

**General Council
14 and 24 February 2012**

MINUTES OF MEETING

Held in the Centre William Rappard
on 14 and 24 February 2012

*Chairmen: Mr Yonov Frederick Agah (Nigeria)
and Mrs Elin Johansen (Norway)*

At the outset of the meeting, the Chairman bade farewell to the Director of the Council & TNC Division, Mr Evan Rogerson, thanking him for his conscientious and dedicated service to the General Council and its Chairs since 2002, and for the crucial role he had played in WTO Ministerial Conferences during that time. He wished him the best in his future role as Director of the Agriculture Division. In the course of the meeting, the incoming Chair and many delegations shared the Chairman's sentiments.

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¹ The Proposed Agenda was circulated in document WT/GC/W/653.

² The General Council re-convened on 24 February 2012 to continue its consideration of item 5.

1. Report by the Chairman of the Trade Negotiations Committee

1. The Chairman invited the Director-General, Chairman of the TNC, to report on the TNC's activities since his last report to the Council.

2. The Director-General, Chairman of the TNC, said³ the starting point of his report would be the to-do list which had resulted from the Eighth Ministerial Conference. The follow-up task now before Members was to implement decisions and to operationalize elements for political guidance in a pragmatic and realistic manner as they sought to find convergence to move the negotiations forward. Before turning to the specifics of how he envisioned Members following up on MC8 outcomes and taking their work forward, he wished to provide them with a sense of the messages he had heard during his activities as TNC Chair since the beginning of 2012. As all knew, the Swiss Federal Counsellor responsible for trade had hosted the traditional informal Ministerial meeting in Davos at the end of January. From the discussions among Ministers present and from his meetings with individual Ministers and business representatives, a number of important messages had emerged that were in line with what had been heard at MC8. First, there was a collective sense to use 2012 to move in small steps on issues where consensus existed and to keep expectations manageable – i.e., a strong sense of pragmatism, avoiding dogmatism. Second, a shared sense against prescriptiveness. The collective view was that Members should be realistic and not set unattainable targets or packages that would lead to hostage-taking. Third, there seemed to be emerging consensus that certain issues such as those pertaining to LDCs and Trade Facilitation could be part of deliverables relatively soon. Fourth, during his meeting with business representatives, he had heard clear concerns that the proliferation of bilateral and regional trade arrangements risked scattering the global multilateral playing field. Attention should be paid to fostering convergence among both, instead of potential for divergence, in particular on their regulatory content. He had also attended the recent African Union summit in Addis Ababa and had held a number of bilateral meetings with Ministers and business groups. These meetings had confirmed the sense that both governments and business remained committed to advancing the DDA negotiations in a pragmatic manner.

3. In Geneva, he had continued his coordination meetings with Chairs of negotiating bodies, and the previous week, together with the General Council Chairman, had met with the Chairs of subsidiary bodies. The purpose of these meetings had been to provide a first opportunity for Chairs to begin reviewing the work that would be necessary following MC8. He had also used the occasion to highlight progress on savings and more efficient resource use in servicing and scheduling of meetings, following a decision by the General Council in November 2011. He would update Members on this under "Other Business" at the present meeting.⁴ Turning to work in Geneva, he was aware that some delegations had already started informal contacts among themselves aimed at trying to advance areas of importance to them. This was encouraging, and he hoped it would provide useful input to the negotiating groups. Three negotiating groups had met so far. The Negotiating Group on Trade Facilitation had had a good start. Members had agreed on a detailed programme for the first half of the year, with a series of facilitator sessions as a complement to regular work in the Group. The work in the DSU negotiations had also resumed as planned, with consultations held in the week of 30 January on flexibility and Member control, strictly confidential information, panel composition and third-party rights. The discussions had been constructive, with, in particular, substantial progress on draft language on participation of third parties in consultations. The next set of meetings was expected to take place in early March at dates to be confirmed soon. The Negotiating Group on Market Access had met on 24 January to discuss the organization of future work, which the respective Chairman intended to pursue in bilateral consultations. The Negotiating Group on Rules was also scheduled to meet at the end of the month, with the purpose of formally appointing Mr McCook

³ The Director-General's statement was subsequently circulated as JOB/GC/17.

⁴ See Item 6 of the present records.

(Jamaica) as Chair. The Chair-elect had also decided to re-activate the Technical Group, which would be meeting immediately following the latter's confirmation as Chair at the end of February.

4. He wished to offer his own views about how he saw Members moving the negotiations forward. The current political environment dictated that the most realistic and practical way forward was to move in small steps, gradually moving forward the parts of the Doha Round that were mature, and re-thinking those where greater differences remained. He believed that non-prescriptiveness was the right thing to do in the present cool temperature. Of course, Members could raise the temperature degree by degree as they progressed, but for now, one should begin at a low temperature, which was where they were. In practical terms, he had encouraged all Chairs to informally consult at the present stage to determine what each of their groups could do, step by step, in an informal manner. This of course, would be with the exception of Trade Facilitation and Dispute Settlement, where Members had agreed on detailed work plans that they were already implementing. He had also encouraged all Chairs to have a programme of consultations and themes, in order to ensure that their consultations did not end up flat. He would also strongly caution against any dogmatic debates over concepts or principles, which would only risk poisoning the cautiously optimistic atmosphere currently prevailing, and as a consequence, Members' discussions, and would not lead anywhere. In summary, calm, cool and pragmatic were the ways to move the pieces forward at the present moment. These were the ways he saw to deliver on the to-do list adopted at MC8. The year 2012 could not and should not be a wasted year. As all knew, the world economic outlook remained rather grim, and domestic crisis-related issues were absorbing leaders' political energy, with not much left for international cooperation. In these circumstances, one should not expect any major breakthrough any time soon, whether on trade, climate change or macroeconomic coordination. However, it was Members' responsibility to avoid further rocking the boat and to ensure that existing multilateral systems were not damaged, and the best way to do that was to keep improving them, albeit marginally, during this difficult period. All had a collective responsibility to maintain and sustain the multilateral trading system for the future.

5. Speaking as the Director-General, he recalled that at MC8 he had indicated his intention to convene a "Panel of Multi-Stakeholders of the WTO" to look at the real drivers of present and future world trade, obstacles to trade and trade patterns, and at how to keep transforming trade into development, growth, jobs and poverty-alleviation. He saw these as the terms of reference for the panel, convened under his responsibility and comprising business leaders, trade politicians, civil society and academics with deep knowledge of the multilateral trading system. He saw the output of the panel as a pragmatic contribution to offer Members on what the driving forces of trade were in the years to come. He would keep Members informed about developments on this front.

6. Delegations thanked the Director-General for his report.

7. The representative of Pakistan said this was the first General Council meeting after MC8 and the mini-Ministerial at Davos. Against this backdrop, the Director-General's report defined the contours of Members' engagements in 2012. His delegation agreed that some movement in the multilateral setting would be important to keep a focus on development issues, including those of the LDCs. This was also the last meeting to be chaired by the current Chairman. The consensus on the statement by the MC8 Chair had been reaffirmed by Ministers in Davos, and provided the basis of Members' work in the WTO until the next Ministerial. Pakistan acknowledged that these were difficult times for the world economy. The question was when was the right time to push forward, and whether Members should wait for the economic problems to be resolved and for better times. He asked if Members believed that the problems in the global economy could be addressed without multilateral engagement. Members needed to reflect on these questions. Inaction would damage everyone. There was a need for collective efforts to refrain from protectionism and, at least, to think and talk about the way forward and to deliver, albeit in small steps. Bottom-up, inclusiveness and transparency were the cardinal principles of this endeavour. Members might also go to the grass roots

and consult the business community from all areas in order to get clarity as to what they wanted. This might be a new approach to identify priority issues, including market-access areas. If Members agreed, details of this proposal could be worked out under the Chair's and Director-General's guidance in a transparent manner. While there was still slow movement in the multilateral negotiations to update rules and resolve differences in perceptions among Members, especially on market-access issues, vigorous engagement was required in the regular committees of the WTO. This was an important year, since from the beginning of 2013 Members would start preparing for MC9. The work done during 2012 would surely be the basis for the next Ministerial. His associated his delegation with the statements by Brazil for the G-20 and Indonesia for the G-33.

8. The representative of Mexico thanked the Director-General for his ideas on how to move the negotiations forward in the light of the results of MC8. He agreed that at the present stage – when Ministers had recognized that it was unlikely that all the elements of the Doha Round would be concluded simultaneously in the near future, and that it was necessary to more fully examine different negotiating approaches in order to advance in those areas where it was possible to reach provisional or definitive agreements – the work needed a dose of pragmatism, not dogmatism. Members should not have doctrinarian or esoteric discussions that would only be a waste of time. They also needed to be objective and not unrealistic, to act sensibly, build up confidence, and avoid confrontation. Mexico reiterated its willingness to initiate, together with other Members, a dialogue that could allow them, albeit step-by-step and with modest initiatives, to gradually move the multilateral trade agenda forward. The discussions had to yield successful outcomes in 2012. One option might be to focus on issues that were more likely to be viable, exploring various approaches and combinations. While the prioritization of issues should be the final outcome rather than the starting point of the dialogue, some topics might, theoretically, be more viable than others, and it would be best to focus efforts on these, so as to achieve swift progress and results. From what Mexico had heard from other Members and the Director-General, such topics would include Trade Facilitation, export competition in agriculture, dispute settlement and issues of particular interest to LDCs.

9. The representative of Indonesia, on behalf of the G-33, said these countries commended the Director-General's leadership and tireless hard work in advancing the negotiating agenda, and shared his concerns about the impasse in the negotiations. Despite intensified work and renewed commitment, Members still disagreed on the way forward to conclude the Round. Nevertheless, they should not let the current impasse continue for very long. A long delay to conclude this development Round would jeopardize the interests of all Members. At MC8, Members had committed to continue their work to advance the negotiations, and also to look into ways to overcome critical stalemates. In this regard, the G-33 welcomed the broad consensus on LDC-related issues. This was a good step to build trust and confidence and to move the negotiations forward. The G-33 encouraged the Director-General to undertake consultations with Members in a transparent and inclusive manner, in order to formulate a realistic and pragmatic work plan on the DDA. This work plan should cover initially areas of negotiation of particular interest to developing and least-developed countries, including agriculture issues of priority, building on the achievements of the past ten years. The G-33 was ready to engage constructively in the negotiations with the aim of reaching a balanced and development-orientated result that respected the principle of the Single Undertaking.

10. The representative of Australia, on behalf of the Cairns Group, said his delegation agreed with the situation as set out by the Director-General. Clearly the negotiations remained in a difficult situation, but he assured the Director-General of Australia's strong commitment to the Doha negotiations and to finding a way forward, based on the outcomes from MC8. The Cairns Group had met at MC8 and had been meeting since then to underscore the importance it attached to agriculture as the linchpin of the Round. This message had been reinforced in a press release issued by the Group at the time of the informal Ministerial meeting in Davos – a copy of which his delegation requested be

included in the record of the present meeting.⁵ Key points from this statement were that Members had a transformation to undertake in agriculture. The fact that agricultural trade confronted significantly higher tariffs and increasingly more non-tariff barriers compared to industrial goods was unacceptable in a world wishing to improve food security. This was why agricultural trade reform had to be at the heart of the DDA discussions. As such, there was a need for fresh thinking on common problems. Members needed to develop a realistic pathway for capitalising on the substantial progress already made in the negotiations, but more importantly, they needed to get the job done.

11. On behalf of Australia, he said that as difficult as the preparatory process for MC8 had been, Members had nevertheless ended up with a set of credible outcomes that recognised the difficulties the negotiations were in and, cognizant of this, provided guidance on how Members might go about trying to build progress. It was a good idea to examine where progress might be possible, and with this in mind, Australia had already begun thinking about how to do this in a number of areas. Progress on LDC issues remained an absolute priority, and the issue of LDC accessions, with its mid-year deadline, would be a test of everyone's commitment to deliver something for LDCs. Other areas where Australia wished to see early progress included Trade Facilitation and matters in the CTD Special Session. However, Members also needed to deal with the difficult market-access and rules issues that, for Australia, were at the heart of the Round. In this regard his country welcomed the guidance provided by Ministers at MC8 on the need to more fully explore new negotiating approaches. In addition to agriculture, services was an important area for focus. More broadly, Australia remained strongly committed to taking any steps that would support and strengthen the institution. Apart from the negotiations, the work in regular WTO committees was of vital importance, and Australia was keen to see that work reinvigorated and strengthened. In the current challenging global economic times, the need to remain vigilant against protectionism went without saying, as well as looking at how Members' work could reinforce the important nexus between trade, development, economic growth and employment.

12. The representative of Brazil thanked the Director-General for sharing his vision of the way forward, expressed in his informative report. Brazil concurred with most of what he had said. It agreed that the "early outcomes" scenario was a viable option. It also agreed on the need to start with small steps. In other words, gradualism should be Members' guiding rule. Further, no deadlines or artificial schedules should be set, as that would be counterproductive. Additionally, Brazil shared the understanding that realism was one of the key words in the negotiations. Being realistic meant Members adjusting their expectations and the way they had worked so far, making an effort to envisage what could actually be done, in order to achieve tangible results. Another principle mentioned by the Director-General with which Brazil fully agreed was pragmatism. In this regard, Brazil did not have any red lights across the negotiating spectrum and was not dogmatic in any area of discussion. That did not mean it would abandon values that had guided it throughout the negotiations. For example, Brazil would remain firm on multilateralism. It strongly believed that by doing so, it would be safeguarding the multilateral system from centrifugal and divisive forces. Nonetheless, it was convinced that in order to move forward, Members needed to be constructive across the board. They could not pick and choose the cherries they liked and leave on the tree other cherries, which were also ripe but which interested other Members. All Members had areas of interest, and Brazil was convinced that in most of these areas, it was almost always possible to have some type of outcome if Members were realistic about the goals to be achieved, if they were flexible in their ambitions and, finally, if they had engagement from their partners. Brazil was ready to work on issues which seemed to have reached maturity. Some had referred to Trade Facilitation, which might be one of these issues. However, Brazil wished to emphasize that for it, Trade Facilitation was not a self-balancing pillar. Should it advance on its own, Members' contributions would be asymmetric. However, Members might make some progress if they were also constructive in other areas of the negotiations. In this context, he stressed that for Brazil, agriculture was the engine of the Doha

⁵ See Annex I of the present records.

Round. He recalled that agriculture had been the reason the Round had started. It would not be wise or acceptable to leave it by the wayside now, in order to privilege other areas of the negotiations. Brazil saw a clear distinction between hostage-taking – to which the Director-General had referred – and negotiating. Hostage-taking was a means to ensure an impasse. Negotiating, on the other hand, was the search for outcomes and results that were mutually beneficial. Brazil would not engage in hostage-taking, but Brazil would negotiate.

13. On behalf of the G-20, he said these countries wished to reiterate some views on the process ahead in the Doha Round negotiations. The G-20 noted with concern that the continuation of the WTO trade-reform process in agriculture was at an impasse. The need for reform in agricultural trade, in accordance with the Doha mandate, was more pressing than ever. The G-20 remained committed to the Single Undertaking and to a truly transparent and inclusive multilateral negotiating process, as stated repeatedly in the past, including at MC8. As a core element of its development dimension, the G-20 underlined that agriculture was the engine of the Doha Round. Therefore, it underscored once more that if Members were to reach provisional or definitive agreements earlier than the full conclusion of the Single Undertaking, agricultural issues had to be the priority. In addition, the guiding principle for any set of deliverables should be the observance of the development dimension of the DDA, with priority to areas of interest to the LDCs.

14. The representative of Argentina associated his delegation with the statements by Brazil for the G-20 and Australia for the Cairns Group. The problems confronting the multilateral trading system at present were essentially the same as those that had led to the launching of the Doha Development Round in 2001. He was referring particularly to the need to redress the imbalances that prevented developing countries from fully integrating into the multilateral trading system. At MC8, Ministers had recognized that the Round was at an impasse. Moving forward would depend on Members' ability to find a path that fully preserved the objectives and principles agreed in launching the Doha Round. Partial solutions, shortcuts and artificially defined priorities would only lead Members away from their objectives. The centrality of agriculture and the development dimension had to remain the compass for the exploration of any new approach and for the achievement of any early outcome.

15. The representative of Lesotho, on behalf of the African Group, said that regarding the work ahead, the African Group expected that in 2012 Members would be preoccupied with consulting and finding multilaterally-agreed solutions to operationalize the outcomes of MC8 and the political guidance provided by Ministers. The overriding outcome of MC8 had been articulated by all Ministers, who had explicitly reaffirmed and recommitted themselves to the delivery of the Doha mandate, which was development. Members' primary and collective responsibility in 2012 should be to ensure that Ministers' reaffirmation to deliver on the Doha mandate was realised. They could therefore take the initial step of delivering on LDC issues, such as LDC accession and the LDC services waiver, which should be given a meaningful development effect. On political guidance, the interpretation of this guidance should be rooted in multilateral consensus. The African Group wished to reiterate the following principles which, as it had stated in the past, were the core principles that should underpin Members' work in 2012: (i) The negotiations should be premised on the existing mandates and on the basis of progress achieved so far, with the Single Undertaking being central, as per the MC8 political guidance. (ii) The negotiations had to result in a fair and balanced outcome that prioritized development as the main deliverable of the DDA. (iii) Any new approach canvassed by Members to unlock the current impasse had to be multilaterally agreed and respect the basic principle of most-favoured nation. The organization had to avoid at all costs any exclusive approaches that would further segregate African countries and prevent them from participating and being integrated in the multilateral trading system. Instead, Members had to make deliberate efforts to, first and foremost, deliver on the development issues of interest to developing countries, especially those in Africa. (iv) Any provisional agreement that might be harvested by Members had to prioritize the development component of the Doha Round. (v) In order to achieve a balanced early harvest, the negotiations had to incorporate adequate sector-specific financial and technical assistance and

sustainable capacity building as an integral part of S&D treatment. Such assistance and capacity building should also be integral to future Aid-for-Trade plans. (vi) The negotiations should be based on the principle of a bottom-up approach and should be Member-driven, transparent and inclusive. There should not be any surprises. The African Group strongly believed that taking the above principles on board in all Members' deliberations would ensure that the outcome of the negotiations was development-centred.

16. The representative of Bangladesh, on behalf of the LDCs, said the Director-General's clear analysis of the situation provided useful food for thought. The LDCs saw his point about the need for further reflection on how to proceed, before returning to the negotiating table. However, Members had to remain mindful of the dark clouds gathering in the global economic landscape. The overriding message heard at MC8 was that no one wanted Doha to fail. This had been stated in unequivocal terms in the consensual part of the MC8 Chair's statement. It therefore came as a surprise to hear from some quarters the call for going back to the drawing board and thinking afresh. If anything, MC8 had urged Members to remain true to the Doha mandate and to build on the achievements made in the DDA negotiations so far. In so doing, it had recognized the need to take a pragmatic approach, moving step by step. On the whole, MC8 had upheld the primacy of the multilateral process. For obvious reasons, there was a sense of urgency among LDCs for Doha to be concluded. These countries had staked more than their fair share on the Doha Round for a meaningful outcome from its conclusion. Their priorities were widely known and well-documented. There was no point in foot-dragging on an early harvest on implementing Decision 36 of Annex F of the Hong Kong Declaration, or an ambitious, expeditious and specific outcome on cotton. The LDCs thanked Members for their broad-based support for an early outcome on LDC priorities.

17. What the LDCs expected as follow-up to MC8 were the following. First, to keep LDCs involved in the ongoing reflections on how to proceed. If Members subscribed to the notion of an inclusive and bottom-up approach, there had to be space for LDCs to voice their priorities and concerns. Second, the LDCs recognized the pitfalls of rushing into negotiations too soon, but they could not wait for an indefinite period to resume work. Prior to MC8, LDCs and others had been asking for a post-MC8 work programme. Since that had not materialized, Members now had to concentrate on how to make incremental yet definitive progress in the negotiations. If paragraph 47 was the answer, so be it. LDC priorities remained the best recipe for an early harvest. This would contribute to a huge increase in faith in the Doha Round and would pave the way for reaching early agreements on other mature areas of the negotiations. Third, while Members waited for the negotiating groups to resume their work, they could start working on implementing the MC8 Decisions and other consensual understandings. It was a positive sign that work had already started on finding ways to further strengthen and operationalize the 2002 LDC Accession Guidelines, coordinated by the Chair of the Sub-Committee on LDCs. The LDCs looked forward to seeing this Decision fully implemented by the deadline stipulated, if not earlier. Members had to collectively explore ways to add substance to the Decision on the LDC services waiver, review and implement S&D treatment under WTO Agreements, and further strengthen the Committee on Trade and Development. Fourth, Members had to maintain and preserve the integrity of the multilateral process. Without delving into polemics, the LDCs urged caution in pursuing a selective, plurilateral approach, by scuttling the multilateral process merely for the sake of expediency. Last, Members had to continue to support the WTO in its role as a vanguard against protectionist tendencies in the current global economic environment. The LDCs remained ready to work with all Members in a constructive spirit. Members had to tread carefully, but hopefully not so slowly that further damage was done to an already fragile global economy.

18. The representative of Canada said his country shared much of what the Director-General had said. The latter had picked three very important words: calm, cool and pragmatic. This needed to be Members' approach. Canada fully agreed that 2012 should not be a wasted year, but to avoid this, Members needed to focus on what they could achieve in a convergent fashion, rather than on what

they already clearly knew divided them. Trade issues were not going to disappear in 2012. In fact, trade Ministers continued to have to come to grips with significant trade problems. In that light, it was important for Members to ensure that the WTO remained the primary place where they could come to discuss and solve trade problems, in order to achieve a common understanding of the trade dynamics that each Member faced, particularly in the light of increasing protectionist pressures around the world.

19. The representative of Turkey associated his delegation with the statement by Indonesia for the G-33. Turkey supported the new approach put forward by the Director-General, and wished to underscore once again that the WTO was not only the Doha Round, and that the WTO's regular work and the negotiations should be clearly differentiated from each other. Members should keep trying to find ways to make this clear to the international community and wider public. All now agreed that they were not expecting any major breakthroughs in the Round. Under these circumstances, it was important to make progress with incremental and modest, but continuous steps. There was a need to focus on the WTO's regular work, which was an essential element of the multilateral trading system. He again expressed Turkey's commitment to development issues in the negotiations, which were at the core of the Round. Negotiations focused on the development dimension were an obligation for this organization. Only by honouring this obligation could the credibility of the DDA negotiations be re-instituted. The outcome of MC8 constituted the basis that would guide and help Members in setting a road map for future work. Among other things, Ministers' instruction regarding LDC issues, in particular the facilitation of LDC accession, was a significant issue in terms of development. However, he cautioned that in carrying forward work in the DDA in incremental steps, Members needed to be well aware of the fact that these areas could not be the "saviours" of the Doha Round.

20. The representative of Japan said that regarding the discussions at Davos, although there had been no concrete outcome, the sense of pragmatism and realism commonly shared by the participating Ministers formed a good basis on which to more fully explore different negotiating approaches. On that basis, Members should concentrate their efforts in areas where progress could be achieved. This would include LDC accession, Trade Facilitation, non-tariff barriers in NAMA and the DSU review. Second, as stated in the elements for political guidance, Members should not forget to look into ways to overcome the most critical stalemates in the especially-challenging areas, while trying to avoid a dogmatic debate and basing the discussion on the current reality of the world economy. Third, but the most important point – in the current world economic environment and given its outlook – was that the fight against all forms of protectionism was a must for all. Japan had serious concerns about the protectionist measures taken or announced, including and especially the ones by some of the G20 Members, despite the strong commitment agreed by these Leaders. The WTO should further examine ways to fulfil its role, such as by strengthening its monitoring mechanism.

21. The representative of the European Union thanked the TNC Chair for his pertinent and well-balanced remarks. As the latter had said, 2012 could not and should not, in the overall context, be a wasted year. The EU had come out of MC8 with mixed feelings. On the one hand, all had acknowledged in a sober and realistic manner that they were at a serious impasse. On the other hand, they had also reiterated their commitment to the DDA mandate. In any event, Members could not pretend to have gotten, collectively, clear political guidance on how to move the DDA forward in the next two years. In this situation, the EU agreed with those who had noted that there was no political will to reach a compromise on a full DDA undertaking. However, this had to remain Members' final aim, as the issues Doha was meant to address would not go away. In the meantime, Members could not afford the continued stalemate of the negotiating function of the WTO, as this would eventually affect the credibility of the WTO as a bulwark against protectionism. The most sensible way forward was to be pragmatic and, for the near future, to focus on those areas where progress was feasible. On this, several Ministers at MC8 had given some signals, and these signals had been echoed in an even more positive tone in Davos. There was a need to build on these orientations and to set out the steps to put them in motion. As a priority, the WTO should deliver on the issues of interest to the most

vulnerable – the LDCs. At MC8 Ministers agreed on streamlining LDC accession and to further consider extending the LDC transition period for implementing the TRIPs Agreement. The EU had already given proof of its determination to actively engage and have early deliverables on these and possibly other LDC-specific issues. Moreover, Trade Facilitation was definitely the topic Members should be looking at. It was a win-win agreement. LDCs, many of which were landlocked, and other developing countries stood to gain from agreement in this area, and Members should give it a good try.

22. Of course, the EU was ready to look into other areas of the DDA agenda – S&D treatment-specific provisions, non-tariff barriers, monitoring mechanism, DSU improvement were the first that came to mind, but others could also be considered – without taboos and without "religious wars". What Members did not need was a tactical, process-focused negotiation on what could be achieved in 2012. It was only through pragmatism and determination that they could achieve early results. Members should negotiate and see what could be done with an open mind and in a constructive spirit, taking matters bottom-up. The EU was also open to exploring ideas to follow up on the MC8 call to explore fresh and credible approaches, including initiatives by Members who would be particularly interested in moving forward in specific areas of interest. However, such initiatives should include the widest possible participation and remain open to all. Members should not lose sight of the benefits all would reap from the multilateral trading system and concluding the current Round of negotiations. This was in everyone's interest, and it could not be supplanted by any other forms of cooperation.

23. The representative of Cuba said her delegation supported the statements by Indonesia for the G-33 and Brazil for the G-20, particularly regarding the urgent need to halt the proliferation of non-tariff measures imposed by developed countries in the form of technical barriers to trade, sanitary and phytosanitary measures, private standards and unilateral measures that were inconsistent with the principles and rules of the WTO. In order to reconcile this situation with the commitment to closer integration of Members in international trade, it was extremely important that, under the Doha Agenda, priority be given in the organization's future work to the consequences of imposing non-tariff barriers, which were at present one of the main obstacles to achieving inclusive and sustainable development. Cuba had taken due note of the Director-General's report on the current status of the Doha Round, and viewed with considerable concern the uncertain future regarding full compliance with the objectives which had led to its initiation in 2001. Cuba had been quite clear about this. The selfishness and inequality intrinsic to capitalism – especially when neo-liberal concepts prevailed in an asymmetrical world – were the true causes of the impasse that was undermining the negotiations. There was no magic formula or innovative approach that could overcome the lack of political will to address the just demands of the developing countries. The Doha Round would not come to a successful conclusion as long as Members continued to rely on formulas that undermined the principles and modes of negotiation that had been pillars of this organization. The fact was that it had been impossible to conclude this Round, because various industrialized countries had refused to make the minimal commitments required of them by the negotiations. No other factor had played a bigger role in producing the deadlock in the current process.

24. Together with Bolivia, Ecuador, Nicaragua and Venezuela, her country had drawn attention in document WT/MIN(11)/W/4 to the deplorable scenario and irregularities that had marked the preparatory process for MC8. Cuba could not be flexible if such a way of proceeding was repeated in the organization's future work. In this connection, it wished to emphasize the following: (i) Cuba stressed the importance of keeping development as the focus of the Doha Round, whose components remained fully relevant. (ii) It was not in favour of giving up the only pro-development mandate adopted in the history of the multilateral trading system in order to venture into new areas that were not in the interest of the developing countries; all of the WTO's collective efforts, attention and intelligence had to be brought to bear on resolving the pending issues and imbalances. (iii) The only way to bolster the credibility of the organization would be by bringing the Doha Round negotiations

to a successful conclusion and fulfilling the mandate. (iv) Cuba did not subscribe to the attempts to establish plurilateral alternatives, which would only serve to show the shortcomings and breakdowns of the multilateral system, undermining transparency and inclusiveness, and would result in the marginalization of the vast majority of developing countries when the WTO's rules were drawn up. It strongly defended multilateralism. (v) Cuba rejected the pretensions of those Members who sought to encourage the plurilateral approach, essentially in the services sector, or any other form of negotiation that could compromise or weaken the multilateral nature of the negotiations, and did not see the need to address new issues without having completed the Doha Agenda – therefore it continued to support the Single Undertaking principle. Cuba demanded that the industrialized countries show the political will necessary to respond to the rightful claims of the developing countries. For ten years these countries had listened to the same rhetorical commitment to implementing the Doha Agenda, but now the situation was much more serious and threatening for developing countries. Her delegation asked how many more years the developing countries would have to wait. If all strove in the same direction, it was possible to have a mutually supportive and democratic WTO. Cuba had always advocated a role for the WTO as a body that contributed to achieving the development of all peoples. The objective it would continue to work to achieve was that one day, over and above individual economic interests, solidarity and international cooperation in favour of a fairer and more equitable multilateral system would prevail.

25. The representative of China said the Director-General's report objectively summarized the state of play in the negotiations and encouraged a frank discussion on future work. The year 2011 had been a tough one for the WTO and its Members. To everyone's disappointment, it had not been possible to conclude the Doha Round as expected. However, everyone should keep his morale up, as all Ministers at MC8 had demonstrated full commitment to the successful conclusion of the Round. More important, they had further agreed to advance negotiations in the areas where progress could be achieved. Once again, the question was how to translate that commitment into concrete actions. China's observations were as follows. First, the pragmatic approach provided by paragraph 47 of the Doha Declaration could help maintain momentum and pave the way for the full conclusion of the Round when the political energy tank was refilled. Therefore, Members should start without delay to faithfully implement the seven Decisions from MC8 and collectively think about which topics could be candidates for an early harvest. China commended the Chairs who had initiated discussions within their negotiating groups during the past weeks, and encouraged all other Chairs to do the same. At a certain point, there needed to be a horizontal discussion led by the TNC. China was open to discussing any topic, including those on which it had difficulties, but the proper candidates would be those with less political divergence and greater technical maturity. At the same time, LDC issues should enjoy the top priority, because development was at the heart of this Round, as Ministers had reasserted at MC8. Second, generally speaking, China was supportive of all efforts to push the negotiations forward. Nevertheless, there should be a key qualifier that such efforts had to address the development deficit inherited from previous Rounds and not undermine Members' collective resolve to bridge their gaps. Therefore, a multilateral approach in a transparent and inclusive manner remained China's preference. It noted that various ideas had been floated recently to move the trade agenda forward, including the concept of a services plurilateral agreement. Although the details of this concept remained unclear, China, together with many other developing countries, had serious concerns on its systemic implications for the Doha Round and the multilateral trading system as a whole. Many Ministers at MC8, while discussing the future of Doha, had drawn the analogy of climbing mountains. It was undeniable that Members were facing some blockages on the way to the mountain top. Fortunately, none had decided to give up. One might reach the peak via many paths, but some paths led to the top of different mountains. Members had to always be mindful to choose the right path which would bring them to the mountain top targeted at the outset.

26. The representative of Hong Kong, China said that although Ministers had accepted with regret the fact that the DDA negotiations were at an impasse, they had specifically recognised the need to fully explore different negotiating approaches to advance the negotiations. His delegation

agreed with the Director-General's political assessment of the current situation. To move forward, Members should be calm and pragmatic, and take small steps to give themselves the best chance of a more successful year. To this end, they should not forget that they had a sizable package on the table after a decade of painstaking negotiations. While there were some areas where multilateral convergence had proven to be especially challenging, at least for the time being, there were others where potential progress might be made and early deliverables achieved. Realism and pragmatism should drive the work in 2012. Therefore, Members might wish to allow a gradual process to build progress in a bottom-up, inclusive and transparent manner. It would be in their collective interest not to jump to hasty conclusions about the viability of any creative idea or solution, nor should they add too many preconditions to restrain the depth or width of discussions. Of course, Members had their own offensive or defensive interests in respective negotiating areas. Some Members might favour concentrating now on relatively less difficult issues such as Trade Facilitation. Some might be interested in exploring new ways to approach important pillars of the negotiations, or investigating areas such as the ITA. Whatever was decided, Ministers had affirmed that Members had to respect fully the development component of the DDA mandate, and within this Hong Kong, China hoped they could make substantive progress on LDC issues. His delegation was open to any kind of exploration, based on mutual trust and goodwill, in order to generate the momentum needed to make real progress. If Members got stuck or procrastinated, the downside was more than the challenges in relation to the credibility of the organization. At MC8 many Ministers had recognised the risks of increasing protectionism. The WTO had to work, and had to be seen as working, hard to address any such concerns, through Members' continuous engagement in the DDA negotiations and in the other important areas of work of the organization. His delegation would actively play its part in these endeavours throughout the year.

27. The representative of Korea said it was disappointing and regrettable to realize once again that the DDA negotiations had come to a deadlock despite ten years of hard work. As the Director-General had aptly pointed out in Davos and had indicated again at the present meeting, this was mainly because political energy was in short supply, just as it was in the area of climate change and other challenging global issues. This was why Members should ensure that realism and pragmatism prevailed as they moved forward. Unfortunately, there was still little clarity on how to proceed with the DDA negotiations. Nevertheless, one thing was clear – Members could simply not afford to sit on their hands in Geneva and do nothing about the Doha Round. Without a doubt, the WTO needed a negotiation function to advance the common objective of trade liberalization, because otherwise, its rules would ultimately become obsolete. As all agreed, that would make the organization less relevant, which was the last thing Members wished to do. They should make their best efforts to keep the ball rolling, particularly when the temptation to resort to protectionist measures was increasing, with unacceptably high levels of unemployment gripping many countries, and as the global economy was still struggling with a recession. The Director-General had made this point absolutely clear. Bearing this in mind, Korea endorsed the way forward that the Director-General had laid out, as it was basically in line with the guidance and direction provided by the G20 and APEC Leaders, as well as Ministers at MC8 and again in Davos. It was important to explore fresh, credible and pragmatic ways of operationalizing paragraph 47 of the Doha Declaration with a renewed sense of realism. Since under the current circumstances, even baby steps could make a difference toward unlocking the stalled negotiations, it would be crucial for each negotiating group to continue to have frank discussions on what it could possibly do in 2012 in a bottom-up, inclusive and transparent manner. Such discussions might shed light both on the areas where progress could be achieved and the ways in which Members could make this happen. Thus, Korea was encouraged to learn that the Negotiating Group on Trade Facilitation had already come up with a concrete work plan, while other negotiating groups would follow suit. In a nutshell, Members should not give up on the Doha Round. The year 2012 could not and should not be wasted. Provided Members could regain the same type of collective momentum they had had when they had successfully finalized the accession package of the Russian Federation and the revision of the GPA, they might perhaps be able to achieve much more than expected now. Korea would continue to work closely and constructively with other Members with a

view to further strengthening the multilateral trading system. His delegation aligned itself with the statement by Indonesia for the G-33.

28. The representative of Thailand said it was a welcoming sign that Members remained committed to achieving the Doha mandate and were willing to be pragmatic in advancing the negotiations by exploring alternative approaches. With the global economic outlook remaining uncertain, all should be deliberating seriously on what lessons could be drawn that would have a direct bearing on work in the WTO in 2012. One thing was clear – the governments of Members had to be more responsive and vigilant in tackling real-world problems for their trading communities and improving the quality of lives for their people. The latter expected solutions, and it was governments' responsibility to do their utmost to deliver on those expectations. Members had to intensify their efforts to make progress in areas where agreement was possible. Thailand reiterated its support for those outcomes that would truly help the LDCs better integrate into the global trading system, particularly the one on LDC accessions. Thailand would continue to play a constructive role and was open-minded on the approaches and issues that would prove, once again, that this organization did deliver.

29. The representative of Ecuador said his delegation wished to reiterate the main elements it had put forward over the past months, given the situation in which the organization found itself, and given the context of the DDA negotiations. These elements were of vital importance to Ecuador. Ecuador had on several occasions said that the multilateral trading system was strictly instrumental in nature, and that tariff cuts, the elimination of other barriers to trade, and the elimination of discriminatory treatment in international trade relations were not ends in themselves, but were intended to contribute to meeting general objectives, such as the development needs of the majority of Members. The development dimension was at the heart of the Doha Round and had a continuing relevance which should at least be used as a tool to yield concrete results for all developing countries. Ecuador also considered that the development dimension had to ensure that the results of the Round did not stifle the possibilities of implementation of the development strategies put in place by developing countries. Rather, these results should help preserve their policy space in order to promote more active participation by developing countries in international trade. Furthermore, paragraph 47 of the Doha Declaration foresaw the possibility of applying agreements at an earlier stage of the negotiations, which had come to be known as "early harvest". This was an alternative that could be applied only if the general balance of the negotiations was taken into account. Therefore, an early harvest should be used exceptionally to address cases of major concern, such as, for instance, implementation concerns or those regarding operational and effective S&D treatment. Furthermore, an early harvest could not in any case replace the principle of the Single Undertaking which governed the results of the Doha Round and which ensured the general balance in the final results of the negotiations.

30. The considerations Ecuador had expressed were a priority for it, because it was a small economy with broad and significant commitments in market-access areas, with marginal participation in international trade flows, was dependent on a very limited basket of exports, and had no capacity to apply a monetary policy. Another consideration Ecuador, like other countries, had referred to on several occasions was the need to take into account the deep and persistent uncertainty that for several years had marked the international economy. In past years, economic factors with a strong destabilizing effect and with serious consequences in the economic, commercial and financial areas had necessitated state intervention and international cooperation. In developing countries, the possibility of responding to external economic shocks had been very limited, especially for those which up until now had had to face up to the crisis more directly. This was why Ecuador had raised the need to consider risk elements when defining the framework on commitments that, particularly in the area of market access, had to be taken on by developing countries, especially the smaller ones. Finally, Ecuador had insisted that the multilateral negotiations be open to the participation of all Members and considered that closed meetings of negotiating groups to which only certain Members were invited were inappropriate. His country had continually said that multilateralism was not

compatible with the intangibility of the proposals and the prevailing criterion of taking decisions by less than the full membership. It had repeated that solutions to multilateral problems could only be found multilaterally through the full participation of all Members. His delegation fully supported the statement by Cuba on the Elements for Political Guidance that had been circulated in document WT/MIN(11)/W/2 and reiterated its position, stated at MC8, that this document was not legally binding. Ecuador also supported the statement by Brazil for the G-20.

31. The representative of Chile said that as this was the first meeting of the Council since the Ministerial Conference, he wished to emphasize that MC8 had been conducted without any unnecessary disruptions, dissensions or friction. On this occasion, in recognition of the increase in the number of protectionist measures and together with a group of other countries, Chile had had the honour to submit a statement undertaking to resist this trend. In this connection, his delegation recalled that the major tool of development in this house was the promotion of free trade – a necessary, albeit insufficient, precondition for the economic prosperity of all. At present, Members had to be realistic, put aside the idea of packages and focus on certain issues on which they could move ahead as much as possible. He was referring to Trade Facilitation, the accession of LDCs, non-tariff barriers and, perhaps, dispute settlement. Members should not, however, disregard other topics which met with consensus. The present agenda and the Director-General's report incited Members to reflect on two issues. The first was the technical nature of the WTO. The goal of this house was to generate rules to govern the multilateral trading system and monitor compliance with them. This was why Chile called for observance of this principle, ensuring that technical expertise and competence prevailed in all action taken by this organization, over and above other considerations and issues which could be expressed in other fora. The second was the proliferation of RTAs because of the impasse in the multilateral negotiations. The liberalization deadlock was at the multilateral level, not at the bilateral or plurilateral levels. His delegation did not wish to be misunderstood – Chile was in favour of RTAs. It depended on foreign trade and had free-trade agreements with 58 WTO partners, with several more being negotiated. Nevertheless, such agreements did not replace the work being done in this house to build a non-discriminatory, rules-based, predictable and transparent, multilateral trading system, which was ultimately more beneficial for developing countries. Members should reflect together on both of these issues.

32. The representative of Barbados said her delegation concurred that the way forward in the months ahead would require some serious analysis if Members were to make progress in 2012 toward achieving a more balanced and equitable global trading environment. Where Members went on the non-DDA issues was less problematic, although some hard negotiations were likely to take place in these areas as well. Trade Facilitation, Aid for Trade and LDC accessions were areas where positive outcomes were achievable. On the LDC services waiver, there were also reasonable prospects for progress. However, the most difficult area would be the DDA itself. While the talks had broken down because the distance that separated the parties was wide, and common ground was not in sight, there were still possibilities of trade-offs. Multilateralism therefore offered greater prospects of achieving a package or packages, as a range of options was still possible. Therefore, while Members had to be pragmatic, they also had to continue to recognize the importance of multilateralism. It also helped to ensure balance, transparency and inclusiveness. It was important that Members examine carefully any process that would compartmentalize the negotiations, such that the scope for trade-offs was limited to a specific sector. This would lower the scope for trade-offs, but would not take pressure off countries in relation to other sectors outside the specific category involved. That pressure would remain. This made a powerful argument for retaining a multilateral approach.

33. Second, the WTO might need to do more to help prepare the thinking of the developed-country Members to accept that placing emphasis on development in trade negotiations was not only in the interests of developing countries but of developed countries as well. Trade required markets. The potential for market expansion was in the developing countries, but that demand could not become sufficiently effective until these countries' purchasing power increased – i.e. until they were

assisted in developing and growing their economies. Thus, it was in the interest of the richer countries to help the poorer countries to grow, as these were their future markets. Unfortunately, in an environment where unemployment was growing in many large developed countries, this argument fell on deaf ears. However, international organizations like the WTO could help negotiators by making this point to Members' constituencies. This would allow them to see that making concessions, for example to LDCs, was really in their own interest. Unfortunately, the public needed to understand this before politicians felt empowered to take actions that were in their countries' long-term interests. This meant that maintaining the development focus of the Round was in the interest of all, both developed and developing countries. However, this needed to be accepted at the grass-roots level and understood by the public, in order to allow governments in developed countries to act with confidence. It was important in negotiations to be able to estimate the potential impact of decisions. One could estimate roughly, but that was often assuming that various factors were constant. However, in the real world this was not the case. One of the reasons for the reluctance to commit to concluding the negotiations in some areas might be uncertainty as to the impact. Countries conducted their own analyses, but outcomes varied widely. Her delegation was aware that the WTO was experiencing financial constraints, but if at all possible, it would be helpful if the WTO could place increased emphasis on impact studies, with a view to bringing greater clarity to the likely impact of certain negotiated outcomes. This might add some momentum to the negotiations. While current times were not conducive to success, they might never be, and Members had to take the necessary steps. Barbados reiterated its commitment to the multilateral process and to the WTO, and would assist in any way it could.

34. The representative of India said that as the trade negotiations currently stood, his delegation largely agreed with the summing up by various delegations at the present meeting and by the Director-General. It agreed that Members could not have any deadlines or be too prescriptive in their approach. They had to approach matters cautiously, but at the same time, they could not be inactive or let things drift. They had to explore all areas of the negotiations, and here the Chairs of the negotiating groups would have a very important role to play, because they would have to explore what areas in their respective groups were susceptible to progress and where there might be some possibility of moving forward. Members also had an equally important role to play in supplementing the Chairs' efforts by discussing in different formats. It was hoped that this would lead Members to more concrete outcomes in the months to come. While all were saying that Members should not be prescriptive, at the same time some had already expressed their interest in particular areas and their intent to push those areas to the full and have outcomes at the earliest. On this point, India wished to strike a note of caution. The WTO membership represented different interests and priorities, and all Members had both offensive and defensive interests. While India agreed that one should not categorically eliminate or be dogmatic about anything, there had to be a sense of balance in whatever the membership tried, individually or collectively. The offensive interests of no one group of countries were going to be satisfied in full at present or any future juncture. It was equally unlikely that the defensive interests of any one group would be satisfied in full. There would be a balance, and when Members identified the issues on which they felt collectively they could make progress, they had to have the same pragmatism. Unfortunately, there was no area that was self-balancing. There had to be both an external balance with other areas and an internal balance within the specific area under negotiation. This had to be borne in mind in Members' efforts to make progress. His delegation was striking a word of caution, because Members sometimes got carried away by the pressures from their national governments and business communities and tended to lose sight of this larger reality, which had to be viewed from different perspectives in the context of the WTO membership.

35. India was willing, as always, to explore all areas of negotiations and would participate in all formats to explore ways to seek solutions. Its commitment to multilateralism was well known, and as for the rest of the membership, all were committed to the multilateral system. However, the ways chosen to move forward should not in any way endanger the multilateral system or the WTO's future.

In this regard he said frankly that some of the approaches suggested, while there was as yet incomplete information, appeared *prima facie* to be plurilateral or exclusive in nature, and the benefits of such initiatives were unlikely to be shared equally by all Members. These initiatives, while no doubt seen as well-founded by the delegations making them, had their own place in the international trading framework in the form of free-trade agreements and other bilateral, plurilateral and regional agreements. India viewed such free-trade agreements as building blocks for the strengthening of the multilateral system, which was the ultimate goal of the entire global community. At the same time, such agreements should not in any way irretrievably damage the multilateral framework. This was India's concern, and his delegation wished to strike this note of caution and urge all Members, whatever approaches they tried in any area, to bear in mind that they had to stand up for multilateralism and inclusiveness.

36. The representative of Peru thanked the Director-General for his untiring efforts in the Doha Round negotiations. Peru agreed that in the current situation, paralysis and inaction were not the solution, and Members had to take up the global challenges and seek global solutions, putting the emphasis on the multilateral trading system and the WTO. His delegation associated itself with the statements by Indonesia for the G-33, Australia for the Cairns Group and Brazil for the G-20. Peru was also concerned at the risk of an increase in protectionist measures and their negative impact on trade. It was ready to continue exploring the best ways in which the organization could respond to this problem appropriately. It agreed that Members should move forward step by step, with pragmatism and realism, inclusively and transparently. They could make progress on the basis of a balanced programme of work that included not only those issues that were already technically mature, but also those that were relevant to the Round's development mandate. As all delegations had to present results to their capitals, he stressed the need for a balanced and substantive package in the work programme agreed. Peru hoped that at the present stage of the negotiations, certain issues would be taken up – for example, the amendment to the TRIPS Agreement to bring it into line with the Convention on Biological Diversity, and the requirement on disclosure of origin, prior informed consent and benefit-sharing in the patent system. In April 2011, a large group of countries had put forward a proposal on the relationship between the TRIPS Agreement and the Convention on Biological Diversity. With regard to rules, it was important to consider the creation of new disciplines to regulate fisheries subsidies, because of the great risk of exhausting fish stocks. This was not only an environmental issue, but also affected food security. Unless the international community addressed this issue urgently, some saw a scenario in which the race to catch the last fish would not be so far in the future. He reaffirmed Peru's commitment to continue supporting the multilateral trading system and the Chairman's efforts in this respect.

37. The representative of the United States said his delegation was largely in agreement with the Director-General's remarks and analysis. Members had done something important at MC8 in frankly acknowledging the reality of the impasse in the Doha negotiations. As painful as it was, this collective acknowledgement could be liberating – if Members followed through on the unanimous direction of their Ministers to “explore different negotiating approaches”. The test now would not be in what Members said, but what they did. The easiest, and emptiest, course was to spout empty professions of commitment to Doha and the WTO, which meant very little. What was needed was concrete demonstrations of creativity and a true willingness to engage. That was what Ministers had called for. One immediate challenge, identified by many, was ongoing work on LDC accessions. The US strongly supported this work and was committed to achieving a good outcome by the deadline. In this and other areas, Members should start with small steps and see what progress they could make. There would be less fanfare, but hopefully more results. The US joined other Members in underscoring the importance of the multilateral system – a system that generations of Americans had laboured to build. Like virtually all other Members, the US would pursue the interests of its stakeholders in all fora where progress could be made. These multiple fora had coexisted for decades, and one should not suddenly pretend to have discovered their existence. Many of those professing their fears for multilateralism were among the busiest when it came to negotiations outside the WTO.

It was difficult to square their words with their actions. The US would participate actively in the work ahead and hoped to bring fresh thinking to that work.

38. The representative of Switzerland said the meeting in Davos had made it possible for Members to verify that the summing up by the Chair of MC8 had been in line with what Ministers had expected. At present, Members needed to see how they could move the negotiations forward in a situation that was complex and difficult. His delegation saw two methods. Members could discuss in abstract ways and see whether progress might be possible on certain subjects, or they could just start trying to make the progress. Of course, whenever one tried anything new in the system, all the wise men woke up and warned of the possible risk. However, he asked where in life there was no risk. China had referred to climbing a mountain. If Members were at a crossroads, this was not the time to call a symposium, but rather to choose which path to take, and keep on climbing. His delegation hoped that this was what Members understood by a "calm and pragmatic" approach. Switzerland was keenly interested in the possibility of progress in favour of the LDCs. Chile's statement was very appropriate in terms of the WTO's technical expertise. Members needed to focus on this technical expertise in 2012, and delegations needed to better understand it. In the Negotiating Group on Market Access, of which he was the Chairman, it would be seen whether Members could agree to take a calm and pragmatic approach on certain subjects, and he would soon be intensifying consultations in this area.

39. The representative of Singapore said one had heard at the present meeting sufficient caution being expressed by delegations about their concerns. At the same time, there had been many expressions of the need for open-mindedness, which after MC8, the Davos Ministerial and from remarks at the present meeting, he sensed still prevailed. In this regard, Singapore supported the Director-General's advice on the way forward, and his proposal to convene a panel of eminent persons to look at the driving forces of world trade in the year to come. It was clear from MC8 that the development element was imperative. All were aiming for the same destination, but had different ideas of how to get there. The key was to deliver on the decisions taken at MC8, first and foremost on LDC accessions, for which there was overwhelming support. Members owed it to themselves to meet the relevant deadline. Much had been said about new ways to do things, but there should be no new ways to do the same things. Members should not hide behind old rhetoric in order to block progress. Singapore kept an open mind and was prepared to explore every initiative. However, it also operated on the principle of upholding multilateralism and protecting the system. Many meetings had already been convened by a range of Members on various issues, and Singapore had been privileged to have participated in some of these. His delegation agreed fully with India that now was the time for Members to supplement the negotiations with open, candid conversations. These conversations were not negotiations, but rather intended to help Members understand each other's objectives and concerns, and how to reach these objectives. While larger meetings served a purpose, the difficult issues could be solved only in smaller informal conversations. However, when these conversations took place, he appealed to colleagues not to view them with suspicion or to oppose them. Instead, they should be allowed to take place in order to see what the outcomes were, without any pre-conceived notions. In any case, all these discussions would need to feed back into the General Council, which was the safety net to ensure that Members' collective interests would be met. The diversity of interests within the membership naturally increased the complexity of reaching meaningful outcomes. Nevertheless, there were also the strong bonds of friendship, which could help overcome these challenges. Members had a harder, not easier, year ahead. Singapore stood ready to work with the Chairman and his successor to meet these challenges.

40. The representative of Chinese Taipei said his delegation agreed with the Director-General that pragmatism was the key to moving ahead and that Members should not waste 2012. Multilateralism should remain central to future work, and Members should do everything to guard the multilateral system all relied on. On the other hand, they should keep every avenue and option open to move negotiations forward. Future negotiations should not give up the work achieved so far. The guidance

given and decisions taken at MC8 should be operationalized. His delegation would contribute and engage with Members in the future negotiations.

41. The representative of Colombia said that regarding the Director-General's precise and detailed report, his delegation wished to make three points. First, while Members were asking themselves what to do, it should be recalled that Ministers had indicated a series of activities as a result of MC8, and thus the first step was to implement the decisions from MC8. Some, such as that concerning LDC accessions, set a deadline that had to be met. In relation to the negotiations, it would not be very difficult to identify areas that were technically mature and where convergence would be possible. Members had to start to work on these without being dogmatic. In this connection, he noted that while Members advocated pragmatism, at the same time they were starting to mark out clear redlines. Last, it should not be forgotten that the WTO was the forum for discussing and resolving global trade problems in order to preserve a stable rules-based multilateral system. This was an ongoing task to which all Members should commit, with or without the Doha Round.

42. The representative of Tunisia thanked the Director-General for his persistent efforts to re-launch Members' work and to get them to focus their discussions and negotiations on their common objectives rather than their differences. The Director-General had invited Members to show pragmatism and flexibility. The first matters to take up and make progress on were to get the Doha Round past the current impasse and make development issues the cornerstone of Members' vision and action in conformity with the Director-General's to-do list. Members needed to show the willingness and commitment to find a common denominator that would bring them closer in their pursuit of a common objective. The world economy was in a worrying state, and there were uncertainties in many countries where the younger generation looked to the WTO to develop trade and thus to improve their living conditions through the elements stated in the Preamble to the WTO Agreement. This situation should encourage Members to redouble their efforts to work together to determine an inclusive approach that would take on board each Member's interests. The idea of having a group of experts examine the present situation could only aid in Members' efforts to get the Doha Round back on track.

43. The representative of the Dominican Republic, on behalf of the Informal Group of Developing Countries, said that the current meeting had been very interesting. Much had been said but, most importantly, doors had been opened. Nobody had closed the door on continuing efforts to strengthen this multilateral organization, which had brought great benefits to developing countries. The WTO upheld the multilateral trading system, and was an organization in which developing countries had been able to make their voices heard and assert their positions through multilateralism.

44. On behalf of the Dominican Republic, he said that although the developing countries would not, on their own, be capable of driving the organization forward, they remained open to contributing to any effort to strengthen both the WTO's regular bodies and the ongoing Doha negotiations.

45. The General Council took note of the Director-General's report and of the statements.

2. Work Programme on Small Economies – Report by the Chairman of the Dedicated Session of the Committee on Trade and Development

46. The Chairman said that in line with the framework and procedures agreed by the General Council in 2002, the Work Programme on Small Economies was a standing item on the General Council's agenda, and the Committee on Trade and Development reported regularly to the Council on the progress of work in its Dedicated Sessions on this subject. He invited Mr Maruping (Lesotho), Chairman of the Dedicated Session of the CTD, to report on the progress of work in this area.

47. Mr Maruping (Lesotho), Chairman of the Dedicated Session of the CTD, recalled that his last report to the General Council had been just prior to MC8. At that time he had reported that Members

had agreed on a re-affirmation of the Small Economies Work Programme and on areas of future work. He had also reported that Members wished to see their recommendations turned into a Ministerial decision at MC8. He was pleased to report that it was precisely this outcome that had been achieved with the Decision on the Work Programme on Small Economies taken by Ministers on 17 December and subsequently circulated in document WT/L/844. With this Decision, Ministers instructed the CTD to continue its work in Dedicated Session under the overall responsibility of the General Council. The Decision instructed the Work Programme to consider in further detail the proposals contained in the various submissions that had been received to date, examine any additional proposals Members might wish to submit and, where possible and within its mandate, make recommendations to the General Council on any of these proposals. The Decision also instructed the General Council to direct relevant subsidiary bodies to frame responses to the trade-related issues identified by the CTD, with a view to making recommendations for action. Furthermore, it instructed the Secretariat to provide relevant information and factual analyses for discussion in the CTD Dedicated Session, *inter alia* in the areas identified in item "k" of paragraph 2 of the Work Programme on Small Economies. These concerned: (i) the impact of WTO rules on small economies; (ii) the constraints faced by small economies in their institutional and administrative capacities, as well as in the area of human resources; and (iii) the effects of trade liberalization on small economies. Ministers also agreed that the Work Programme should identify non-tariff measures and the effects these had on small economies. It was this latter area of non-tariff measures that would provide the focus for immediate work in 2012. He looked forward to discussing this matter in the Dedicated Session in the near future.

48. The representative of Barbados, on behalf of the SVEs, thanked the Chair of the CTD Dedicated Session for his report, which accurately captured the results of the process carried out in that body. They also thanked Members for their support in re-affirming the Small Economies Work Programme through the recent Ministerial Decision. They welcomed the decision that the CTD continue its work in Dedicated Session. In addition to consideration of the impact of trade measures on SVEs and the constraints they faced, the SVEs appreciated the proposed focus on the impact of non-tariff measures. She reiterated that SVEs viewed non-tariff measures as an important area for further examination by the WTO. Such an examination was critical, particularly in the case of SVEs which had limited export bases, suffered from dis-economies of scale, might be unduly affected, and whose exports might be permanently impaired by non-tariff measures. The SVEs looked forward to contributing to the work on non-tariff measures and the effects on SVEs to be conducted by the CTD, as they sought to identify measures that could assist in the fuller integration of their economies into the world trading system. The SVE proponents had already met in 2012, and were developing a work plan for the year ahead. A main focus of the plan was to keep abreast of developments as they related to the specific areas of work in Agriculture, NAMA and Services. Another key focus would be on Trade Facilitation. The SVEs would continue to monitor developments in other sectors as well, and expected their plan to include other areas. They pledged their continued commitment to achieving the goals of the Small Economies Work Programme and looked forward to working constructively with other Members.

49. The representative of Cuba said her delegation supported the statement by Barbados for the SVEs.

50. The General Council took note of the report of the Chairman of the Dedicated Session of the Committee on Trade and Development and of the statements.

3. Improving the guidelines for granting observer status to Intergovernmental Organizations in the WTO – Communication from the Arab Group (WT/GC/W/643) – Statement by the Chairman

51. The Chairman recalled that in October 2011, the Arab Group had circulated a communication entitled "Improving the Guidelines for Granting Observer Status to Intergovernmental Organizations in the WTO". At the General Council meeting on 30 November 2011, he had informed Members that the consultations he had undertaken on this matter had shown agreement on launching a process to consider this issue. At that time he had proposed that he, as Chairman of the General Council, initiate a process of consultations to consider this issue after the Ministerial Conference, and that he report to the present meeting of the General Council about progress in those consultations and ask his successor to continue this process as appropriate. On this basis, he had undertaken initial consultations on this matter, and a productive discussion had taken place. He had heard some suggestions about criteria for granting observer status to IGOs. He had also heard that it was important to look at what was already in the Guidelines for granting observer status to IGOs contained in Annex 3 of the Rules of Procedure (WT/L/161), and see if it was possible to add value to these. Some delegations had expressed reservations about revisiting the Guidelines. He said that when he had agreed to take on this process, his intention had been to provide a forum for Members to see how they might come up with criteria that everyone in the system would be comfortable with. He had also been expecting the proponents to elaborate on their proposal in an operational manner so as to trigger a response from the rest of the membership. At the current stage, he urged continued engagement to address this issue, no matter how challenging it might be. Looking ahead, it would be good to focus the process of consultations on clear, operational criteria, taking into account the existing Guidelines, without prejudging their outcome in any way. He would brief his successor along these lines.

52. The representative of Qatar, on behalf of the Arab Group, thanked the Chairman for his consultations the previous week to discuss the Arab Group's proposal and for his constructive engagement. The Arab Group also appreciated the encouraging views expressed during the consultations, which would help resolve the systemic issue facing the WTO. The Group looked forward to the consultations to be led by the incoming Chair of the General Council and would communicate its views, in the spirit of constructive engagement, on how this systemic issue could be resolved. It requested that this item remain on the Council's agenda until the issue of IGOs seeking observer status was resolved in a manner that would allow all IGOs requesting such status to participate in the WTO's proceedings.

53. The representative of India said his delegation agreed that the necessary technical criteria needed to be formulated that would allow for a transparent, uniform and objective consideration of all IGO requests for observer status in the WTO. These criteria had been laid down in Annex 3 to the organization's Rules of Procedure. However, no requests for observer status had been granted for several years, which clearly indicated the need for reviewing and improving the existing guidelines. This issue was not specific to any particular organization, but a larger systemic one. It was important that the WTO maintain an impartial and objective approach in all areas of its work. Therefore, India supported the proposal to establish clear, precise and transparent guidelines for examining requests for observership in the WTO.

54. The representative of the United States said he wished to comment on one aspect of what Qatar had said. The US was concerned about making any matter a standing item on the General Council's agenda. For systemic reasons, his delegation was not sure this was a good way to address any particular issue. Of course, it had no objection to any country raising any issue for consideration at the next General Council meeting.

55. The General Council took note of the Chairman's statement and of the other statements.

4. Waivers under Article IX of the WTO Agreement

56. The Chairman said there were two sub-items under this Agenda item, and noted that the draft waiver decisions for the matters listed in sub-items 4(a) and (b) had been taken up for consideration by the Council for Trade in Goods at its meeting on 1 February. For these items, the Chairperson of the Goods Council was required to report to the General Council. He therefore invited Mr Seilenthal (Estonia), Chairman of the Goods Council, to report on that Council's consideration of these matters in a single intervention. The General Council would then take up separately each of the draft decisions for action.

57. Mr Seilenthal, Chairman of the Council for Trade in Goods, said that at its meeting on 1 February, the Goods Council had approved the draft waiver decisions on (i) the request by Cuba regarding the extension of the existing waiver concerning Article XV:6 of GATT 1994, in document G/C/W/662; and (ii) the request from the EU for a waiver for the application of additional autonomous trade preferences granted by the EU to Pakistan, in document G/C/W/640/Rev.2. The latter request had been under consideration in the Goods Council for the past 15 months, following a mandate from the General Council in May 2011 to continue its consideration. The Goods Council had concluded its work on this request at its meeting on 1 February 2012. At that meeting the Goods Council had also recommended that both of the above-mentioned draft waiver decisions be forwarded to the General Council for adoption.

(a) Cuba – Article XV:6 – Extension of waiver – Draft decision (G/C/W/662)

58. The Chairman drew attention to the draft decision in document G/C/W/662 and proposed that, in accordance with the Decision-Making Procedures under Articles IX and XII of the WTO Agreement agreed in November 1995 (WT/L/93), the General Council adopt the draft decision.

59. The General Council so agreed.⁶

(b) European Union – Additional autonomous trade preferences granted by the European Union to Pakistan – Draft decision (G/C/W/640/Rev.2)

60. The Chairman drew attention to the draft decision in document G/C/W/640/Rev.2 and proposed that, in accordance with the Decision-Making Procedures under Articles IX and XII of the WTO Agreement agreed in November 1995 (WT/L/93), the General Council adopt the draft decision.

61. The General Council so agreed.⁷

62. The representative of Pakistan said his delegation wished to thank all Members for their support of the EU's proposal to provide autonomous trade preferences to Pakistan. The adoption of this draft decision on the waiver would reinforce the faith of Pakistan's stakeholders and its Government in the multilateral rules-based system. His delegation also thanked the EU for having worked hard to forge consensus in the WTO by addressing the concerns of all.

63. The General Council took note of the statement.

5. Appointment of Officers to WTO bodies

64. The Chairman said that as Members were aware, in accordance with the Guidelines for Appointment of Officers to WTO Bodies approved by the General Council in December 2002

⁶ The Decision was subsequently circulated in document WT/L/850.

⁷ The Decision was subsequently circulated in document WT/L/851.

(WT/L/510), he and his colleagues – Mrs Johansen (Norway), the Chair of the Dispute Settlement Body and Messrs Gero (Canada) and Matus (Chile), former Chairmen of the General Council – had conducted consultations with delegations on a slate of names for the appointment of Chairs to the bodies listed in Groups 1, 2, 4 and 5 in the Annex to the Guidelines. In addition, since Mr Darlington Mwape (Zambia), Chairman of the TRIPS Council Special Session, had been recalled to capital, this appointment had also been included in the consultations. He wished to thank Ms Johansen and Messrs Gero and Matus for their assistance, which had been very valuable to him. They had consulted delegations both individually and in groups, including through group coordinators. As all knew, these consultations had included an informal open-ended Heads-of-Delegation meeting, which had been held the previous day. Unfortunately, he was not able at the present time to report consensus on a slate of names following these consultations. This created a very serious situation, and he urged Members to work urgently to find a solution. In the light of this situation and the discussion at the informal meeting of the General Council the previous day, he proposed the following course of action: (i) in the light of the consultations, the General Council would elect its new Chairperson, Mrs Elin Johansen (Norway), under Item 6 of the present meeting's Agenda; (ii) the new Chair of the General Council would continue the consultations on the appointment of officers to WTO bodies for 2012, and the General Council would reconvene at an appropriate time to take up the slate of names;⁸ and (iii) in addition, in light of the suggestions from several delegations at the informal meeting of the General Council the previous day, he proposed that the incoming Chair initiate a process of consultations to review the Guidelines for Appointment of Officers to WTO Bodies adopted by the General Council in 2002 (WT/L/510).

65. The General Council took note of the statement and so agreed.

6. Improvements in the documentation, scheduling and management of meetings – Statement by the Director-General

66. The Director-General, speaking under "Other Business", said that as Members were aware, the WTO's 2012-13 budget, approved by the General Council in November 2011, provided for zero nominal growth in 2012. In December 2011, the General Council approved a number of recommendations by the Committee on Budget, Finance and Administration for savings and more efficient use of resources. At the present meeting, he wished to report on implementation of the specific recommendations contained in paragraphs 29-31 of the Budget Committee's report in document WT/BFA/128. These mandated savings in documentation as well as in the scheduling and management of meetings. He would update Members on the work the Secretariat had been doing to implement these decisions, within its competence, and would seek Members' support and cooperation in carrying that work further. In order to achieve zero nominal growth in the 2012 budget, the organization needed to adapt its habits and processes – not in a dramatic way, but by taking a fresh look at established practices so as to make more efficient use of scarce resources and in a way that made full use of the efficiency gains offered by technology. The Secretariat had been carrying out a horizontal review of possible improvements in the areas covered by these decisions, and this work had already begun to show results. On documentation, as of 1 January 2012, the internal distribution of new documents to Secretariat staff had been discontinued. Several measures had already been adopted to replace, with on-line documentation, the distribution of hard copies to Members. Savings in translation costs were also being actively pursued. Within the limits of the necessary quality control, the Secretariat would continue to develop its already substantial use of outsourcing and computer assistance. A major contribution could also be made by Members. To put it bluntly, Members needed to be less wordy. In a number of WTO bodies, Members had accepted summary records in place of extensive minutes, and he believed this practice could be applied more widely, with Members' cooperation. He realized that there were WTO bodies for which a full record was seen

⁸ The General Council re-convened on 24 February 2012 to continue its consideration of this item (see page 27 of the present record).

as necessary, but even in these cases he believed that the advent of technology such as podcasting offered interesting possibilities for savings while maintaining full records.

67. Another area where he saw potential for both savings and improvements in the WTO's service to Members was notifications. While he recognised the political sensitivities that had been expressed in some committees, there was surely scope for rationalising the current system. Moving to better-designed notification templates and to electronic rather than paper-based submissions should enhance analytical capacity, generate potential rationalization and eventually create savings. As Members knew, the Secretariat had been and still was working to rationalize and improve notification databases, and it would be logical to make corresponding improvements on the output side – discontinuing the printing and distribution of notifications. He urged Members to work with the Secretariat to help develop notification processes that would be not only more cost-effective, but also benefit Members' work. Apart from issues concerning documentation, another important element in this exercise was to improve the scheduling and management of meetings. The WTO spent money every year on additional interpretation costs for meetings that started late, ran over time or were cancelled at short notice. In addition, it incurred costs when meeting rooms had to be booked outside the WTO. One of the recommendations adopted by the General Council in December called on Chairs of WTO bodies to work to improve the way meetings were organized and managed, so as to reduce losses. The possibilities for reducing the overall number and length of meetings should be explored, as well as optimizing the use of existing resources in supporting meetings. The Secretariat was actively reviewing its own procedures to streamline the scheduling of meetings, avoid overlaps, and so forth. However, this was ultimately an issue in the hands of Members, and especially of Chairs. The General Council Chair and he had recently met with the outgoing Chairs of regular WTO bodies to seek their cooperation in this effort and would continue to work closely with their successors. The Secretariat would continue to provide the high quality of support Members were entitled to expect. Members also had to make their contribution to the common cause of using scarce resources efficiently. The budget constraints, which he was afraid were here to stay, were not only a challenge, but also an opportunity. If Members and the Secretariat worked together to make the most of this opportunity, the result could be a WTO that was not only more efficient, but also better adapted to meet the fast-changing needs of the trading system. He would update Members further as work progressed on this important effort.

68. The General Council took note of the Director-General's statement.

7. Administrative Measures for Members in arrears – Statement by the Chairman

69. The Chairman, speaking under "Other Business", recalled that at its meeting in May 2006, the General Council had approved a recommendation from the Committee on Budget, Finance and Administration regarding revised Administrative Measures for Members in arrears. Among these was a requirement that, at each meeting of the General Council, the Chairman of the Committee on Budget, Finance and Administration should provide information with regard to which Members were under Administrative Measures in Categories II through IV. He wished to begin by inviting the Chairman of the Budget Committee, Mr Vaaranmaa (Finland), to provide the Council with this information.

70. Mr Vaaranmaa (Finland), Chairman of the Committee on Budget, Finance and Administration, said that as required by the Decision of the General Council, he would list the Members under Categories II through IV of the Administrative Measures as at 13 February 2012. Before reading the list, he wished to recall that Members had received their assessment letters for the 2012 contributions to the WTO budget at the end of 2011. As was the case at the start of every year, some Members became subject to Administrative Measures and some changed categories. There were currently two Members in Category II: Grenada and the Solomon Islands. There were four Members in Category III: the Bolivarian Republic of Venezuela, Dominica, the Former Yugoslav

Republic of Macedonia, and Nicaragua. There were four Members in Category IV: Chad, Djibouti, Guinea-Bissau and Sierra Leone. He wished to point out that Chad had presented a payment plan that the Budget Committee would review at its next meeting. The Committee would also review the situation on arrears from Members and Observers at its next meeting and provide a full report to the General Council.

71. The Chairman said that under the revised Administrative Measures, he was also required at each Council meeting to request those Members in Categories III and IV of the Measures to inform him, before the next meeting of the General Council, as to when their payment of arrears might be expected.

72. The General Council took note of the statements.

8. Election of Chairperson

73. The Chairman, as the outgoing presiding officer of the General Council, said that as the saying went, "everything that has a beginning must have an end". The present meeting marked the end of his year of service to the WTO as the Chairman of the General Council. He was aware that some delegations had expressed concern with the way he had handled some issues during his tenure. However, he assured all that whatever he had done, the overall interest of the organisation had remained a topmost priority and very close to his heart. He admitted with humility that the past year had been very interesting but equally challenging. In spite of the prevailing stalemate in the DDA negotiations and the almost habitual significant differences within the membership on almost every issue, Members had still been able to successfully organise MC8 in a very calm, focused and peaceful atmosphere. At MC8, Members had also been able to collectively reaffirm their commitment to the successful conclusion of the DDA negotiations, with development issues as a priority, particularly those of special interest to LDCs. Notwithstanding the current challenges facing the global economy, Members had further been able to renounce any recourse to protectionism, thereby, recommitting themselves to the principles of an open, fair and predictable rules-based multilateral trading system. Further testimony to the belief, increasing confidence and faith in the multilateral trading system was that Members had been able, during the year under review, to welcome four new Members to the organization – Vanuatu, Samoa, the Russian Federation and Montenegro. These and several other modest achievements would not have been possible without Members' understanding, support and cooperation. Therefore, he wished to thank all delegations for undertaking the necessary "heavy lifting" that had made these achievements possible. He also wished to thank his colleagues and fellow Ambassadors for the opportunity and support given him to serve the organisation at this particular time. It had been an honour and privilege, and he was truly grateful to all for their friendship. He urged Members to extend the same spirit of support, cooperation and understanding to his successor.

74. He wished to pay special tribute to the WTO's indefatigable Director-General for his unflinching commitment and zeal to advance the interests and objectives of the WTO in general, and the DDA in particular. He thanked him and the entire staff of the Secretariat, especially the Council & TNC Division, for making their experience, skills and expertise available to him and the Members, particularly during the MC8 preparatory process and at MC8. He also wished to acknowledge the special contribution of the interpreters as well as the conference and security staff, all of whom had facilitated the meetings during the past year. His personal experience over this past year had confirmed his sense that Members had the capacity to achieve any desired objective or outcome, but only if they wanted it. That was why he had always said that whatever outcome Members had achieved at MC8 was because they had wanted it. Members had proved him right by not desiring an immediate outcome on a slate of names for Chairs of WTO bodies in 2012. He commended the Chairs of the various negotiating groups for their hard work and perseverance. As an optimist, he encouraged all to find solace in the words of A.A. Milne: "Rivers know this: there is no hurry. We shall get there." He considered it a good omen that the General Council was meeting on Valentine's

Day. In the words of William Wharton, "What is love? As far as I can tell, it is passion, admiration and respect. If you have the two, you have enough. If you have the three, you don't have to die to go to heaven". He hoped that the spirit of Valentine's Day would touch all, so that Members could build the respect and trust the membership and the organisation needed at these very trying moments.

75. The General Council then unanimously elected Mrs Johansen (Norway) to the Chair.

76. The Director-General said he wished to begin his words of parting to the outgoing Chair by quoting Harold Nicolson, the famous British diplomat, who said that a good negotiator needed to have the following qualities: truthfulness, precision, good temperament, patience, modesty, loyalty and calmness. The outgoing Chair had all of these qualities, both as a negotiator and as a chairperson, and they had been put to use and proved during the past year, and especially during the preparations for MC8. His talents in bringing the negotiations on the Elements for Political Guidance to a successful outcome had been appreciated by all. He wished to express, on behalf of himself and the entire Secretariat, sincere gratitude for his work as General Council Chair. It had been a pleasure working with and assisting him in this role. He thanked the outgoing Chair again for his hard work, and wished him all the best. He looked forward to working with the newly-elected Chair and wished her success in her mandate.

77. The newly-elected Chairman said she wished to thank the outgoing Chair for the remarkable job he had done as General Council Chair. The year 2011 had been a difficult year with far too many unanswered questions, as well as hidden and open conflicts and agendas in the membership. Despite considerable challenges, the latter had been able to guide Members through the preparations for MC8 and through the Conference itself without major casualties. An uneventful, harmonious Ministerial meeting had been a substantial achievement, given the far-from-perfect circumstances. She had had the honour and pleasure to work closely with the outgoing Chair for quite some time. Members had listened to him, followed his guidance and respected his decisions because of some important personal qualities he had – honesty, personal integrity, impartiality and respect for Members' positions. Members knew he was not playing games. She thanked him again for his remarkable chairmanship, one that would be very difficult to follow. The year 2012 would not be easy in terms of the challenges, new tasks and new problems in the global economy and in international trade. At MC8, Ministers had "emphasized the value of the rules-based multilateral trading system" and had agreed to strengthen it and make it more responsive to Members' needs, especially in the current challenging global economic environment, in order to stimulate economic growth, employment and development. The main question was still how. All seemed to agree that the big decisive steps towards a successful finalization of the DDA would not materialize any time soon. Given this situation, the main challenge now was to ensure that the WTO continued to remain the forum for multilateral problem-solving in the trade area. New ideas, new approaches, honest conversations and serious commitment would be necessary across the field. At MC8, several Ministers had stressed the need to rebuild trust. Recent developments in the so-called "housekeeping" area indicated that this was a spot-on observation, and trust would be a crucial precondition for any success, big or small, in future. For her part, she could only commit to do her best to provide the fora for problem-solving in different areas, but the Members would have to agree on the solutions. She was grateful for the confidence Members had placed in her by selecting her as General Council Chair, and looked forward to working with them, the Director-General and the Secretariat.

78. The representative of Lesotho, on behalf of the African Group, congratulated the outgoing Chair for a job well done during 2011 and up to the present in 2012. The African Group was still beaming with pride for the sterling work the latter had performed during the year. He had steered Members through a tumultuous period for the WTO. This had been eloquently articulated by various senior colleagues at the present meeting, including by two former General Council Chairs who knew what the job entailed. The outgoing Chair's guidance of Members safely through some very rocky areas, including, particularly, the preparatory process for MC8, was worthy of admiration, respect and

praise. Throughout, he had been a knowledgeable, competent and efficient captain of the ship. The African Group was grateful to him, and to his country for having enabled him to serve as General Council Chair. The Group warmly welcomed the incoming Chair, and knew her high level of commitment, unqualified devotion and adherence to the virtue of impartiality – one of the key elements needed in the task ahead. Her mediation and facilitation skills were well known. She had proved herself to be proactive in posture and cognisant of the sensitivities in the various processes in the system. With her at the helm, the General Council, and the WTO in general, would continue to be in good hands. The incoming Chair was a beacon of hope as the crew changed, for building on the foundations laid by the outgoing Chair. The African Group assured her of its co-operation and constructive participation, and said she could count on its support in all positive and legitimate endeavours. The Group wished her success and was glad to see Europe following the good example of Africa in putting gender balance into practice. He recalled a previous Chairperson from Kenya, and said the WTO should continue to copy best practices from the African continent.

79. The representative of Nicaragua, on behalf of GRULAC, said these countries wished to thank the outgoing Chair for his efforts during MC8 and more recently on the appointment of officers to WTO bodies. GRULAC warmly welcomed the incoming Chair and stood ready to participate in the work of the Council, which was in good hands.

80. The representative of the European Union said his delegation wished to assure the outgoing Chair of its highest consideration and gratitude for his year of service. He also wished to welcome the incoming Chair and to thank her for having accepted these very demanding responsibilities. The EU looked forward to working with her.

81. The representative of the United States expressed his delegation's thanks to the outgoing Chair for his service. He also wished to welcome the incoming Chair. This was a very big task to take on, and all were collectively mindful of the amount of work and headache it would undoubtedly entail. The US appreciated the incoming Chair's open-eyed willingness to take this on. His delegation looked forward to being part of a large group that would work with her constructively to make progress in this challenging year.

82. The representative of El Salvador thanked the outgoing Chair for his tireless work during the past year, which had been full of challenges. The year 2012 promised to follow suit, with even more challenges for the incoming Chair. El Salvador wished to recommend to the incoming Chair that she always keep in mind the famous "FIT" principle – full participation, inclusiveness, and transparency – and knew that she had the characteristics and qualities to ensure that every voice was heard. This was of the utmost importance. El Salvador wished her all the best and thanked her for taking up this significant challenge. His delegation understood from the informal Heads of Delegation meeting the previous day that the incoming Chair would continue to serve as DSB Chair until a decision was taken on a slate of names for officers of WTO bodies.

83. The representative of Cambodia, on behalf of ASEAN, congratulated the incoming Chair on her appointment. Cambodia had full confidence in her leadership and that she would help take Members to a fruitful outcome in the months ahead. He assured her of ASEAN's full cooperation and support in this endeavour. To the outgoing Chair, ASEAN extended its thanks and appreciation for his outstanding leadership and for all his efforts and perseverance during the past year, particularly in the preparatory process for MC8, which had led to the achievements of that Conference.

84. The representative of Pakistan expressed his delegation's appreciation to the outgoing Chair for his hard work and efforts as General Council Chairman in difficult times on the preparations for MC8, including on the development of consensus on many issues prior to that meeting. He had also played a vital role in keeping the consensus intact, as was reflected in the statement by the MC8 Chair.

85. The representative of Indonesia, on behalf of the G-33, expressed these countries' sincere appreciation to the outgoing Chair for his able leadership.

86. The representative of Bangladesh, on behalf of the LDCs, expressed their sincere appreciation to the outgoing Chair for his stellar performance at the helm of the General Council through the choppy waters in the lead-up to MC8. The successful conclusion of MC8 spoke volumes about the responsibilities the latter had shouldered to steer Members in the right direction.

87. The representative of Canada thanked the outgoing Chair for having been a rock during the past year of turbulence. It had been very lucky for Members that the latter had been that rock and had allowed them to survive the year and, through his leadership, have a very successful MC8.

88. The representative of Hong Kong, China thanked the outgoing Chair for his outstanding steering of the General Council through a very challenging and important year, and in particular for the successful run-up to and conclusion of MC8.

89. The representative of Korea said his delegation wished to echo what had been said about the outgoing Chair and to express its appreciation for all his efforts.

90. The representative of Thailand expressed his delegation's appreciation for the outgoing Chair's successful chairmanship in helping steer MC8 to a smooth conclusion.

91. The representative of Chile said his delegation reaffirmed what others had already said about the outgoing Chair. The latter had had a very hard year – one of changes in paradigms, an impasse in the negotiations, economic instability and increased protectionism. However, in spite of all these hurdles, there had been a successful Ministerial Conference, due to the outgoing Chair's firm leadership and hard work.

92. The representative of Barbados, on behalf of the SVEs, expressed their appreciation to the outgoing Chair for his hard work, leadership and commitment to the WTO, and congratulated him on a successful term in office.

93. The representative of India said he wished to thank the outgoing Chair both personally and on behalf of his delegation for the very adapt and competent way in which he had led Members through the past year, and through some very difficult times when Members were uncertain about the outcome of MC8. It was in large measure due to the latter's leadership qualities, vision and firmness that Members had been able to come out of this experience intact and with something very positive in the way of the outcome of MC8.

94. The representative of Peru thanked the outgoing Chair for his leadership and for the important work he had done as General Council Chair at a particularly difficult time.

95. The representative of Switzerland thanked the outgoing Chair for all the efforts and skill he had deployed in the past year to magnificent results.

96. The representative of Singapore expressed his delegation's thanks and appreciation to both the outgoing and incoming Chairs for their work in the organisation, and his personal thanks for their friendship and wisdom.

97. The representative of Colombia thanked the outgoing Chair for his leadership of the General Council in a year of major challenges, particularly the holding of MC8.

98. The representative of Tunisia commended the outgoing Chair on the work he had done, to the satisfaction of all, as General Council Chair. As a fellow African, he was very proud.

99. The representative of Iran, speaking as an observer, expressed his delegation's deep appreciation to the outgoing Chair for his able and fruitful leadership over the past year, and joined other delegations who had congratulated him on his chairmanship of the General Council. Iran wished him all the best, and warmly welcomed the incoming Chair.

100. The General Council took note of the statements.

101. At its re-convened meeting on 24 February, the General Council continued its consideration of Item 5 of its agenda.

5. Appointment of officers to WTO bodies (continued)

102. The Chairman recalled that at the start of this General Council meeting on 14 February, it had been agreed that she, as the new Chair of the General Council, would continue the consultations on a slate of names for the appointment of Chairs of the bodies listed in Groups 1, 2, 4 and 5 in the Annex to the Guidelines for Appointment of Officers to WTO Bodies approved by the General Council in December 2002 (WT/L/510). It had also been agreed that the General Council would re-convene at an appropriate time to take up the slate of names. Her consultations had also taken up the appointment of the new Chairman of the TRIPS Council Special Session. The General Council had also agreed that she would initiate a process of consultations to review the 2002 Guidelines in document WT/L/510, and she intended to start this process in the near future. She was pleased to be able to inform delegations that, on the basis of the consultations, there was consensus on the following slate of names:

Dispute Settlement Body	H.E. Mr. Shahid BASHIR (Pakistan)
Trade Policy Review Body	H.E. Mr. Eduardo MUÑOZ GÓMEZ (Colombia)
Council for Trade in Goods	H.E. Dr. Tom MBOYA OKEYO (Kenya)
Council for Trade in Services	H.E. Mr. Joakim REITER (Sweden)
Council for TRIPS	H.E. Mr. Dacio CASTILLO (Honduras)
Committee on Trade and Development	H.E. Dr. Anthony Mothae MARUPING (Lesotho)
Committee on Balance-of-Payments Restrictions	H.E. Mr. Md. Abdul HANNAN (Bangladesh)
Committee on Budget, Finance and Administration	H.E. Mr. Albinas ZANANAVIČIUS (Lithuania)
Committee on Trade and Environment	H.E. Mr. Krisda PIAMPONGSANT (Thailand)

Committee on Regional Trade
Agreements

Mr. François RIEGERT (France)

Working Group on Trade, Debt
and Finance

H.E. Mr. Hisham BADR (Egypt)

Working Group on Trade and
Transfer of Technology

Mr. Carlos ROSSI COVARRUBIAS (Peru)

103. Appointments for these bodies would be for one year as usual, in keeping with the general rule in the Guidelines. These appointments would be made formally by the WTO bodies concerned at their subsequent meetings in 2012. Regarding the bodies established by the TNC, the appointment of Mr Bashir as Chairman of the DSB would leave a vacancy with regard to the chairmanship of the Special Session of the Committee on Trade and Development. The consultations had shown a consensus among Members on the appointment of Mr Kwok Fook Seng (Singapore), who would be elected as Chair of the CTD Special Session at its next formal meeting. With regard to the TRIPS Council in Special Session, the consultations had shown a consensus among Members on the appointment of Mr Agah (Nigeria), who would be elected as Chair of the TRIPS Council in Special Session at its next formal meeting. With these words, she invited the General Council to take note of her statement, the consensus on the slate of names for the appointment of officers, and the appointment of the Chairs of the CTD Special Session and the TRIPS Council Special Session.

104. The General Council so agreed.

105. The Chairman, on behalf of the General Council, expressed appreciation to the outgoing Chairpersons of all WTO bodies for their dedicated work in chairing these bodies. She recalled that, in keeping with paragraph 7.3 of the Guidelines for Appointment of Officers to WTO Bodies, the outgoing Chairpersons of the Council for Trade in Goods and the Council for Trade in Services were to conduct consultations to select Chairpersons for the bodies established under their respective Councils. The Guidelines also provide that these Chairs should announce the start of their respective consultation processes at the February General Council meeting.

106. Mr Seilenthal (Estonia), Chairman of the Council for Trade in Goods, informed Members that in accordance with the Guidelines for Appointment of Officers to WTO Bodies approved by the General Council in December 2002 (WT/L/510), he would be starting consultations for the appointment of chairpersons of the subsidiary bodies of the Council for Trade in Goods. He would be carrying out this process with a view to proposing, at the next meeting of the Goods Council scheduled for 30 March 2012, a balanced slate of names for approval by that Council. He intended to set aside sufficient time to meet with any interested Members to hear their views and suggestions. A fax to this effect would be sent out to all Heads of Delegation that day, indicating his availability during the week of 5 March 2012. He would conduct further consultations if necessary. In order to ensure the efficiency of the process and the balance mentioned in the Guidelines, he would work in coordination with the Chairman of the Services Council.

107. Mr Erwidodo (Indonesia), Chairman of the Council for Trade in Services, said that in accordance with the Guidelines for the Appointment of Officers to WTO Bodies, adopted by the General Council in December 2002 (WT/L/510), he would be starting his consultations for the appointment of chairpersons to the subsidiary bodies of the Council for Trade in Services. He would be consulting with a view to arriving at a proposed slate of names of chairpersons for 2012 that enjoyed the wide support of the membership. In order to ensure a balanced slate, he would be

consulting with the Chairman of the Goods Council and would make sufficient time available to meet with any interested Member.

108. The General Council took note of the statements.

ANNEX I

Press Release by the Cairns Group
at the World Economic Forum in Davos, Switzerland
on 25-29 January 2012

Cairns Group calls for serious engagement on Agriculture

At the 8th WTO Ministerial Conference held in Geneva December 2011, the Cairns Group, and the WTO more broadly, recognised that the Doha Round negotiations were at an impasse. Yet there was a clear commitment at the WTO Ministerial meeting to continue to pursue the mandate of the Doha Development Round. In the coming months, WTO Members will be considering options to see where progress can be achieved in the negotiations. From the Cairns Group's perspective, we need to ensure that agricultural trade reform is at the heart of these discussions. We need serious engagement from all WTO members on this issue where reforms efforts are required. The fact that agricultural trade confronts significantly higher tariffs and increasingly more non-tariff barriers compared with industrial goods is unacceptable in a world wishing to improve global food security. Clearly part of the solution to food insecurity is a well-functioning trading system to get food from producing to consuming regions. Why should it be easier to move industrial products around the world than food? The global trading system, underpinned by the WTO, has a responsibility to ensure that agricultural trade reform is addressed as a matter of urgency. As Cairns Group Ministers noted in our December communique "We will engage constructively in the work of the WTO through implementing the existing WTO Agreement on Agriculture and through continuing Doha negotiations on agriculture to ensure that the trade-related aspects of food security are adequately addressed." We have a transformation to undertake in agriculture. We will need to increase agriculture production by 70 per cent by 2050 in order to feed the world's 9 billion people at that time. We need fresh thinking on common problems. We need to develop a realistic pathway for capitalising on the substantial progress already made in the WTO Doha Round agriculture negotiations -but more importantly we need to get the job done. The Cairns Group stands ready to work constructively with others to continue with the much-needed and long-overdue reform in agricultural trade.
