

PREPARATIONS FOR THE 1999 MINISTERIAL CONFERENCE

Organization of the Preparatory Process and
the Seattle Ministerial Declaration

*Communication from Brunei Darussalam, Indonesia, Myanmar,
Singapore and Thailand*

The following communication, dated 5 August 1999, has been received from the Permanent Mission of Singapore.

1. The second phase of the preparatory process for the Seattle Ministerial Conference is near conclusion. WTO Members, thus, need to urgently consider several issues in respect of both the organization of the third phase as well as the draft Seattle Ministerial Declaration. We would like to offer some suggestions.
2. First, WTO Members should reach an early agreement on the format in which the proposals, now numbering over 80, are to be submitted for the consideration of Ministers at Seattle. The proposals cover a wide range of topics. Under each topic, such as anti-dumping, there are also several proposals with different suggestions for improvement. The Secretariat has provided a check-list of proposals (Job(99)/3978/Rev.3), but the check-list has merely listed the serial numbers of the proposals, their titles and the delegations submitting them. There is no indication of their objectives or content, in other words, the type of reforms or improvements that each proposal is seeking. We would suggest that the Secretariat produce a more functional check-list i.e. the check-list should, apart from grouping the various proposals under topics like agriculture, anti-dumping, also provide a gist of the objectives of each proposal. WTO Members would then know at a glance what are the objectives and types of reforms or improvements that have been suggested under each topic.
3. This is particularly so because our deliberations are not starting from scratch. Most of the proposals before the General Council are intended to build on or improve on existing agreements. There are a few areas where some Members are proposing new agreements. Such a list would also be useful for us to prepare negotiating parameters on each topic. In this regard, we must bear in mind that unlike the topics referred to in paragraphs 9(a), 9(b) and 9(c) of the Geneva Ministerial Declaration, the inclusion of "other matters" meaning new issues concerning multilateral trade relations, must be "agreed to" by Members. The parameters, apart from spelling out the negotiating objectives, would also give a clear indication of the level of ambition on each negotiating topic which Members can collectively agree to.
4. Second, WTO Members should discuss and formulate the negotiating parameters or level of ambition on each topic. It is important to note that discussions are only going to be on the parameters of the negotiations and not the substance of the proposals. Obviously, the General Council sitting in

special sessions will have an overall supervisory role. But the Chairman of the General Council has limited time on his hands to lead the discussion on all these issues. We would suggest, therefore, that the Chairman of the General Council designate some friends or task groups to lead in the drafting of the parameters on various topics for negotiations. These can be grouped in either of the following manner.

5. One possible approach could be to group the various topics by functional objectives, i.e.:

- agriculture;
- services;
- market access;
- rules;
- cross-cutting issues like S&D.

6. The other approach would be to classify the topics by their status i.e. whether the mandates for negotiations or reviews have been provided for in the built-in agenda (BIA) or whether a new work programme is needed. The following broad headings could be used to categorize the topics:

- mandated negotiations, i.e. agriculture and services or others as agreed;
- ongoing work-programmes, i.e. mandated reviews such as TRIPS, TRIMs, subsidies, TBT and DSU;
- new work programmes, i.e. issues that are not ripe for negotiations or which do not come under any existing mandate.

7. With such a process in place, we can then hopefully discuss the various proposals in a systematic and meaningful manner.

8. Third, the drafting of the Seattle Ministerial Declaration. We are aware that some delegations have cautioned against producing a draft too soon. However, there is not much time between now and the Seattle Ministerial meeting. We would suggest that the Secretariat should at least produce a skeletal sketch or the broad elements which the Seattle Ministerial Declaration could consist of.

9. We suggest that the Seattle Ministerial Declaration could comprise the following broad elements:

- a backdrop or introduction which would provide a brief collective assessment of the world economic environment and outlook;
- a collective evaluation of where implementation stands and any decisions as to how to move ahead, as mandated by paragraph 8 of the Geneva Ministerial Declaration;
- a paragraph on the least-developed countries and any action programmes that WTO Members may agree upon;
- decisions that can be taken up by the Seattle Ministerial Conference, which could simply be housekeeping matters such as extending existing mandates or substantive decisions;

- the scope and the negotiating objectives or parameters for future negotiations, particularly those not covered by existing mandates. This would obviously be the substantive core of the Seattle Ministerial Declaration and would have to spell out issues such as negotiating structures, time-frame, standstill and participation by acceding countries;
- review and stock-take of the above and any ongoing work at the fourth Ministerial Conference with a view to taking decisions as appropriate;
- lastly, the date and venue of the fourth Ministerial Conference.

10. In view of the shortage of time, WTO Members could discuss elements of the Seattle draft Declaration in parallel with the discussion on the negotiating parameters and proposals.

11. We hope that the above suggestions would help the General Council to move forward in the preparatory process in a more focussed, systematic and expeditious manner.
