Background Note on the WTO Negotiations

The Ninth Ministerial Conference of the WTO took place in Bali during 3-7 December 2013. Ministers issued a Declaration and ten Decisions on various issues including Trade Facilitation, issues relating to agricultural trade rules and others relating to development and Least Developed Countries (LDCs). Amongst these Decisions, two Ministerial Decisions are of particular significance for India – the Ministerial Decision for an Agreement on Trade Facilitation and the Ministerial Decision on Public Stockholding for Food Security Purposes.

2. Following the Bali Ministerial Conference, the focus of the developed countries was only on the implementation of the Trade Facilitation Agreement (TFA). Concerned at the lack of progress in implementing other Bali Decisions, especially the decision on public stockholding for food security purposes, India decided not to join the consensus on the Protocol of Amendment to incorporate the TFA into the umbrella WTO Agreement.

3. After several months of negotiation and discussion, on 27 November 2014, the General Council of the WTO adopted a Decision on Public Stockholding for Food Security Purposes, a Decision on the Trade Facilitation Agreement and a Decision on Post Bali Work.

4. The General Council Decision on Public Stockholding for Food Security Purposes makes it clear that a mechanism, under which WTO Members will not challenge the public stockholding programmes of developing country members for food security purposes, in relation to certain obligations under the WTO Agreement on Agriculture, will remain in place in perpetuity until a permanent solution regarding this issue has been agreed and adopted.

5. The Decision also includes a commitment to agree and adopt a permanent solution on public stockholding for food security purposes by 31 December 2015 on a best endeavour basis and has a firm commitment to engage in negotiations for a permanent solution through an intensified programme of work.
6. The General Council also adopted the Trade Facilitation Protocol and opened it for acceptance. The TFA would automatically come into force when ratified by two-thirds of the members of the WTO. *The Department of Commerce is working on its notification commitments as well as internal processes for ratifying the Agreement.*

7. As per the Bali Ministerial Declaration, a clearly defined Work Programme on the remaining Doha Development Agenda issues was to be finalized by December 2014. The General Council in its decision of 27 November 2014 extended the deadline to July 2015. Members, however, could not agree on a Work Programme by the extended deadline.

8. The proposed Work Programme is an important decision of the Bali Ministerial Conference. It is very critical to concluding the Doha Development Agenda. The Doha Round of trade negotiations is the first and only Round that has been specially designated as a Development Round. Conclusion of the Round would result in better integration of the developing countries in the international trade, which in turn will help them successfully tackle the challenges of poverty, unemployment and growth. The Work Programme therefore need to take into account the development mandate of the Doha round and in-built principles of Special and Differential Treatment available to developing countries without any differentiation.

9. The Tenth Ministerial Conference of the WTO (‘MC10’) is scheduled to be held in Nairobi, Kenya in December 2015. This is the first time that the Ministerial Conference of the WTO is being organized in the African continent. Members are working for successful outcomes in the Ministerial Conference.

10. India, like other developing countries is looking at MC10 with the expectation of substantial outcomes in agriculture and development. Any outcomes in the Doha issues need to address the basic concerns of developing countries, and provide them with a level playing field for their better integration in the global trading system.

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