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General Council

**AGENDA ITEM 2: IMPLEMENTATION OF THE BALI, NAIROBI AND BUENOS AIRES
OUTCOMES – STATEMENT BY THE CHAIR**

TUESDAY, 13 OCTOBER 2020

1.1. This item remains on the agenda so that the General Council can continue to follow up, in a horizontal and transparent manner, on the Ministerial decisions adopted in Bali, Nairobi and Buenos Aires.

1.2. My statement today will focus on those areas where there are developments to report and is based on the information and inputs provided by the Chairs of the regular bodies on the implementation work taking place further to Ministerial mandates in their respective areas.

1.3. Starting with TRIPS non-violation and situation complaints, the tentative indications of a new submission have not yet materialized and I understand that the TRIPS Council Chair is considering leading an informal exchange after the TRIPS Council meeting this week, where the item is again on the agenda.

1.4. In Agriculture, subsequent to the invocation of the Bali Ministerial Decision on Public Stockholding for Food Security Purposes by a Member, the Committee on Agriculture reviewed the notified information at its July and September 2020 meetings. The specific issues raised by Members at those meetings and the responses provided by the notifying Member may be viewed in the Agriculture Information Management System (AG-IMS), which contains the record of the Committee Review Process since 1995.

1.5. Subsequent to the adoption by the General Council of the recommendations of the review of the operation of the Bali TRQ Administration Decision, the Committee on Agriculture considered the issue of the follow-up to the Decision at its September meeting. A Secretariat background note featuring data on TRQ administration, fill rates and additional elements based on the agreed recommendations supported the Committee's discussions. The Secretariat also shared a draft underfill Tracking Register which will be finalized at the November meeting of the Committee, on the basis of Members' comments.

1.6. The fifth annual dedicated discussion pursuant to the Nairobi Decision on Export Competition also took place at the September meeting of the Committee on Agriculture. A background document was circulated, based on Members' relevant notifications as well as their responses to the export competition questionnaire. Written questions by Members on their respective export competition practices and the corresponding responses may also be found in the Agriculture Information Management System (AG-IMS). With respect to the modification of schedules pursuant to the Nairobi Decision, Indonesia's revised draft schedule was circulated yesterday; two Members have yet to submit their draft revised export subsidy schedules, and they updated the Committee on the steps taken to implement the Decision.

1.7. Turning to the LDC Services Waiver, at the last meeting of the Council for Trade in Services, the LDC Group put forward some suggestions to advance the discussion on the operationalisation of the Waiver. The Group proposed that the Services Council organize a virtual workshop to bring together LDC service suppliers and consumers of LDC services in preference-granting Members, and asked the CTS Chairman to hold consultations in this respect.

1.8. The Group also noted that it plans to organise a webinar on the impact of COVID-19, and related measures taken by Members, on the supply of services from LDCs. Additionally, the Group sought the Secretariat's assistance to update the information on LDC services trade initially prepared for the dedicated session on the Waiver held in 2019. Members were generally open to discussing the LDC Group's ideas – with some Members calling for more details to be provided.

1.9. Regarding DFQF market access for LDCs, the CTD's annual DFQF review will take place in November. Given that divergent views persist on the scope and coverage of the mandated Secretariat report on Members' DFQF market access for LDCs, I understand that it will once again not be possible for the Secretariat to prepare its report for the review. Members may nevertheless use that occasion to share any updates on their provision of DFQF market access for LDCs.

1.10. With respect to the Bali Decision on Trade and Transfer of Technology, at a recent meeting of the Working Group, a number of Members made presentations on the policies they have implemented to encourage technology transfer, and the role that technology transfer played in their economic development. The Chair of the Working Group intends to hold informal consultations with Members to hear their views regarding the lack of progress in recent years, and to assess what could be done differently to fulfil the mandate of the Working Group.

1.11. On Aid for Trade, at the recent meeting on 5 October, Members considered a proposal by the Chairman on an addendum to the existing 2020-2022 Aid for Trade Work Programme entitled: "Empowering Connected Sustainable Trade". The purpose of this addendum is to collect, discuss and disseminate information concerning Members' Aid for Trade needs and responses to the trade-related challenges triggered by the COVID-19 pandemic, and the central focus is an Aid-for-Trade Stocktaking event that will be held in early 2021. The addendum was issued under the CTD Chairman's own responsibility yesterday, 12 October.

1.12. Regarding the Trade Facilitation Agreement, two additional Members have ratified the Agreement since my last report, bringing the total ratification rate to 93% of the membership.

1.13. And finally, my report on the Work Programme on Electronic Commerce. Since my report to the last meeting of the General Council, which covered the webinar and Informal open-ended meeting held in July, no additional submissions from Members were received. Members continue to engage under the Work Programme in the relevant bodies, in particular in the Goods Council, Services Council, and TRIPS Council. Specifically, in the Services Council, a joint communication proposing exploratory discussions on supporting digital capabilities of business and consumers, initially tabled in July, continued to generate substantive engagement, with several delegations presenting information on their initiatives, including efforts to promote the development of the e-payment sector. In the TRIPS Council, delegations had a rich discussion of specific TRIPS-related e-commerce topics at its meeting in July following a request from a Member. I understand that, in subsequent consultations, there was broad support to put the item on the Work Programme on E-commerce on the agenda of the next meeting with a view to mapping out how the TRIPS Council will move forward with this item.

1.14. These discussions are welcome, particularly given the current pandemic. In that regard, Members continue to underscore the crucial role of e-commerce in fostering economic growth and addressing the challenges faced. I urge all delegations to deepen engagement on both the Work Programme and the moratorium in line with the December 2019 General Council Decision. As Chair, I remain ready to consult with Members and to facilitate further meetings as necessary.

1.15. And for this General Council meeting, as you are aware, we have an item on the Work Programme and the Moratorium – Item 9 – which has been requested by India.

1.16. This concludes my report.
