

WTO 杜哈回合談判網頁內容

貿易與發展談判小組

一、杜哈部長宣言指示談判範圍

- (一) 杜哈部長宣言第 44 段：指示應就 WTO 各協定之特殊及差別待遇 (S&D) 條款進行檢討與強化，以使其更精確、有效及可行。

We reaffirm that provisions for special and differential treatment are an integral part of the WTO Agreements. We note the concerns expressed regarding their operation in addressing specific constraints faced by developing countries, particularly least-developed countries. In that connection, we also note that some Members have proposed a Framework Agreement on Special and Differential Treatment (WT/GC/W/442). We therefore agree that all special and differential treatment provisions shall be reviewed with a view to strengthening them and making them more precise, effective and operational. In this connection, we endorse the work programme on special and differential treatment set out in the Decision on Implementation-Related Issues and Concerns.

- (二) 執行相關議題與關切事項之決議第 12.1 段：指示貿易與發展委員會進行下列工作：

1. 就本質上已有強制性，以及性質上不具拘束性之 S&D 條款予以認定；考量將 S&D 條款轉換為具強制性條款，在法律上及實務上對已開發會員及開發中會員之意涵；界定出會員認為應為強制性之條款，並於 2002 年 7 月前向總理事會提出明確之建議報告；
2. 就更有效執行 S&D 條款之其他方法進行檢討，包

括改善資訊流程，俾協助開發中國家（特別是低度開發國家）有效利用 S&D 條款，並於 2002 年 7 月 前向總理事會提出明確之建議報告；

3. 依據第四屆部長會議採認之工作計畫，考量如何將 S&D 納入 WTO 規範架構。

The Committee on Trade and Development is instructed:

- (i) to identify those special and differential treatment provisions that are already mandatory in nature and those that are non-binding in character, to consider the legal and practical implications for developed and developing Members of converting special and differential treatment measures into mandatory provisions, to identify those that Members consider should be made mandatory, and to report to the General Council with clear recommendations for a decision by July 2002;
- (ii) to examine additional ways in which special and differential treatment provisions can be made more effective, to consider ways, including improved information flows, in which developing countries, in particular the least-developed countries, may be assisted to make best use of special and differential treatment provisions, and to report to the General Council with clear recommendations for a decision by July 2002; and
- (iii) to consider, in the context of the work programme adopted at the Fourth Session of the Ministerial Conference, how special and differential treatment may be incorporated into the architecture of WTO rules.