

WORLD TRADE ORGANIZATION

RESTRICTED

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Negotiating Group on Market Access

MINUTES OF THE MEETING

Held in the Centre William Rappard
on 11 April, 1 July and 19 July 2002

Chairman: Ambassador P-L. Girard (Switzerland)

<u>Subjects discussed:</u>	<u>Page</u>
1. Appointment of Chairperson	1
2. Rules of procedure for meetings of the Negotiating group	1
3. Work programme for the Market Access Negotiations	2
4. Appropriate studies and Capacity-Building Measures	2
(a) Appropriate studies	3
(b) Capacity-building measures	8
(c) Market Access Seminar	10
5. Observer status of International Intergovernmental Organizations	11

The agenda as contained in document WTO/AIR/1761 was adopted by the Negotiating Group.

1. Appointment of Chairperson

1.1 The Negotiating Group elected Ambassador P.-L. Girard (Switzerland) as Chairman of the Negotiating Group on Market Access.

2. Rules of procedure for meetings of the Negotiating group

2.1 The Chairman stated that on rules of procedure for meetings of this Negotiating Group, he had indicated during his informal consultations that this was a horizontal issue which would be dealt with by the Chairman of the TNC. However, until such a time that the TNC Chairman had resolved this matter, he had proposed that in the interim this Group use the rules of procedure of the General Council as a guide for the conduct of its meetings. The proposal had seemed acceptable to all delegations and he was now putting it before the Negotiating Group for formal approval.

2.2 The representative of India agreed with the Chairman's proposal to adopt, in keeping with the usual WTO practice, the General Council's rules of procedures mutatis mutandis, and also to await the outcome of the considerations of the TNC. She recalled that at the first meeting of the TNC which was resumed on 1 February 2002, the TNC had noted and endorsed the principles and practices set

out in the statement of the Chairman. This dealt *inter alia* with transparency and process and provided guidance to Chairpersons of Negotiating Bodies in the conduct of the negotiations i.e. that they should be conducted in a transparent and inclusive manner in order to facilitate the effective participation of all Members. It was her delegation's understanding and that these principles and practices were indeed integral to the rules of procedures that the Group was adopting, but she sought confirmation.

2.3 The Chairman confirmed that these principles and procedures which had been adopted by a body higher than this Negotiating Group, would apply to this Group.

2.4 The Negotiating Group took note of the statements and agreed to the Chairman's proposal.

3. Work programme for the Market Access Negotiations

3.1 The Chairman stated that Negotiating Group had dealt with this manner in a substantive way in the informal meeting which had immediately preceded the current meeting. He intended to continue informal consultations with a view to reaching an agreement as soon as possible, and proposed that the Negotiating Group suspend the meeting on this item

3.2 The Negotiating Group agreed to the Chairman's proposal.

3.3 At the resumed meeting of the Negotiating Group on 1 July 2002, the Chairman reported that there was no consensus on his proposed "Programme of meetings" as it was now called, and which was dated 1 July 2002. He proposed that pursuant to Rule 2 of Chapter 1 of the Rules of Procedure of the General Council (WT/L/161), the Negotiating Group take the decision to shorten from ten to five days the time-period required for convening a meeting, and then to suspend the meeting. In the meantime, he would continue consultations on his proposed "Programme of meetings". If the results were positive an airgram would be issued on 5 July 2002 which would convene the meeting of 11 July 2002 which was scheduled in his latest proposal of "Programme of meetings" dated 1 July 2002.

3.4 The Negotiating Group agreed to the Chairman's proposal.

3.5 At the resumed meeting of the Negotiating Group on 19 July 2002, the Chairman reported that there was a consensus on his proposal of a "Programme of meetings" dated 19 July 2002. He proposed that the Negotiating Group adopt this programme.

3.6 The Negotiating Group adopted the "Programme of meetings" dated 19 July 2002¹.

3.7 The Chairman stated that, as indicated in this programme, a meeting of the Negotiating Group was scheduled for 2 August 2002, and the airgram convening this meeting would be issued shortly.

3.8 The Negotiating Group took note of the statement.

4. Appropriate studies and Capacity-Building Measures

4.1 The Chairman stated that he wished to take up three points under this agenda item: 1) appropriate studies; 2) capacity-building measures; and 3) the Market Access Seminar.

¹ Circulated as TN/MA/3.

(a) Appropriate studies

4.2 On appropriate studies, the Chairman recalled that during the course of his informal consultations he had mentioned that as a first step he would request the Development and Economic Research Division to prepare a list of publications on market access matters. He had indicated that this list would not be exhaustive but would provide a good basis for participants to work from. This list had been circulated as document TN/MA/S/1 dated 5 April 2002.

4.3 A representative of the Secretariat (Mr. Bacchetta), in introducing the bibliography stated that the Chairman of this Negotiating Group had requested the Development and Economic Research Division to prepare this bibliography of research on market access in time for the first formal meeting of this Group. It represented a first contribution towards meeting the requirement for 'appropriate studies' as stated in paragraph 16 of the Doha Ministerial Declaration. The bibliography was not comprehensive and would be further developed over the course of the negotiations. It was illustrative of the type of research that had been undertaken on the various topics within the mandate of this Negotiating Group. In preparing the bibliography within the specified time and resource constraint, a number of decisions were taken. First, it was decided to include primarily studies after 1995; second, it was decided to include primarily applied studies; third, a taxonomy of studies that broadly reflected the issues in paragraph 16 was adopted; fourth, papers were allocated to the various categories based on their primary emphasis. The references were standardized according to year, author, title, publisher and place of publication. If a reference was available through the internet the relevant link as of 28 March 2002 was provided.

4.4 The bibliography distinguished between six categories of studies: I. General; II. Tariff Structure, Tariff Peaks and Tariff Escalation; III. Non Tariff Measures; IV. Market Access for LDCs; V. Impact of Trade Liberalization; VI. Studies on specific regions or countries. Under *General*, there were studies which gave a general description of market access conditions for a broad sample of countries, discussing both tariffs and other barriers; studies which explained market access negotiation procedures and practices; studies which analyzed and interpreted the results of the Uruguay Round; and studies which discussed the stakes in the upcoming market access negotiations. Some of these studies were not limited to non-agricultural market access issues and thus provided a broader perspective on the issue of market access in non-agricultural products. Under *Tariff Structure*, there were studies which provided tariff statistics and in particular information on high tariffs, on tariff peaks and on tariff escalation. Some of the general studies also provided tariff statistics as well as information on tariff peaks, high tariffs and escalation. As far as studies on *Non Tariff Measures* were concerned, three types of studies were found: studies which considered how non-tariff measures could be measured; studies which provided estimates of certain specific NTMs or studies which looked at the effect of certain specific NTMs. In the fourth category, *Market access for LDCs*, there were studies that focussed on market access conditions facing least developed countries, taking preferences into account. In the fifth category, *Impact of Trade Liberalization*, the Secretariat had included studies which provided quantitative assessments of the welfare costs of protection or of the welfare gains from trade liberalization at a relatively aggregate level; studies which proposed quantitative assessments of the impact of trade liberalization on development and growth; studies which provided quantitative assessments of the impact of trade liberalization on income distribution and poverty; and last but not least, studies which provided quantitative assessments of the impact of trade liberalization on government revenue. The sixth and last category listed country studies or studies that only covered specific regions. Most of these studies were quantitative assessments of the welfare or growth impact of liberalization in developing countries. But, there were also studies which discussed trade policies and others which looked at short run effects of trade liberalization or at the effect of liberalization on the distribution of income.

4.5 The representative of Malaysia enquired as to the possibility of the Secretariat preparing a tariff profile and a non-tariff measures profile of all WTO Members.

4.6 The representative of Brazil stated that with regard to the issue of appropriate studies to be conducted within the context of negotiations on modalities as mandated by the Doha Ministerial Declaration, he wished to thank the Secretariat for the extensive bibliography. There had not been sufficient time to go through the list in depth to see exactly how this bibliography could help his delegation, but notwithstanding this Brazil was of the view that there were some areas which would merit further consideration. An evaluation of the impact of the previous round of trade liberalization on the economies and on the productive structures of developing countries would be useful. This was a point that had been raised by Kenya in the run up to Doha, and Brazil felt that it did deserve some consideration. An evaluation of the specific consequences of each type of possible modality for market access negotiations would also be useful. It had been mentioned at the informal meeting that these modalities were not new, and his delegation was aware of that, but an evaluation undertaken of the impact of each of these modalities would be useful. One other area which deserved some consideration was the conceptual aspects of tariff peaks and high tariffs. There appeared to be no clear understanding on the part of delegations as to what exactly constituted a tariff peak and high tariff. Another area where his delegation wished to see some work was the identification of tariff peaks and non-tariff barriers that affected products of export interest to developing countries. Another area of work which could help his delegation was identification of non tariff measures that were currently not disciplined by a specific WTO Agreement.

4.7 The representative of Canada stated that Malaysia's request underscored one important point which was that every Member needed to ensure that its submission to the Integrated Data Base (IDB) was complete and up to date. Malaysia had requested very useful information, unfortunately there were a lot of gaps in the available information. So, he wished to underline the importance of Members fulfilling their IDB obligations in terms of submissions they needed to make. In this regard, he thanked the Secretariat for the technical assistance being given and encouraged further technical assistance. As to the information requested by Brazil, it was very useful, but Brazil might wish to add evaluation of "tariff walls" as well as "tariff peaks". Additionally, he wondered how one would go about identifying non-tariff measures not covered by existing agreements. In that regard, perhaps the Secretariat could think about how this issue might be addressed.

4.8 The representative of Kenya, speaking on behalf of the African Group, stated that the African Group had a particular interest in negotiations on market access on non-agricultural products because it believed that further liberalization commitments in this area would have tremendous future implications on Africa's economic and development strategies and in particular the industrialization of the continent. He recalled that a number of African countries had submitted a proposal on market access for non-agricultural products before the Doha Ministerial Conference in which the group of countries had requested a study process to assess the impact of the previous liberalization before embarking on new negotiations. Paragraph 16 of the Doha Ministerial Declaration made reference to include appropriate studies and capacity-building measures to assist least-developed countries (LDCs) to participate effectively in the negotiations. The African Group's preference would still be consideration of studies to be the first order of the business. The studies should not only cover LDCs but also other low income developing countries that shared the same characteristics and problems in their industrial sector. The studies should assess the effects that previous liberalization and tariff reductions have had on *inter alia* domestic firms, employment and government revenue; the effects that tariff peaks and tariff escalation in the developed countries have had on the trade prospects of developing countries and the implications of these for future policies. The studies based on an examination of these elements, might make recommendations for guidelines and modalities for the new negotiations. The objectives of the negotiations on market access for non-agricultural products should be to facilitate and enable the development and industrialization process in developing countries particularly those of Africa. The modalities of the actual negotiations should have this goal at the centre and this goal should thus be central aspect of the work programme. Further improvement in market access should be seen as a possible means towards this goal, and for many developing countries, further liberalization where their industries were vulnerable and frail would be

counterproductive to this overriding development goal. Since the Doha Ministerial Declaration launched what was touted to be a development agenda, the African Group believed the Negotiating Group on Market Access would prove sceptics wrong by conducting studies along these lines which it had proposed and feeding this resource into the negotiating process.

4.9 The representative of the United States stated that access to information and the tools to evaluate tariff negotiations were critical to all Members, and to a successful dialogue in the future. His delegation was committed to supporting further work in this area throughout the negotiations. On the list of studies, he encouraged Members to take a closer look at what was available to see if existing studies did not already respond to some of the needs that had been expressed. On the request for tariff profiles of all Members, he agreed with Canada that it was going to be critical that Members provide the necessary data so that this type of analysis could be undertaken. At the end of March 2002 the applied rates for 2002 should have been submitted to the IDB by each Member. However, he doubted whether that had been the case. On Brazil's request, he urged the Secretariat to be careful about pre-defining certain types of modalities whether they be formulas or peaks until the Members themselves had started to address the issue. What was important and what he thought would be seen in the Market Access Seminar would be a day dedicated to existing databases. Many of them would be set up so that Members could do their own type of analysis of the various modalities and make their own assessments. It was important that the tools be provided but equally important that Members took the decisions.

4.10 The representative of Bangladesh, speaking on behalf of the LDCs, supported the statements made by the representatives from Brazil and Kenya. LDCs were interested in market access negotiations, however, to take effective part in the negotiations, the group needed a study on the impact of trade liberalization specifically on the LDCs. Such a study was required for the following reasons: LDCs' share of world trade had been continuously declining; these countries had been marginalized since their joining the WTO; as a result of their lack of industrial development and product diversification, they faced serious macro-economic imbalances particularly in respect of balance of payment and the budget; their tariff revenue had been falling in the past years; the LDCs were unable to protect even their infant industries which they needed to protect in order to generate employment. In the work programme of the LDCs, the group had asked the Sub-Committee on LDCs to conduct a study on market access. Copies of this study should be submitted to the Negotiating Group. The Group was not against the negotiations but before it took part in the negotiations, it needed to assess its position. It needed to understand where it was coming from, where it was now and how far it could go. On technical assistance and capacity building, the group appreciated the understanding shown by the membership regarding the need to build capacity for negotiations and to make use of the opportunities provided for the multilateral trading system. However, under the negotiations for market access there was one seminar planned for this year in this regard. While this seminar would be important, he doubted that this would be sufficient to prepare the LDCs enough to be able to meaningfully participate in the negotiations.

4.11 The representative of the European Communities stated that she had looked at the titles contained in the bibliography and some of the titles were well known to her. In fact, a number of the requests made at the meeting appeared to be already addressed by the studies mentioned in the list. As regarded more specifically the request made by the representative of Malaysia, he had identified an issue of concern to her. All Members should contribute to the IDB because the IDB was a fundamental tool for the success of the forthcoming work. Notifications to the IDB was a difficult task, made all the more complicated with the HS amendments. However, she noted that the UK had done a lot for developing countries to catch up on the Consolidated Tariff Schedules (CTS) database, and she wished to see the IDB situation also improve. It would be difficult to commence negotiations without a complete IDB. While, it might be possible to extrapolate missing data from TPRM documents, for example, that was not the ideal situation. As to the requests made by Brazil, some of them deserved attention. However, she was more sceptical about the request for an identification of

non-tariff measures not disciplined by any WTO Agreement. It would be a daunting task for the Secretariat, which had limited resources.

4.12 The representative of India requested the Secretariat to update the bibliography as the Negotiating Group progressed in its work. On the studies proposed by Kenya, Brazil and Malaysia, her delegation believed that these studies were very useful and of direct relevance to the work at hand. She thought it would be very useful for the Group to endorse that these studies be conducted so that it could get down to substantive work at its next session fully guided by both the proposed seminar and such studies. A comment had been made that the IDB needed to be updated. She fully endorsed that comment. She also recalled that the IDB contained a requirement not just on applied tariffs but also on bound rates and as far as she was aware in some cases no bindings had been submitted. In this regard, she urged that notifications to the CTS database which was the electronic version of the bound rates be submitted in order to make available the database to Members. The WTO was about commitments and Members' commitments related to tariff bindings. So her delegation attached importance to the updating of all data on tariff bindings.

4.13 The representative of Chile stated that one of the important tools available for developing countries was the IDB and Members had been urged to keep the IDB up to date. The representative of India had also stated that this updating should not just be on applied rates but also on bound rates. Import flows were also important. Another important tool was the CTS database, and in this respect his delegation wished to thank the UK for providing funds and resources to the Secretariat to do the work for developing countries. This was an indispensable tool as Members began to negotiate, and it would be part of capacity-building work for developing countries. On the studies, he wondered whether there existed any studies which showed the present level of trade on the basis of MFN tariffs and the trade conducted through regional agreements, integration agreements and special systems where tariff preferences applied. In this way Members would know exactly how much real trade was involved.

4.14 The representative of Mexico stated that he endorsed the US comments namely that the Secretariat should be careful with the studies that it might undertake, such as pre-defining negotiating modalities. The EC had also stated how important the IDB was and this had been emphasized by other Members. With respect to the statement by the EC representative that Members could not start negotiations until there was a complete IDB, while he understood her message it was not to be taken literally.

4.15 The representative of Malaysia, speaking on behalf of the ASEAN Members, stated that with respect to the studies suggested by Kenya and Brazil, in principle this group of Members could support the requests subject to there being no duplication of work. The Secretariat could examine the situation and inform Members whether certain aspects were not already covered in existing studies. There were some comments made on Brazil's request pertaining to modalities. He agreed that there should not be any predefining of modalities for the present negotiations, but it would be useful to learn about the modalities used in the past. A study on this subject, in addition to the seminar, would be of assistance to Members. On Malaysia's earlier request on tariff profiles, he wondered whether information missing from the IDB was not available elsewhere in the Secretariat, perhaps in the Development and Economic Research Division. The CTS database should be made operational as soon as possible, and in this regard he urged Members who had yet to submit the necessary information to do so as soon as possible.

4.16 The representative of Djibouti stated that he had two questions which related to LDCs, and in particular on market access and technical assistance. Did the Secretariat have the possibility of evaluating what LDCs had obtained as regarded market access? How could technical assistance be improved in order to better integrate LDCs in the trade negotiations?

4.17 The Chairman thanked Members for their statements and their ideas. He added that Members had to take into account the fact that this selective bibliography was issued only on 5 April 2002. From the comments made, it appeared that most delegations did not have the opportunity to study the bibliography and even fewer had time to go through the original literature mentioned in this paper. He encouraged Members to make that effort for two reasons. The first was because it would be a good preparation for the seminar which was planned in the near future. In this connection, and as a former negotiator, he would recommend Mr. Hoda's study. The second reason was that a number of the points raised at this meeting were already addressed in some of studies cited in the bibliography. As to the question of the definition of the tariff peak, there was a lot of discussion during the Uruguay Round on this subject, and delegations might benefit from information on past discussions. However, in the end it would be for the Members to define a tariff peak. Also, one had to be careful about asking the Development and Economic Research Division for studies which the best university/research institute had not been able to produce so far. While full confidence could be had in this team, there were resource and budgetary restraints. So, he would request Members to be selective and focussed regarding the studies they requested. Where gaps existed, studies would be useful and these studies should be based on the practical work that this Negotiating Group was going to undertake. He proposed that the delegations who had requested studies contact the Secretariat in order to clarify the situation with respect to the points raised by them. Finally, he informed the Group that the Chairman of the TNC had sent a letter to all Members reminding them of their IDB and CTS database obligations and urging rapid compliance.

4.18 A representative of the Secretariat (Mr. Bacchetta) stated that the Secretariat would examine to what extent the studies listed in the bibliography responded to the requests that had been made. The Secretariat would also try to update the bibliography as soon as possible. The Secretariat would in close collaboration with the Members concerned try to see how some of the requests might be satisfied.

4.19 A representative of the Secretariat (Mr. Bora) commented on the requests from Malaysia, Brazil, Kenya and Djibouti. On Malaysia's request, he stated that the Secretariat would be pleased to work with the delegate from Malaysia on refining the request. For example clarification was required on whether the tariff profile related to bound tariffs or applied tariffs. Additionally, was Malaysia requesting an average for a particular Member or averages across various industry categories? A second issue was a general one on databases. There were a number of databases that were available for research purposes. A discussion was required on the kind of data that Members would wish the Secretariat to access in terms of developing these profiles. For example, there was a fairly limited requirement on Members to submit data to the IDB, in the sense that even if all Members fulfilled their IDB notification obligations, there would still not be a complete data set which would meet the requirements for studies. In the context of the request from Brazil, Kenya and Djibouti the Secretariat stood ready to discuss the terms of reference for those studies and the time-frames. He confirmed the point made by the Chairman that a lot of work was already available and that future studies should build upon existing work. In particular, the study released by the WTO last year on unfinished business had a lot of information on bindings and m.f.n. applied rates. There had been a number of studies published by UNCTAD that addressed issues of non-tariff measures using the TRAINS database. There was also an inventory of control measures in the TRAINS database which classified and measured non-tariff measures. In addition, he drew attention to the bibliography in which through the Committee on Trade and Development a number of studies had been prepared on market access issues for LDCs. UNCTAD had done a number of studies on LDCs. One relating to the utilization rate of preferences and another one looking at both the scope of preferences and the gains to LDCs should preference schemes such as that of the EC be extended to the US, Canada and Japan.

4.20 The Negotiating Group took note of the statements and agreed to the Chairman's proposal set out in paragraph 4.16.

(b) Capacity-building measures

4.21 The Chairman stated that on capacity-building measures, in his consultations he had referred to document WT/COMTD/W/95/Rev.3 which was compiled following intensive consultations and which was demand-based. He had also indicated that he would request a senior member of the Technical Cooperation Division to provide an overview of the technical assistance that was planned in the area of market access.

4.22 A representative of the Secretariat (Mr. Osakwe) stated that he had six points that he wished to make. First, WTO technical assistance had undergone significant positive changes in the past few months. It was more focused, specialized, and efficient. It was now geared to the negotiations underway as well as to assist, where requested, complementary domestic reform efforts that would be inevitable if countries were to benefit from consequent improvements in market access arising from the negotiations. The Technical Assistance Plan was not perfect. It would never be, but the Secretariat was certainly confident that it responded to the needs and priorities of Members in the negotiations. Furthermore, the Secretariat was committed to keeping it flexible and dynamic to respond to changes in the negotiating dynamics and Members' needs and priorities. Second, several means would be used in the delivery of Secretariat technical assistance. These would include seminars, national technical workshops, specialized workshops, intensive negotiation-oriented training for negotiators, WTO trade policy reviews, the accession support that the Secretariat offered, and multilateral inter-agency intervention, such as for the Integrated Framework (IF) for LDCs, and other inter-agency cooperation agreements under design. The Secretariat was still thinking and seeking more creative ways to enhance its activities, involve the beneficiary countries and secure their greater ownership. Third, he believed that it was relevant for this Group to know that the fundamental objective of WTO technical assistance, as set out in the New Strategy endorsed in paragraph 38 of the Doha Ministerial Declaration, was market access-focused namely, to achieve Growth and Integration, to enable developing and least developed countries to participate in the new negotiations; and to stimulate appropriate supply-side responses. This objective was being pursued through several means: trade-related technical assistance; institutional capacity-building; diagnostic trade integration studies with other IF agencies for LDCs, which identified the competitive weaknesses in any economy that impeded it from meaningful integration into the global economy. The Diagnostic Trade Integration Studies were still focused on LDCs. Some developing countries had requested such studies. These studies, at least for LDCs, were being conducted by the six multilateral agencies of the IF. As mentioned earlier, training was a key part of what the Secretariat did. Fourth, while there were positive and significant benefits to the technical assistance that the Secretariat delivered, there were also limits. WTO technical assistance was strictly focused on the eleven operative paragraphs of the Doha Ministerial Declaration with specific technical cooperation/capacity building (TCCB) commitments, indicated in the table below.

Paragraphs	Mandate
16	Tariff negotiations: non-agric. market access
21	Trade and investment
24	Trade and competition
26	Transparency and government procurement
27	Trade facilitation
33	Trade and environment
38	Mainstreaming/Implementation/New Strategy
39	IF/JITAP – coordination with bilateral donors/agencies
40	Predictable funding for TA activities
42	LDCs' accessions
43	Integrated framework

4.23 Fifth, in this context, he referred delegations to the Coordinated WTO Secretariat Annual Plan of Technical Assistance for 2002 (WT/COMTD/W/95/rev.3), and the activities included therein in the area of market access negotiations. Technical assistance in this area was designed in two directions: first, preparation for the negotiations, and second, support for the participation in the negotiations. In the area of preparations, 18 activities had been programmed, most of them directed to training and explanation of the IDB and its utilization for and during the negotiations. These could be identified under the section on Market Access in the Technical Assistance Plan. In the area of participation in the negotiations, a number of (11) training workshops, seminars and courses on trade negotiating skills were envisaged, on a regional and subregional basis. These could be identified under the section on Trade Negotiations Skills in the TA Plan. Furthermore, the work on the development of a Toolkit for Negotiators was proceeding on an urgent basis (See Section on the TA Plan on "Tools for Technical Assistance"). It would consist of three modules on the following aspects: (i) background to negotiations and simulations; (ii) textual database for enabling the comparative analysis of negotiating texts proposed by delegations; (iii) development of a user-friendly software to allow market access negotiators to analyze trade and tariff information. This toolkit was not a substitute for training in negotiations, but would facilitate them. Given the priority attached to capacity-building efforts particularly in the mandated areas of negotiations, the WTO Secretariat intended to boost and redouble its capacity-building activities from previous levels. It had in the past provided technical assistance to Members and Observers in market access, for example through training and dissemination of the IDB or through the development of trade negotiation skills. A larger number of activities in these and related areas was now envisaged. Also, the Secretariat stood ready, if so requested, to organize advisory missions to assist Members in preparing draft schedules of concessions at the appropriate time. Furthermore, also here in the Secretariat in Geneva, the relevant operational divisions and the TCD always were ready to offer technical advice and respond to queries by delegations on a daily basis. Sixth, developing countries and LDCs had a key interest in these negotiations. Helping developing countries reap the benefits of these negotiations required support to build their negotiating capacity. But this alone was insufficient. Developing countries and LDCs also needed to be able to develop a competitive export sector to take advantage of market access openings. This required significant policy action by developing countries, in terms of trade policy reform, but also in terms of "behind the border measures" relating to customs procedures and trade facilitation. Technical assistance activities to support domestic reform efforts were therefore of relevance in assisting those developing countries (which required such assistance) to benefit from market access openings.

4.24 In this regard, collaboration with other agencies and development partners was necessary to deliver technical assistance in support of domestic reform efforts, and this was recognised in the Doha Ministerial Declaration. Many forms of assistance such as upgrading customs software, setting up of food safety inspection systems, or support for infrastructure, to mention a few examples, fell outside the remit of the WTO. For this reason, in order to underpin the effectiveness of WTO technical assistance, mainstreaming trade policy into overall economic development policy was essential so as to ensure that trade reform was an integral part of national development plans and Poverty Reduction Strategy Papers.

4.25 The representative of Djibouti stated that since his country had become a WTO Member, it had benefited enormously from technical assistance. In fact a seminar on trade and environment was going to be organized in Djibouti for LDCs at the end of the summer. He stressed the importance for the LDCs and for Africa to understand how the WTO functioned, and in this respect a follow-up of meetings dealing with subjects of importance to LDCs was essential.

4.26 The representative of Kenya stated that on capacity-building it should be noted that developing countries and LDCs had reluctantly agreed to negotiations on market access among other issues on the understanding the technical assistance and capacity-building were going to be provided prior to the commencement of negotiations. The Doha Declaration attested to this fact. It would

therefore be important to provide technical assistance and capacity-building not only on how to negotiate but also on what to negotiate. It was in the interest of the developed countries to be able to negotiate with informed developing country partners. Just as it was in their interest that developing countries trade more. This required a coordinated effort during a period of time to produce desired results. This time round it was the wish of African countries to participate fully and effectively in the process.

4.27 The Negotiating Group took note of the statements.

(c) Market Access Seminar

4.28 The Chairman stated that the current programme on Market Access Seminar had been distributed to participants at the informal meeting of the Negotiating Group on 8 April 2002. The seminar was scheduled to take place from 29-31 May 2002. He informed the Group that the WTO technical assistance budget would fund the attendance of one capital-based representative from each least-developing country to this seminar. Additionally, the Secretariat was looking into the possibility of making a video of this seminar as had been suggested by certain delegations. The draft agenda and the finalized agenda as it developed would be placed on the WTO Member homepage in order to keep Members abreast of developments both here and in capitals. Members also had to sign up their delegations so that appropriate rooms and seating arrangements could be made. This information would also be available on the Members' homepage and a fax to this effect would also be sent.

4.29 The representative of Korea sought clarification on item D of the programme of the seminar entitled "Art of Negotiating". He enquired as to the name of the speaker and the purpose of this section. He wondered whether this kind of skill could be learnt in this very brief session. The second point related to the last line in the last page which indicated that the presentation would be made available in electronic form. He proposed that the whole programme be made available in video form and possibly through webcast. In this way the seminar would become a very much value-added programme.

4.30 The representative of the European Communities hoped that this programme was still in draft form because she had comments on the wording of the titles and the subjects covered.

4.31 The representative of Djibouti wondered as to the amount delegations could learn from seminars of such limited duration especially in the area of WTO, which was complicated both from a juridical and technical point of view.

4.32 The Chairman responded that this seminar was only one step in the bigger plan of technical assistance as had been described. The limited duration of such a seminar was because for some delegations it would be an introduction, and for others a repetition. This was neither the beginning nor the end of the process of technical assistance which had started sometime ago and which would be continuing.

4.33 A representative of the Secretariat (Mrs Probst), in response to the questions raised stated that the programme of the seminar was in draft form. The Secretariat was still identifying a few last speakers and clarifying the titles and contents of their presentation. The item "Art of Negotiating", had been included for two reasons. First, it was a subject that had not been covered in previous WTO seminars. Although it had been touched upon by the Training Institute in their ongoing work. It was meant to address the less tangible and more philosophical aspect of negotiating strategies which played a critical part in the negotiations. The speaker still had to be confirmed. On the point concerning the presentations in electronic form, the idea was to post the power point presentations of the speakers on the WTO website, subject to approval by the speakers. She had also understood that a

number of Members had made requests with respect to making a video of the seminar. The Secretariat was examining this issue. The complication was linked to how the information would be delivered to Members. A three-day seminar meant approximately 30 hours of recording either on 6 DVDs or 30 CDROMS. The question was did all Members have the required technical facilities? The possibility of the internet was also being examined, but once again the question of availability of technical facilities arose. So for the moment, the Secretariat was unable to provide a definitive answer, but would keep delegations informed.

4.34 The Negotiating Group took note of the statements.

5. Observer status of International Intergovernmental Organizations

5.1 The Chairman noted that the question of the observer status of international organizations was a horizontal one which was being addressed by the Chairman of the TNC.

5.2 The Negotiating Group took note of the statement.
