

MINISTERIAL CONFERENCE
Eighth Session
Geneva, 15 - 17 December 2011

EIGHTH MINISTERIAL CONFERENCE

Chairman's Concluding Statement

My statement is in two parts. The first part represents Elements for Political Guidance which emerged from the preparatory process. These Elements were the subject of consensus in the General Council. They were circulated in document WT/MIN(11)/W/2. As the General Council Chairman has already assured Members, I wish to reiterate that nothing in this text re-interprets or changes any WTO rules or agreements or prejudices any Member's rights and obligations. In particular, the Doha mandate remains as formally agreed by Members in its entirety and neither the consensus Elements for Political Guidance in Part I, nor the non-exhaustive summary in Part II of this statement, change or reinterpret it. Neither the Elements nor my summary are legally binding.

Part II is my summary, under my own responsibility, of the main points which have emerged from the discussions over the past two and a half days. I have also taken into account declarations and written statements submitted by Members. The summary is not exhaustive but I hope that I have captured the key issues.

PART I

ELEMENTS FOR POLITICAL GUIDANCE

Importance of the Multilateral Trading System and the WTO

Ministers emphasize the value of the rules-based multilateral trading system and agree to strengthen it and make it more responsive to the needs of Members, especially in the current challenging global economic environment, in order to stimulate economic growth, employment and development.

Ministers underscore that the WTO's role in keeping markets open is particularly critical in light of the challenging global economic environment. The WTO has a vital role to play in the fight against all forms of protectionism and in promoting economic growth and development. Ministers also acknowledge that experience has shown that protectionism tends to deepen global economic downturns. Ministers fully recognize WTO rights and obligations of Members and affirm their commitment to firmly resist protectionism in all its forms.

Ministers underline the importance of the work of regular WTO bodies including their role in the oversight of implementing existing Agreements; dispute avoidance; transparency through monitoring and reporting and as a forum for the consideration of trade-related issues raised by Members. Ministers call for strengthening and improving their functioning.

Ministers recognize the important asset that the WTO Dispute Settlement system represents and commit themselves to strengthen it, including through concluding the DSU review negotiations.

Ministers welcome the accessions of Vanuatu, Samoa, the Russian Federation and Montenegro to the WTO and recognize the contribution of accession to strengthening the multilateral trading system. Ministers remain committed to efforts to facilitate accessions, in particular of least-developed countries (LDCs).

Trade and Development

Ministers reaffirm that development is a core element of the WTO's work. They also reaffirm the positive link between trade and development and call for focused work in the Committee on Trade and Development (CTD) which is to conduct this work in accordance with its mandate and report the results achieved to Ministers at the Ninth Session. Ministers call on WTO Members to fully operationalize the mandate of the CTD as a focal point for development work.

Ministers reaffirm the need for the WTO to assist in further integrating developing countries, particularly LDCs and, without creating a sub-category of WTO Members, small, vulnerable economies, into the multilateral trading system.

Ministers acknowledge the needs of LDCs and commit themselves to ensure that LDCs' interests are given due priority in the future work of the WTO. In this regard, they have taken decisions concerning LDC accession in document WT/COMTD/LDC/19, extension of the LDC transition period under Article 66.1 of the TRIPS Agreement in document IP/C/59/Add.2, and LDCs services waiver in document TN/S/37. Ministers also urge the full implementation of Decision 36 of Annex F of the Hong Kong Ministerial Declaration of 2005 on measures in favour of LDCs. Ministers also welcome the Istanbul Programme of Action for LDCs for the decade 2011-2020.

Ministers confirm their commitment to on-going dialogue and engagement to progress the mandate in paragraph 11 of the Hong Kong Ministerial Declaration to address cotton "ambitiously, expeditiously and specifically", within the agriculture negotiations. Ministers highlight the value of on-going reporting on cotton, and invite the Director-General to continue furnishing periodic reports on the development assistance aspects of cotton to each Ministerial Conference. Ministers commend the work being undertaken within the Director-General's Consultative Process to advance developmental assistance aspects of cotton.

Ministers reaffirm the integrality of special and differential treatment provisions to the WTO agreements and their determination to fulfil the Doha mandate to review them with a view to strengthening them and making them more precise, effective and operational. Ministers agree to expedite work towards finalizing the Monitoring Mechanism for special and differential treatment. They also agree to take stock of the 28 Agreement-specific proposals in Annex C of the draft Cancún text with a view to formal adoption of those agreed.

Ministers take note of the progress achieved on Aid for Trade and of the Third Global Aid for Trade Review. They agree to maintain, beyond 2011, Aid for Trade levels that at least reflect the average of the period 2006-2008 and to work with development banks to ensure the availability of trade finance to low income countries. Ministers reiterate their commitment to funding the WTO Global Trust Fund in a predictable and timely manner to enable the Secretariat to continue to provide the Technical Assistance and Capacity Building required.

Ministers acknowledge the WTO's co-operation with other development-related organizations, in particular, the International Trade Centre (ITC). Ministers reaffirm the ITC's role in

improving and enhancing trade support institutions and policies for the benefit of exporting efforts; and in strengthening the export capacity of enterprises to respond to market opportunities. Ministers encourage the ITC to support and assist developing countries to address business environment and market access issues affecting the private sector.

Doha Development Agenda

Ministers deeply regret that, despite full engagement and intensified efforts to conclude the Doha Development Agenda single undertaking since the last Ministerial Conference, the negotiations are at an impasse.

Ministers acknowledge that there are significantly different perspectives on the possible results that Members can achieve in certain areas of the single undertaking. In this context, it is unlikely that all elements of the Doha Development Round could be concluded simultaneously in the near future.

Despite this situation, Ministers remain committed to work actively, in a transparent and inclusive manner, towards a successful multilateral conclusion of the Doha Development Agenda in accordance with its mandate.

In order to achieve this end and to facilitate swifter progress, Ministers recognize that Members need to more fully explore different negotiating approaches while respecting the principles of transparency and inclusiveness.

In this context, Ministers commit to advance negotiations, where progress can be achieved, including focusing on the elements of the Doha Declaration that allow Members to reach provisional or definitive agreements based on consensus earlier than the full conclusion of the single undertaking.

Ministers also stress that they will intensify their efforts to look into ways that may allow Members to overcome the most critical and fundamental stalemates in the areas where multilateral convergence has proven to be especially challenging.

Ministers maintain that, in their negotiations, they will continue their work based on the progress already made. Ministers affirm that any agreements reached, at any time, have to respect fully the development component of the mandate.

PART II

SUMMARY OF KEY ISSUES RAISED IN THE DISCUSSIONS

Keeping markets open and resisting protectionism

Ministers highlighted the importance of keeping markets open and the need to resist protectionism particularly in this challenging global economic environment. Many Ministers sought a stronger message against protectionism, stating that the prevailing economic climate had made it all the more essential. In this regard, they urged Members to commit to a standstill on all forms of protectionism; to roll back any protectionist measures that had been introduced during the crisis; to not introduce new protectionist measures while the Doha negotiations were on-going; and, to exercise maximum restraint in implementing measures that may be WTO-consistent but have a significant protectionist effect. The need for a regular monitoring mechanism was highlighted, including through reinforcing the Trade Policy Review Body. Many Ministers welcomed the Director-General's monitoring reports on recent trade developments.

Other Ministers said that the rules-based nature of the WTO system with its rights and obligations needed to be taken into account. Development aspects also needed to be considered. They stressed that in these challenging times, the right of Members to use existing WTO-consistent policy space to achieve economic and development objectives should not be curtailed. Some Ministers also stressed that all forms of protectionism, not only tariffs, should be considered in any commitment.

A number of Ministers expressed concern over the increase of protectionism in agricultural trade in the form of trade-restrictive measures without scientific or technical justification and not in conformity with the SPS and TBT Agreements. Some Ministers also expressed concern with increasing resort to private standards and food labelling requirements.

It was suggested that a technical workshop on protectionism be convened in 2012 to examine all aspects of the issue, with participation by all relevant stakeholders.

Ministers widely acknowledged that improving Members' compliance with notification obligations would enhance transparency across WTO bodies and help to discourage protectionism.

Current global challenges

A number of Ministers stressed that for the WTO to remain credible and relevant it needed to address current global challenges. Some of the issues mentioned in this discussion included climate change, energy, food security, trade and exchange rates, competition and investment. Some Ministers stated that it was time to explore these issues in WTO regular bodies to enable the membership to improve understanding of their implications for trade and development while continuing efforts to seek a conclusion of the Doha Round.

Other Ministers expressed reservations about initiating negotiations on new issues. They were concerned about the possibility of addressing issues selectively or shifting the focus away from unresolved issues in the DDA negotiations. They stressed that any new issue should only be brought to committees in accordance with their normal rules and procedures and within their respective mandates.

Some Ministers said that the WTO needed to pay more attention to global value chains. In this regard, calls were made to build on the Secretariat's recent "Made in the World" initiative.

Some Ministers welcomed the decision of the Working Group on Trade, Debt and Finance to convene a seminar on the relationship between exchange rates and trade in the first quarter of 2012. Some Ministers also highlighted the need for greater coherence between the WTO and other international institutions, including the IMF.

Dispute settlement

The central role of the dispute settlement system in ensuring predictability and security of the multilateral trading system was stressed by many Ministers. The need to improve DSU procedures and make the system more accessible to least-developed countries and small, vulnerable economies was stressed. In that regard, many Ministers urged the completion of the DSU negotiations in 2012.

Accessions

There was wide convergence on the importance of accessions to making the multilateral trading system truly universal. Ministers welcomed the adoption of the decision further streamlining LDCs accessions and urged its rapid operationalisation. Some Ministers drew attention to the substantive and procedural challenges in the accession process for other developing countries and urged streamlining of these processes too, including not subjecting acceding countries to commitments beyond their levels of development.

Regional Trade Agreements (RTAs)

A large number of Ministers pointed to the growing number of RTAs and stressed the need to ensure that they remain complementary to, not a substitute for, the multilateral trading system. In that regard, many Ministers stressed the need for the WTO to address the systemic implications of RTAs for the multilateral trading system and to study trends in RTAs and report to the Ninth Ministerial Conference.

The role of the Committee on Trade and Development (CTD)

The importance of the development dimension of the WTO's work was highlighted by a large number of Ministers, many of whom stressed the need to strengthen the CTD as a focal point for development issues. In that context, some Ministers suggested the full operationalization of the CTD's mandate including the review and monitoring of special and differential treatment provisions in the WTO. Others expressed support for the finalization of the S&D Monitoring Mechanism and the adoption of Annex C of the draft Cancún text. Other Ministers also suggested that consideration should be given to outstanding implementation issues in line with Paragraph 12 of the Doha Ministerial Declaration.

Food security

Many Ministers urged WTO Members to commit to remove and not to impose in the future, food export restrictions or extraordinary taxes for food purchased for non-commercial humanitarian purposes by the World Food Programme. Other Ministers stressed the importance of addressing the root causes of food insecurity and underlined the importance of allowing Members to use their rights under WTO Agreements.

Some Ministers signalled their support for a proposal to establish a work programme on trade-related responses to mitigate the impact of food market prices and volatility, especially on LDCs and NFIDCs, for action by the Ninth Ministerial Conference. Several Ministers noted that the issue of food security was multi-faceted and needed to be looked at in its entirety, including the impact of export restrictions on international prices.

Aid for Trade and the Enhanced Integrated Framework.

There was broad recognition of the importance of Aid for Trade to build trade capacity and facilitate the integration of beneficiary countries into the multilateral trading system. The specific role of the Enhanced Integrated Framework for LDCs was underscored. Some Ministers called for ensuring that Aid for Trade funding addresses the need of developing countries, particularly the specific needs of small, vulnerable economies and urged co-operation with other relevant institutions to that effect. The importance of the regional dimension of Aid for Trade and of trade finance were also highlighted.

Doha Round negotiations

Many Ministers expressed deep regret at the impasse currently facing the Doha Round. They nevertheless reaffirmed their commitment to delivering on the Doha mandate.

On the work ahead, while a number of Ministers emphasised their openness to different negotiating approaches, some expressed strong reservations about plurilateral approaches.

Many Ministers stressed the need for Members to start identifying areas where provisional or definitive agreements could be reached in the shorter term. Others indicated the need to move step by step, bottom-up, to avoid repeating past failed attempts.

Many Members stressed that any different approaches in the work ahead should conform to the Doha mandate, respect the single undertaking, and be truly multilateral, transparent and inclusive.

In looking at future work, a large number of Ministers stressed the centrality of development. Many underlined the need to give priority to issues of interest to LDCs, including cotton. Many mentioned the importance of all three pillars in the agriculture negotiations. Many also mentioned trade facilitation, special and differential treatment, S&D Monitoring Mechanism and non-tariff measures.

There was a shared sense that a key question to unlock the current impasse is the balance in contributions and responsibilities between emerging and advanced economies, although there were different views as to what the appropriate shares in this balance should be.

Several Ministers emphasized the importance of a transparent, inclusive and bottom-up approach in the work ahead while others stressed the need to take account of all Members' views and avoid attributing the views of a few to the whole membership.

That concludes my summary. Before moving to close the meeting, I would like to say a few words of appreciation and share some personal reflections with you.

First of all, my warmest gratitude to all those who have worked so hard to make this Conference a success against considerable odds. I want especially to thank Ministers Cadiz, Mustapa and Schneider-Amman, whose skills as Vice-Chairs have made a key contribution to the smooth handling of a busy agenda. Thanks also to Ambassador Agah for his skilful management of the preparatory process, Director-General Lamy for his strong support and advocacy, and the whole Secretariat team for their professionalism and dedication. Most of all, I want to thank you, the Ministers, for your constructive and co-operative participation. In these challenging times for international co-operation, I believe we have set a good example in these three days.

I see this Ministerial as significant in three main ways. Firstly, it has produced some positive decisions – the accessions of Russia, Montenegro and Samoa in particular, but also the Government Procurement Agreement and the seven Decisions we have just adopted. Secondly, we have sent a strong collective message that the WTO is more than ever important to the world. And thirdly, we have seen constructive dialogue among Ministers which has improved the WTO's atmosphere and outlook.

It is essential that we do not let this improved political mood dissipate. I believe the contacts among Ministers here have created a promising basis for renewing the political dimension of the WTO in a lasting way. I hope that informal dialogue among Ministers will continue actively after this meeting, and I commit myself to do everything I can to encourage that dialogue.
