiations on investment?</li> <li>3. Prepare in advance by identifying the issues that <u>should not</u> be included in a modalities paper on investment and those that could be of interest from the perspective of developing countries to include (i.e. transfer of technology, performance requirements, home country and investor obligations, etc.)?</li> <li>4. Insist on UNCTAD continue providing support on technical assistance activities; and/or place emphasis on policy and institutional issues; and/or focus on the need for assessment and evaluation of technical assistance activities?</li> <li>5. Can developing countries suggest discontinuation of the mandate of the WGTI as being inappropriate for inclusion in the WTO framework?</li> </ol> <p>Finally, should all 4 Singapore issues be considered as a single package for pur-</p> |

|  |  |  |  |  |   |
|--|--|--|--|--|---|
|  |  | <p>starting negotiations on this issue. The EC considers the study-phase of the Working Group on Trade and Investment (WGTI) finished and would like the discussions on modalities regarding the scope and process of the negotiations to start as soon as possible. The US is not particularly interested in negotiations on investment due to fears that a not ambitious enough agreement may result. Would like a broad definition of investment to be covered by the agreement, including portfolio investment. US priorities within the Singapore issues are trade facilitation and transparency in government procurement.</p> |  |  | <p>poses of developing the positions of developing countries, or should they be treated as separate and distinct issues that can be split up from each other?</p> |
|--|--|--|--|--|---|

## ***Singapore Issues: Transparency in Government Procurement***

| Mandate   | Timeline  | State of play (brief description of negotiating status and major differences in positions)   | Developing country interests  | Possible link to other negotiating issues   | Some Ideas for a Possible Strategy for Cancun   |
|---|---|--|---|---|---|
| <p>Para 26 DMD</p> <p>Negotiations limited to transparency aspects.</p> | <p>Cancun for possible explicit consensus decision on launch and modalities</p> | <p>Discussions so far have focused on the transparency-related provisions in existing international instruments on government procurement and national procedures and practices. The idea being to review national legislation in order to come up with some common minimum level of procedures and practices associated with transparency.</p> <p>Discussions are centred on a list of issues raised which includes the following points: definition and scope of government procurement; procurement methods, publication of information on national legislation and procedures; information on procurement opportunities, tendering and qualification; time-periods; transparency of decisions on qualifications; transparency of decisions on contract awards; domestic review procedures; other matters relating to transparency; information to be provided to other governments; WTO Dispute settlement procedures; S&amp;D.</p> <p>EC has submitted a paper (WT/GC/W/491, 27 Feb 2003) outlining suggested elements for modalities for the 4 Singapore issues.</p> | <p>Developing countries are principally concerned with keeping the mandate of the Working Group on Transparency in Government Procurement (WGTGP) and of a potential agreement limited in order to avoid overburdening themselves with obligations which would entail burdensome administrative procedures and could limit governmental flexibility. India and Malaysia have been among the most vocal developing countries attempting to limit the scope of the discussions (attempting to exclude all discussions that are not strictly related to transparency) while the EU seems to favour a very broad mandate.</p> | <p>There is an obvious link between all 4 Singapore issues. So far the issues have always been considered as a block but it seems that some developing countries do not necessarily have the same level of concern with regard to trade facilitation and transparency in government procurement as with investment and competition.</p> | <p>Should developing countries:</p> <ul style="list-style-type: none"> <li>- Oppose any discussion on modalities in preparation to the Cancun Ministerial?</li> <li>- Oppose any 'explicit consensus' on modalities in Cancun for starting negotiations on transparency in government procurement?</li> <li>- Prepare in advance by identifying the issues that <u>should not</u> be included in a modalities paper on transparency in government procurement and those that could be of interest from the perspective of developing countries to include?</li> <li>- Insist on UNCTAD continue providing support on technical assistance activities; and/or place emphasis on policy and institutional issues; and/or focus on the need for assessment and evaluation of technical assistance activities?</li> </ul> <p>Finally, should all 4 Singapore issues be considered as a single package for purposes of developing the positions of developing countries, or should they be treated as separate and distinct issues that can be split up from each other?</p> |

### **Singapore Issues: Trade Facilitation**

| Mandate     | Timeline   | State of play (brief description of negotiating status and major differences in positions)  | Developing country interests   | Possible link to other negotiating issues   | Some Ideas for a Possible Strategy for Cancun   |
|-------------|--|---|--|---|---|
| Para 27 DMD | Cancun for possible explicit consensus decision on launch and modalities | <p>EC has submitted a paper (WT/GC/W/491, 27 Feb 2003) outlining suggested elements for modalities for the 4 Singapore issues.</p> <p>The Council for Trade in Goods devoted 1-1/2 days (12-13 March) to its work on trade facilitation (simplification of trade procedures). New papers were presented individually by developed countries (i.e. Canada, US, New Zealand, EC). Some members recognized the benefits of trade facilitation but, at the same time, many developing countries continue to question the need for establishing of new commitments in this area that would be subject to WTO dispute settlement.</p> | <p>Adding new commitments on trade facilitation may impact on developing country flexibilities with respect to customs administration, and impose added administrative burdens on them.</p> <p>It would be to the interest of developing countries to retain administrative and regulatory flexibility to adopt and implement the customs administration that is appropriate for their needs and economic conditions. Adoption of new commitments would restrict such flexibility.</p> | <p>There is an obvious link between all 4 Singapore issues. So far the issues have always been considered as a block but it seems that some developing countries do not necessarily have the same level of concern with regard to trade facilitation and transparency in government procurement as with investment and competition.</p> | <p>Should developing countries:</p> <ul style="list-style-type: none"> <li>- Oppose any discussion on modalities in preparation to the Cancun Ministerial?</li> <li>- Oppose any 'explicit consensus' on modalities in Cancun for starting negotiations on trade facilitation?</li> <li>- Prepare in advance by identifying the issues that <u>should not</u> be included in a modalities paper on trade facilitation and those that could be of interest from the perspective of developing countries to include?</li> <li>- Emphasize need for technical assistance and capacity-building in pursuit of voluntary improvements in customs administration, rather than creation of binding new commitments?</li> </ul> <p>Finally, should all 4 Singapore issues be considered as a single package for purposes of developing the positions of developing countries, or should they be treated as separate and distinct issues that can be split up from each other?</p> |

### ***Doha Issues: Trade and Transfer of Technology***

| Mandate      | Timeline   | State of play (brief description of negotiating status and major differences in positions)  | Developing country interests   | Possible link to other negotiating issues  | Some Ideas for a Possible Strategy for Cancun   |
|--------------|--|---|--|--|---|
| Para 37 DMD. | The working group is to report on the progress of the examination to the Fifth Ministerial in Sept 2003. | <p>There is no negotiating mandate for the working group. The mandate is for an examination of the relationship between trade and transfer of technology and any possible recommendations for improving the flow of technology to developing countries.</p> <p>Four main types of work have been undertaken in the working group:</p> <ul style="list-style-type: none"> <li>- an analysis of the relationship between trade and transfer of technology;</li> <li>- a review of the work of other international organizations and academia;</li> <li>- sharing of country experiences and;</li> <li>- the identification of WTO provisions related to transfer of technology.</li> </ul> <p>Two papers were submitted by developing countries on the objectives and terms of reference of the working group and on provisions relating to transfer of technology in WTO agreement. The other substantive paper was introduced by the EU which suggested that the work of the group focus on developing a common understanding on the definition of transfer of technology; identification of various channels of transfer and; the conditions under which transfer is most effective. The work programme for 2003 is aimed at continuing to discuss the same items.</p> | Developing countries have argued that in order to fulfil the Ministerial mandate the first crucial step would be to examine the extent to which the current transfer of technology in WTO agreements has worked; the difficulties experienced in utilizing them and; based on the results of the assessment developing concrete ways to improve the current provisions as well as introducing new transfer of technology provisions. | The issue of transfer of technology cuts across the board as the provisions are scattered in various WTO agreements. Based on the experience with earlier transfer of technology agreements in other fora creating possible linkages will depend on whether developing countries want to move the process into negotiations or whether they do not anticipate much movement in this area and would be prepared to trade off the working group. | To determine the strategy to be adopted for Cancun on trade and transfer of technology, it is important that developing countries make a strategic decision as to what they seek to do with the working group. Whatever the decision, however, the strategy should include raising the profile of the discussions on trade and transfer of technology. So far, the discussions have not attracted sufficient attention and no sufficient momentum has been built either to propel the discussions into negotiations after the Fifth Ministerial or to exact a high trade off price. |



### ***Doha Issues: Trade, Debt and Finance***

| Mandate            | Timeline   | State of play (brief description of negotiating status and major differences in positions)  | Developing country interests   | Possible link to other negotiating issues   | Some Ideas for a Possible Strategy for Cancun   |
|--------------------|--|---|--|---|---|
| Paras 5 and 36 DMD | The working group is to report on the progress of the examination to the Fifth Ministerial in Sept 2003. | Two meetings for 2003 have been scheduled by the Working Group on Trade, Debt and Finance (WGTDF) for 28 Mar and 5-6 June. No work program has been agreed upon as yet. EU, African Group, Cuba, and Argentina have each made submissions. The WGTDF currently does not have a negotiating mandate. | WGTDF can be good forum to address coherence-issues relating to impact of WB, IMF, and WTO policies on development policies/options for developing countries. It can also look at how finance and debt policies can support expansion of market access for developing countries.<br><br>Its mandate needs to be renewed. | EU and WTO Secretariat are suggesting linkage of WGTDF discussions to discussions on trade and competition and trade and investment | What issues need to be included in the WGTDF work program or agenda?<br><br>How should attempts to link work in the WGTDF to work on Singapore issues (especially investment) be responded to?<br><br>Do developing countries need to ensure that WGTDF report to Cancun recommends continuation of the mandate of the working group? |

### ***Doha Issues: Small Economies***

| Mandate        | Timeline  | State of play (brief description of negotiating status and major differences in positions)   | Developing country interests   | Possible link to other negotiating issues | Some Ideas for a Possible Strategy for Cancun  |
|----------------|---|--|--|---|--|
| Para 35<br>DMD | Recommendations by General Council to Cancun ministerial conference | <p>This issue has been taken up in dedicated special sessions of the CTD, in which the discussions focused on submissions made by many small developing country economies that identify the characteristics of small economies that make them especially vulnerable, the trade-related issues that adversely affect their trade and development, and the actions needed to respond to these issues.</p> <p>In view of the discussions that have taken place, a group of small island developing states has recently submitted a new proposal (WT/COMTD/SE/W/8) requesting the CTD to use their previous submissions as the basis for the CTD's recommendations to the Cancun ministerial conference.</p> | <p>This issue is of particular interest to a specific sub-set of developing countries that is among those that are either the most economically marginalized or are more vulnerable to adverse trade movements.</p> <p>Positive movement on this issue is therefore needed to redress existing inequities in the trading system, especially for these countries.</p> |   | <p>Can developing countries push for a Ministerial Conference decision that would adopt and operationalise the proposals in WT/COMTD/SE/W/3?</p> |

## Annex I: Graphical Representation of Doha Work Programme Status

Notes:

- Issues in *italics* are issues of particular importance to developing countries
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|---|
| ● |
|---|

 indicate full achievement of the qualitative indicator
- |   |
|---|
| ○ |
|---|

 indicate minimal or less than full achievement of the qualitative indicator
- |  |
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|  |
|--|

 indicate non-achievement of the qualitative indicator

| Issue   | Qualitative Indicators for Assessing the Progress<br>of the Doha Work Programme for Developing Countries |  |   |   |   |  |                           |
|---|--|--|---|---|---|--|---------------------------|
|   | Discussions<br>or negotia-<br>tions initi-<br>ated   | Agreement on<br>working man-<br>date post-<br>Doha reached | Agreement<br>on modali-<br>ties or on<br>content of<br>mandated<br>report<br>moving<br>process<br>forward | Participation<br>by developing<br>countries | Mandated<br>negotiating<br>deadlines<br>met | Developing<br>countries'<br>negotiating<br>objectives<br>met | Negotiations<br>concluded |
| <b><i>Implementation-related issues and concerns*</i></b>   | ●  |  |   | ●   |   |  |                           |
| <b><i>Special and differential treatment*</i></b>   |  |  |   |   |   |  |                           |
| - <i>making existing S&amp;D provisions effective and operational by July 2002*</i>                       | ●  |  |   | ●   |   |  |                           |
| - <i>establishment of S&amp;D monitoring mechanism*</i>   | ●  | ●  | ●   | ●   | ●   | ●  | ●                         |
| <b><i>Agriculture*</i></b>  |  |  |   |   |   |  |                           |
| - <i>reform of agriculture subsidies disciplines*</i>   | ●  | ●  |   | ●   |   |  |                           |
| - <i>effective S&amp;D for developing countries – e.g. special safe-guards, strategic products, etc.*</i> | ●  | ●  |   | ●   |   |  |                           |
| <b><i>Services</i></b>  |  |  |   |   |   |  |                           |
| - request-offer negotiations in market access for trade in services                                       | ●  | ●  | ●   | ○   | ○   |  |                           |
| - <i>agreement on modalities for special treatment of LDCs*</i>   | ●  | ●  |   | ●   |   |  |                           |
| - domestic regulation disciplines under GATS Art. VI:4  | ●  |  |   |   |   |  |                           |

| - creation of emergency safeguard mechanism*   | ●   | ●  |   | ●                                     |                                    |  |                        |
|--|---|--|---|---------------------------------------|------------------------------------|--|------------------------|
| Issue  | Qualitative Indicators for Assessing the Progress of the Doha Work Programme for Developing Countries |  |   |                                       |                                    |  |                        |
|  | Discussions or negotiations initiated   | Agreement on working mandate post-Doha reached | Agreement on modalities or on content of mandated report moving process forward | Participation by developing countries | Mandated negotiating deadlines met | Developing countries' negotiating objectives met | Negotiations concluded |
| <b>Services continued ...</b>  |   |  |   |                                       |                                    |  |                        |
| - <i>assessment of trade in services*</i>  | ●   |  |   | ●                                     |                                    |  |                        |
| - <i>credit for autonomous liberalization*</i>   | ●   | ●  | ●   | ●                                     | ●                                  | ○  | ●                      |
| <b>TRIPS</b>   |   |  |   |                                       |                                    |  |                        |
| - <i>TRIPS and Public Health Paragraph 6*</i>  | ●   | ●  |   | ●                                     |                                    |  |                        |
| - non-violation and situation complaints   | ●   | ●  |   | ○                                     |                                    |  |                        |
| - <i>review of TRIPS Art. 27.3(b)*</i>   | ●   | ●  |   | ●                                     |                                    |  |                        |
| - <i>relationship of TRIPS, CBD, and protection of traditional knowledge*</i>            | ●   | ●  |   | ●                                     |                                    |  |                        |
| - geographical indications for wines and spirits   | ●   | ●  |   |                                       |                                    |  |                        |
| - geographical indications for other products  |   |  |   | ●                                     |                                    |  |                        |
| - implementation mechanism for TRIPS Art. 66.2   | ●   | ●  | ●   | ●                                     | ●                                  | ●  | ●                      |
| <b>Market access for non-agricultural goods</b>  |   |  |   |                                       |                                    |  |                        |
| - <i>conduct of appropriate studies*</i>   |   |  |   |                                       |                                    |  |                        |
| - agreement on modalities  | ●   | ●  |   | ○                                     |                                    |  |                        |
| <b>WTO rules on SCM, AD, fisheries subsidies, and RTAs – agreement on needed changes</b> | ●   |  |   | ●                                     |                                    |  |                        |
| <b>Trade and environment</b>   |   |  |   |                                       |                                    |  |                        |
| - relationship between MEA specific trade obligations and WTO rules                      | ●   | ●  | ●   | ○                                     |                                    |  |                        |
| - MEA-WTO information exchange   | ●   | ●  |   | ●                                     |                                    |  |                        |
| - MEA observership in WTO  | ●   | ●  |   | ●                                     |                                    |  |                        |

Notes:

- Issues in *italics* are issues of particular importance to developing countries - ○ indicate minimal or less than full achievement of the qualitative indicator

-  indicate full achievement of the qualitative indicator -  indicate non-achievement of the qualitative indicator

| Issue   | Qualitative Indicators for Assessing the Progress of the Doha Work Programme for Developing Countries |  |   |                                       |                                    |  |                        |
|---|---|--|---|---------------------------------------|------------------------------------|--|------------------------|
|   | Discussions or negotiations initiated   | Agreement on working mandate post-Doha reached | Agreement on modalities or on content of mandated report moving process forward | Participation by developing countries | Mandated negotiating deadlines met | Developing countries' negotiating objectives met | Negotiations concluded |
| <b>Trade and environment</b> continued ...                                |   |  |   |                                       |                                    |  |                        |
| - negotiations on environmental goods and services                        | •   | •  |   |                                       |                                    |  |                        |
|   | •   | •  | •   |                                       |                                    |  |                        |
| <i>Dispute settlement understanding (not part of single undertaking)*</i> | •   | •  |   | •                                     |                                    |  |                        |
| <b>Trade and competition (study process)</b>                              | •   | •  |   | ○                                     |                                    |  |                        |
| <b>Trade and investment (study process)</b>                               | •   | •  |   | ○                                     |                                    |  |                        |
| <b>Transparency in government procurement (study process)</b>             | •   | •  |   | ○                                     |                                    |  |                        |
| <b>Trade facilitation (study process)</b>                                 | •   | •  |   | ○                                     |                                    |  |                        |
| <i>Trade and transfer of technology* (study process)</i>                  | •   | •  |   | ○                                     |                                    |  |                        |
| <i>Trade, debt and finance* (study process)</i>                           | •   | •  |   | •                                     |                                    |  |                        |
| <i>Small economies* (study process)</i>                                   | •   | •  |   | •                                     |                                    |  |                        |

## Notes:

- Issues in *italics* are issues of particular importance to developing countries

-  indicate full achievement of the qualitative indicator

-  indicate minimal or less than full achievement of the qualitative indicator

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