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Negotiating Group on Trade Facilitation

SUMMARY MINUTES OF THE MEETING

Held in the Centre William Rappard
on 9-11 and 18 November 2005

Chairman: Mr. Muhamad Noor Yacob (Malaysia)

1. The Chair set out the agenda for the meeting.
2. The agenda was adopted.
- A. PREPARATION OF THE REPORT TO THE TNC FOR THE HONG KONG MINISTERIAL CONFERENCE
3. The Chair said that under this item, the Negotiating Group (NG) would take up the issue of finalizing its report to the TNC. Members would have all noticed the draft circulated about ten days ago in document TN/TF/W/72. It had been prepared in response to Members' request for the Chair to draft such a text, and was based on their input as presented in the consultative and plenary sessions of the last NG meeting. In drawing up the report, he had therefore been guided by what he understood to be the points Members wished to see reflected, and driven by the wish to make it represent common ground.
4. While clearly charged with a challenging task, he had had the benefit of being able to base himself on a number of commonalities in Members' positions on this matter, and to profit from their constructive approach. He wished to seek Members' reactions to this text and to see where one stood. As a *Group Report*, it was obviously paramount for the draft to have Members' full support.
5. While that was certainly an important step in the work, he also wished to recall that what Members were trying to do was agree on a report that encapsulated the NG's view on the progress made and the road ahead. The report would then have to go to the TNC, and from there to the General Council, leaving Members with the opportunity to decide precisely how they would like to see the text reflected in the respective products of those bodies.
6. He was, of course, aware of the broader overall context in which the NG operated and its implications on the work. At the same time, he considered it important to put things into perspective, and not to confuse the task with what was yet to come in the TNC and General Council process.
7. In opening the floor for reactions he wished therefore to ask Members to look at the draft for what it really was; a suggested report of the NGTF to the TNC. Any subsequent action on its reflection in the final text to Ministers would still be up for Members to decide.
8. The representative of the Philippines, speaking on behalf of the Core Group conveyed the Core Group's appreciation for the positive and transparent process in which the Chair had presented

the first draft of the Hong Kong report. The Core Group believed that he had been faithful in reflecting the progress achieved so far.

9. The Core Group noted with appreciation that following the proposal the Core Group had made at the Negotiating Group meeting last 25 October, the draft report had made reference (in paragraph 2) to both the Secretariat compilation of proposals (TN/TFW/43/Rev.4) and to the Secretariat's summary of questions and responses (JOB(05)/222). The Core Group also welcomed references in paragraph 2 to the important submissions on technical assistance and capacity building (TA&CB) as contained in TN/TF/W/33 and TN/TF/W/56 as well as on customs cooperation and customs compliance issues in TN/TF/W/57 and TN/TF/W/68.

10. The Core Group wished to suggest minor amendments to the text to reflect the reality of where Members were in the negotiations. With respect to paragraph 2, 3rd line of the 3rd sentence, the Core Group was concerned that the text as presently formulated appeared to pre-judge the outcome of the negotiations when stating that "Members were building common ground on many aspects of that part of the negotiating mandate". The Core Group believed that, given the current stage of the NG's discussions where Members were trying to have greater clarity on the proposals made, any effort to build a common ground would be a subsequent process. The language relating to that aspect therefore had to be adjusted to reflect that fact.

11. With respect to paragraph 4, 5th line, the Core Group wished to highlight that the list mentioned in TN/TF/W/43/Rev.4 was just a compilation of measures. Any reference to such list should indicate that fact. Similarly, measures listed in paragraph 1 did not have to be repeated in the report since they were already contained in the compilation document.

12. In that same paragraph, with respect to the penultimate line's reference to moving to drafting mode in 2006, the Core Group wished to suggest replacing the phrase "early enough" with, "at an appropriate time", since "early enough" was rather prescriptive and might not be realistic. The Core Group was aware that, depending on the degree of confidence each Member would achieve on its understanding of the proposals, a shift to focused drafting mode would follow. In any event, it had to happen in 2006.

13. To successfully conclude the negotiations, the presence of capital-based experts during the negotiations would be critical. For developing countries, that might be difficult to realize given their financial constraints. It would be useful if a recommendation could be made to Ministers that developing countries and LDCs needed financial assistance to allow their experts from the capital to participate during the negotiations. That particular need had been reflected in the African Group's submission TN/TF/W/33. The Core Group wanted those observations to be taken on board for the next draft.

14. The representative of Canada thanked the Chair for his Herculean efforts together with the Secretariat's assistance in putting the draft report together. Canada was aware of what an extremely challenging task it represented to respond to Members' request for preparing such a draft.

15. Canada believed that the draft covered all essential elements on which Members needed Ministerial guidance. Canada recognized that there were many diverging views among Members on specific aspects, even if Members shared the common goal of ensuring progress in the negotiations. That made Canada even more grateful for the Chair's efforts to present a draft report that would be acceptable to all.

16. Canada certainly would have preferred to see some issues treated differently in the report. For example, Canada would have liked to have seen clearer language on the initiation of text-based negotiations, immediately after Hong Kong. Nevertheless, Canada recognized that not all Members shared that view, with several Members emphasizing at the last meeting their interest in retaining the

possibility to bring forward new proposals which they thought might be compromised by such language. Against that backdrop and despite the reservations Canada had with respect to a few specific elements, Canada was ready to accept the draft report to the TNC on an "as is" basis. Canada was taking that position in the spirit of compromise because it considered it important to maintain and consolidate the very positive and constructive negotiating environment Members had developed collectively under the Chair's leadership. However, should others insist on opening the text, Canada would need to revisit its position and might have to require that the text be improved to address its reservations as well.

17. As for the NG's contribution to the Ministerial Statement, the Chair's draft report provided the foundation for the trade facilitation (TF) section of the draft Ministerial Declaration. Once the report was agreed by the NG, Canada assumed that Ministers would be asked to endorse the recommendations contained in the report. Canada also assumed that, at Hong Kong, Ministers would reaffirm the negotiating mandate contained in Annex D of the July 2004 framework.

18. The representative of Australia commended the Chair and the Secretariat on their excellent work in pulling together the draft report for the TNC. It had been a remarkable effort given the limited time since the last meeting. There was a strong intention to reflect the key interests and concerns of all Members across the Negotiating Group.

19. A lot of care had been taken when preparing the draft to reflect the necessary ambition for 2006 in all aspects of the modalities, whether they related to rules, technical assistance, capacity building or S&D aspects to reinforce the equal role they played in the negotiating mandate, confirm the work and encourage Members to move with sufficient pace to conclude the negotiations within the overall deadline while, leaving space for new ideas and for time to consider needs and priorities.

20. However, there were parts that did not suit everybody's taste, and some Members would prefer to pick out certain aspects. Australia, for instance, would prefer there not to be specific references to some Members' proposals when there were not similar references to others. Similarly, a reference to moving to text-based negotiations immediately in the New Year would have been preferable. This was likely to be the case for many other Members. But the key was to have the varying elements of the product put together in a way that created an overall balance. As it stood, the text did have the necessary balance which was why Australia was prepared to accept it "as it stands", despite the fact that there were elements Australia would really prefer to see included or taken out.

21. However, if Members started to pick away the pieces or bring a shopping list of new ingredients, Australia, and many others, might be forced to consider whether the overall balance was affected. The concern was that the balance could be lost and Members might end up with less for everyone. Australia therefore encouraged others to adopt the report, and the necessary balance contained within as it stood.

22. The representative of Zambia, speaking on behalf of the LDC Group, expressed appreciation for the Chair's extensive efforts in guiding negotiations towards a successful outcome. Zambia found comfort in knowing the NG to be in capable hands. The transparent manner in which the Chair had guided the negotiations was exemplary. The LDCs were grateful for him having produced a draft Hong Kong report (TN/TF/W/72). At the same time, the LDCs had a few basic concerns.

23. First, Members should not try to burden Ministers in Hong Kong with a report. It did not contain anything they were asked to decide on. What was contained in paragraph 7 relating to intensification of work was something Members would do in any case. There were other elements in paragraph 5, mostly dealing with process, paragraph 6, on capacity building, and paragraph 7 on S&D, that Ministers had to decide on, but that had to be clearly spelt out.

24. Second, while the report was excellent for the TNC, the LDCs did not want to begin a process of agreed reports from the Chair, unless the Chair wanted it to be that way.

25. Third, Ministers should get a few clear paragraphs from the NGTF which outlined their instructions to the Group. They would be getting such paragraphs from all other Negotiating Groups.

26. Finally, Members should now get into the mode of discussing texts for the Hong Kong Ministerial. The LDCs would authorize the Chair to prepare such a text.

27. The Core Group had put forward some excellent ideas. Zambia wished to supplement them with some concerns that were specific to LDCs. As Members were aware, negotiations on Trade Facilitation (TF) were at the clarification stage on a number of measures proposed by Members and there were many things on the table still to be clarified. For the LDCs, it took longer to understand their implications due to obvious capacity constraints. In that context, the LDCs appreciated that the report rightly left room for Members to come up with new proposals.

28. The LDCs' major concerns were clear. Trade facilitation should enable LDCs to integrate into the multilateral trading system through enhancing their competitiveness and through removal of obstacles to trade. The negotiations should also concentrate on clarification and improvement of relevant aspects of GATT Articles V, VIII and X that were relevant for LDCs. The modalities clearly expressed the special vulnerability of LDCs, and the need to give special attention to them. Paragraph 6 of the draft report provided some measure of comfort to the LDCs, but it did not clearly enough reflect their needs and concerns. The S&D provisions required for LDCs had not been fully captured, as was done in Annex D of the July text. Technical assistance being provided by Members and the multilateral institutions had to be more specific to the demands of the negotiations, particularly in implementing anything agreed upon. Hence, there was a need to have a separate paragraph for the LDCs. That paragraph should incorporate the elements from Annex D relevant to the LDCs, and also refer to paragraph 3. TA&CB should have a prominent reflection (1) during the negotiations; (2) for the assessment of needs and priorities; and (3) for implementation. Zambia hoped that these concerns would be reflected in the text put up for the Hong Kong Ministerial.

29. While the LDCs acknowledged the reflection of the importance of TA&CB in paragraph 6 of the report, they wished to express their deep concern that the report recommended Members to move to text-based negotiations early next year. The LDCs were concerned that without operationalizing TA&CB, they could not participate effectively in text-based negotiations early next year. The LDCs were therefore of the view that TA&CB should be operationalized expeditiously prior to the text-based phase of the negotiations and that that should be reflected in the Chair's text. Furthermore, they recommended that TA&CB for identifying needs and priorities be expeditiously provided and intensified prior to the text-based phase of the negotiations.

30. Similarly, the LDCs would like to emphasize that infrastructure development would be necessary in order to implement obligations arising from Articles V, VIII and X. On paragraph 6, the LDCs had concerns with regard to the last sentence of the report. Instead of that sentence, they would appreciate if it could be phrased as follows: "Recognizing the assistance already being provided in that area, the Negotiating Group recommends that Members, in particular developed ones, should continue to intensify their support in a comprehensive manner and on a long-term and sustainable basis backed by secure funding without any prejudice to the TA&CB obligations under Annex D".

31. Similarly, since Members were still in the clarification stage and several measures had been proposed by Members towards that end, the proposed language in line 7 of paragraph 2, which read, "and were building common ground on many aspects of that negotiating mandate" should be rephrased to reflect the improved understanding of the negotiating mandate as opposed to "building common ground". The LDCs would also wish that the title for the list of elements be referenced as an indicative list and termed as measures that had been proposed.

32. The representative of Morocco, speaking on behalf of the African Group, recalled that the African Group attached great importance to the issue of trade facilitation and remained engaged in working in that area. The African Group reaffirmed the importance of Annex D's S&DT and TA&CB components and was concerned about the report recommending the shift in work in that area towards a text-based negotiating mode without specifically addressing the commensurate technical assistance and capacity building commitments. That was in contradiction to the mandate contained in Annex D.

33. In that regard, the African Group proposed the following: concrete and quantifiable TA&CB commitments by the development partners must be reflected in the report, as well as the integration of a precise effective and operational S&D which had to be explicitly reflected in the text. The opportunity of participating and/or making further proposals should not be foreclosed. The African Group underscored the importance of TA&CB for an effective outcome in trade facilitation and also wished that the mentioned elements be taken into consideration in the next draft.

34. The representative of Barbados said that the discussions and negotiations over the past few months had unfolded in a structured and constructive manner allowing countries of all levels of development and capacity to participate both through interventions in the meetings and through tabling a large number of proposals on the three Articles, on TA&CB, on S&D, on country experiences and on positions of principle.

35. Barbados was a proponent of the small economies work programme, which was to acknowledge, in particular, the proposals tabled by those countries either individually or with other interested Members. Barbados hoped that the interest of those Members continued to be taken on board.

36. The Chair and the Secretariat were to be commended not only for the way in which the discussions had been led and supported but also for the draft report produced. Much of it was factual, but even in the simple enunciation of facts, it was important that the report did not prejudge or pre-determine a post-Hong Kong Group, which had not been formally agreed to by all. In light of that, Barbados concurred with the specific textual recommendations made by the Philippines on behalf of the Core Group. Barbados might also support Zambia's position on TA. In particular, Barbados recommended consideration be given to having a court and court audit on the provision of TA before moving directly onto text-based negotiations.

37. It was important that all elements of the negotiating mandate be reflected in the report in an equal manner. Hence, the S&D element should be included as a stand-alone item in the list of issues in section I. It was recognized that some Members had recommended that that list be deleted but in the event that no consensus was reached on that, and that it remained, it was important that the list reflected the compilation document and that it was specifically stated as being illustrative and non-exhaustive. It was Barbados's understanding that the list would provide an opportunity to take stock of the areas discussed so far rather than be a pre-determined list of issues for future negotiations.

38. There remained some issues which certain delegations considered to perhaps still be outside the NG's mandate. One of the more integral processes in the discussions, which had been reflected in both formal and informal discussions amongst delegations, was the need to discuss and formulize a coordinating mechanism for the identification, financing and delivery of TA&CB in a sustainable manner during and after the negotiations. Barbados was particularly pleased to see specific mention of that in the draft report.

39. The representative of Singapore expressed his delegation's appreciation for the factual and balanced content of the draft report. Obviously, it was not perfect, and Singapore would like to have further strengthening of a number of elements. However, at the present stage of work, barely a month before the Hong Kong Ministerial, Singapore also wanted to see how it could be helpful to the process

and take a more reasonable and pragmatic approach. The NG had made a lot of progress with over sixty proposals having been tabled on various aspects, including on TA&CB.

40. Obviously, there would always be scope to continue the clarification of the various proposals that had been tabled so far. However, Members should also strive to push the negotiations forward. In that connection, Singapore agreed with the report's practical recommendation that the NG moved into focused drafting early enough in 2006 and into text-based negotiations. Apart from TA&CB, there should certainly also be parallel work on S&D. In that regard, Singapore concurred with the report's recommendation on S&D in paragraph 7. Singapore had offered some suggestions on S&D in its proposals relating to the three relevant GATT Articles. Singapore looked forward to further suggestions from Members on that area when Members resumed work early next year.

41. All in all, Singapore was of the view that, although not perfect, the text was broadly in the ball park covering all aspects of the TF mandate. While perhaps requiring some fine-tuning, there should be no major surgery to the draft report.

42. The representative of Argentina thanked the Chair and the Secretariat for their efforts in submitting the text which largely accurately reflected what Members had discussed at the last meeting. Argentina understood the draft to be not just a factual text but to contain recommendations which were made not under the Chair's exclusive responsibility, but under the responsibility of all Members. That was therefore the way in which one had to approach that document, to understand the views of other delegations on what were the possibilities of reopening the text. It was in that spirit that Argentina wished to express a few minor considerations it wanted to see reflected.

43. With regard to the reference in paragraph 4, 5th line, to "without prejudice to individual Member's positions on individual proposals contained in that document, a list of elements drawn from it is provided below to facilitate further negotiations", Argentina was of the view that that list was merely of an illustrative nature. It could nevertheless be an indication for establishing a list of elements that must be focused on in that context. There was an issue Argentina considered to be important. When drawing up a list of measures for improving and clarifying Articles V, VIII and X of the GATT, there was an index, containing all subheadings. But when looking at the last three titles, there were no subtitles, whereas in section III, on cross-cutting submissions, there were subtitles (identification of needs and priorities, TA&CB and multiple areas). Argentina had a concern with regard to making a selective reading on some of the subheadings.

44. In part 3, multiple areas, the first bullet point was termed "cost assessment", followed by a second one on "inter-agency cooperation". These were two subheadings contained in TN/TF/W/33. But the third and fourth bullet points, "inventory" and "timing and sequencing" had been taken from communication TN/TF/W/72. That was selective. One had to be very careful. Either all subheadings from various communications under that heading were included or the communications they had been taken from had to be reflected. TN/TF/W/41, for example, was not indicated at all in the text. Argentina did not have any problem with identifying needs and priorities and its use but considered it necessary to correct the bullet points under the various headings, in particular heading three, "multiple areas".

45. The second comment related to paragraph 7. For Argentina, that was particularly important, because it contained recommendations. The first part of paragraph 7 stated that "the Negotiating Group also recommends it deepen and intensify negotiations on the issue of S&D, with a view to arriving at S&D provisions that are precise, effective and operational and that allow for necessary flexibility in implementing the results of the negotiations". The statement regarding allowing for necessary flexibility in implementing the results of the negotiations had to be more explicit and more precise as it had to reflect what flexibility was established under Annex D, saying that extent and time of entering into commitments shall be related to the capacities of developing and least-developed

countries to meet those commitments. That statement had to be very clear and should not leave room for ambiguity. One could use the same words as were used in Annex D, for example.

46. One also had to be more explicit regarding the second part of paragraph 7, speaking about "reaffirming the negotiating mandate in this regard, especially paragraphs 2 and 3 of Annex D". When talking about paragraphs 2 and 3 of Annex D, there should be links to the elements of the various paragraphs of Annex D. One should therefore include a reference to "reaffirming the negotiating mandate in that regard, especially the links between paragraphs 2, 3, 4, 5 and 6 of Annex D".

47. As for the date, it was a good suggestion to clarify what had been said more generally about there not having been any specific date set. Argentina was not sure whether the present forum was the place to establish when text-based negotiations would begin or what the necessary timeframe would be. That was a cross-cutting issue which had to be addressed in other WTO bodies as well.

48. The Chair explained that the general approach to selecting headings/subheadings and bullet points mentioned in the list had been to simply take the headings and subheadings chosen by Members in their papers and reflected in the compilation document. That had generally worked well, except for the multiple areas section where the papers reflected under that heading often did not contain any subtitles. To avoid what he had considered to be an unwanted result of some sections not having any bullet points at all, a slightly different approach had to be adopted. In an attempt to be helpful and after much reflection and internal debate, starting from the goal of trying not to "invent" anything that was not contained in those submissions, a decision had been taken to pick up essential points from the reflected papers and list them as bullet points in order to do full justice to Member's proposals in that area.

49. The representative of Argentina clarified his point to be that one should establish criteria in the sense of either putting bullet points capturing all subheadings from those communications or not putting any at all. It was useful to have them for the reasons just explained by the Chair. But it was unbalanced to have two subheadings from one communication and two or even none from others. It was not a matter of document TN/TF/W/41. TN/TF/W/62 from Chinese Taipei was also not reflected. That was Argentina's point.

50. The representative of Brazil said that the draft report was a very good first approximation of what to present to the TNC. On average, it was quite a good text. The Chair had done a good job in reflecting the factual part of the NG's work and setting out the major points at stake. The report could be perfected in that there were a few elements which were very important to Brazil.

51. First, paragraph 2 mentioned some papers. Brazil wished to suggest that all papers be mentioned in order not to discriminate some in favour of others and to complete the list.

52. As for paragraph 4, the Chair had already taken care of some related concerns. As for its reference to "Without prejudice to individual Member's positions on individual proposals contained in that document", one could perhaps be even more careful and indicate that the list was just an indicative one. Everybody agreed that one did not know whether there would be commitments on each and every element listed. That was one of the questions Members had to address next year. The fact that it was an indicative list should be made as clear possible.

53. Brazil appreciated the Chair's clarification on the methodology the Secretariat had used in compiling the list which was definitely adequate. Brazil also agreed with the difficulties involved but with respect to the question of cross-cutting submissions, specifically those listed under the heading "multiple areas", Brazil had difficulties in finding titles. Perhaps it was possible to revisit that section and to try to reflect the proposals in another way, adding to the four bullet points already listed. One

proposal Brazil particularly had in mind was the proposal it had co-sponsored, but there were also other proposals which had elements that could be incorporated.

54. As for paragraph 7, which was extremely important to Brazil, the report, while rightly displaying Annex D's elements, did not reflect the interconnection between those elements as adequate as Brazil would like it to. Brazil believed that those linkages were the conceptual basis of Members' work and therefore was concerned that if those interconnections were not reflected in a more accurate way, Members ran the risk of giving Ministers the wrong impression that Annex D had somehow been reinterpreted to the detriment of the interrelationships existing between S&D, TA&CB and the new commitments.

55. These linkages gave Members the level of comfort required for negotiating new obligations. That was the reason why they should somehow be referred to in paragraph 7. It was not a question of picking and choosing elements, but one of preserving a very delicate balance between new commitments, implementation concerns and S&D. That was the reason why Brazil supported the language suggestion made by Argentina to add something like "taking account that the extent and timing of entering into commitments shall be related to the implementation capacities of developing and least-developed Members" in the first sentence of paragraph 7 after the words "effective and operational". That was a quotation from Annex D which addressed and specified the flexibility mentioned in the general language suggested by the Chair.

56. In the second phrase of that paragraph, Brazil would also support the suggestion made by Argentina to insert something such as "recognizing the linkages among the elements of Annex D, especially those contained in paragraphs 2, 3, 4, 5 and 6, the Negotiating Group recommends that further negotiations on S&DT built on input presented by Members in the context of measures related to GATT Articles V, VIII and X, and in their proposals of a cross-cutting nature on S&D". Those suggestions were important for Brazil as they reflected a very delicate balance which gave the necessary comfort for continuing with the negotiations. That was why they should be incorporated.

57. The representative of Japan said that the draft report to the TNC accurately reflected the NG's discussions to date. The draft was well balanced in its content, and had taken into account all views expressed in the plenary session two weeks ago.

58. They included the positive assessment of the NG's work based on the negotiating mandate in Annex D and gave necessary guidance for Members' work after Hong Kong, without prejudice to Members' future stance in the negotiations and to their further contributions. Another important element was the reaffirmation of the importance of S&D and TA for CB in developing countries and LDCs. Although the reference to some elements was not entirely satisfactory to Japan, such as that referring to the timing of entering into text-based negotiations, other Members were also not comfortable with reference to other elements in the draft, which showed the draft report to be structured in a way that stroke a delicate balance among those differing views. Based on that, and given the importance of continuously engaging in the negotiations after Hong Kong in the Group's current constructive atmosphere, Japan accepted the report as it stood as the report to the TNC.

59. The representative of Venezuela said that the report reflected the work Members had been doing since the beginning of the NG. Venezuela appreciated the transparent and inclusive approach adopted in preparing the report. As a Member of the Core Group, Venezuela supported the statement by the Philippines with regard to the content of the report. Venezuela further wished to add the following comments.

60. With regard to paragraph 4, the list of measures proposed should also include the reference that the measures were only illustrative and not definitive. Venezuela recognized the progress that had been made, but a deeper analysis was required of the costs that developing countries and LDCs

would have to bear, as well as of how to apply S&D elements and other elements contained in Annex D.

61. With regard to S&D, Venezuela was of the view that the discussions did not clearly reflect the measures that might be adopted. It was not enough to say that there would be allowance for flexibility. What was needed was to make sure that they were operative in the negotiating mandate. Venezuela supported the proposals made by Argentina and Brazil in terms of changing the language. With regard to TA&CB, Venezuela understood that the identification of requirements included the identification of needs and priorities. In the last two months, work had begun on that matter at least in the Core Group. Since that work was very much at a preliminary stage Venezuela, therefore, considered it still premature to talk about the beginning of these discussions.

62. Ministers should recognize the important progress made in these negotiations but it would be more realistic to ensure that each element of the mandate was considered in a balanced way. One should ensure that one did not superpose one element over another.

63. The representative of Nigeria supported the statement by Morocco on behalf of the African Group and by the Philippines on behalf of the Core Group. Nigeria further wished to underscore some issues which were particularly important to Nigeria regarding WTO work on trade facilitation.

64. The draft report to the TNC covered all aspects of the mandate. Nigeria supported the basic thrust of the report. Nigeria placed emphasis on the need for provisions on TA&CB. That was an important area of the work and would remain so for many countries for them to be able to participate and to implement any potential future outcome. Nigeria also wished to underscore the need for provisions on S&D that were precise, effective and operational. The list of elements contained at the end of the report should be regarded as illustrative and non-exhaustive. Nigeria had taken note of the Chair's explanations regarding work next year and the commencement of text-based negotiations as well as of his stressing that the report be a collective report of the NG as opposed to one by the Chair.

65. The representative of Hong Kong, China (HKC) said that the objective of the report was to recognize the good progress made in the NG and to enable Members to intensify work to have a timely conclusion of text-based negotiations on all aspects of the mandate next year.

66. Despite the good work by everybody, many tasks and challenges still lay ahead. Members had to work harder and in a more forceful manner to achieve their objectives. The draft Hong Kong report was a very good piece of work. However, in some areas there were still considerable gaps compared with the original expectations of HKC in terms of level of intensity and consolidation as well as in terms of timing. Hong Kong, China, would like to see the stage of text-based negotiations start as early as possible, hopefully immediately after the Hong Kong Ministerial.

67. Nevertheless, HKC appreciated that the current draft report captured the right and workable balance of elements and that it contained a credible package for the Hong Kong Ministerial and beyond. On that understanding, and in the spirit of cooperation, Hong Kong, China, could go along with the current draft report as it was. It was not a perfect text but a workable one to take Members forward in the limited time available. Despite all the different suggestions proposed by Members, it was very important to emphasize the balance in that process. If the current text were to be modified, Hong Kong, China, would have to suggest changes as well.

68. The representative of Malaysia associated her delegation with the statement made by the Philippines on behalf of the Core Group.

69. Malaysia supported the general thrust of the report presented in TN/TF/W/72 which was balanced and reflected the progress achieved so far. Malaysia noted the focus on what needed to be done post-Hong Kong, particularly in paragraphs 5, 6 and 7, and the sequencing of measures. The

Malaysian delegation was happy with the emphasis on what had to be done next year on identifying effective and sustainable TA&CB for developing countries and, particularly, LDCs. Those were important elements embedded in the modalities contained in Annex D. Malaysia also fully supported the call in paragraph 6 for secure funding by developed Members.

70. The representative of Peru said that at a time when negotiations in other areas of the Round were not progressing the way they should, it was always good to see that work in the NGTF was more concrete and was being approached in a more responsible manner. That should allow Members to come up with specific results at the end of the Round, which might not be the case in other areas. The draft text was quite well balanced and reflected the work carried out to date and indicated what future negotiations should be.

71. Of course, any text could be improved. Peru would have liked to see other issues of greater specificity such as text-based negotiations at the beginning of 2006. But, overall, the text was good enough as it was. It reflected a degree of neutrality and struck a balance of everything Members had communicated. Peru was ready to adopt it as it was.

72. The representative of Moldova, speaking also on behalf of the Kyrgyz Republic, said that the negotiations on TF constituted a major issue for those countries, taking into consideration the benefits of efficiency and transparency in trade flows. Nevertheless, the limited capacities of their delegations had not allowed them to participate fully in the TF negotiations. Moldova and the Kyrgyz Republic appreciated the draft report. While the text looked very balanced, they wished, however, to emphasize that it did not mention specific concerns of small low-income countries in transition.

73. That was why they intended to submit to the NG a formal proposal on behalf of some small low-income countries in transition. The objective economic indicators clearly showed the level of development of those economies to be comparable to low-income developing countries and, in fact, to many LDCs. In that context, Moldova and the Kyrgyz Republic wished to draw attention to paragraph 38 of the Doha Declaration, as well as to paragraph 1(d) and other sections of the General Council's Decision of 1 August 2004, which underlined the difficulties faced by small, low-income economies in transition in their efforts to implement economic and trade policy reforms.

74. Those countries were really favourable and supportive with regard to the clarification and improvement of GATT Articles V, VIII and X. A more operational Article V was especially important for their trade competitiveness since a significant proportion of their trade depended on efficient transit operations due to the fact that the countries were effectively landlocked. However, like many developing countries, small, low-income economies in transition had certain concerns that commitments resulting from the TF negotiations might go beyond their implementation capacities.

75. Paragraphs 2, 3, 5 and 6 of Annex D contained comprehensive provisions on S&D and TA&CB for developing and least-developed countries. Furthermore, paragraph 38 of the Doha Ministerial Declaration instructed that priority be accorded to small, vulnerable and transitional economies in the area of TA&CB. On the other hand, for small, low-income countries in transition, though the level of development was quite low, no specific flexibilities and provisions had been agreed so far. Moldova and the Kyrgyz Republic therefore wished to request the Negotiating Group on Trade Facilitation to agree that all Members which were small, low-income countries in transition be also granted special flexibilities with regard to trade facilitation to be defined in the negotiations, and be provided with adequate TA&CB, in accordance with paragraphs 2, 3, 5 and 6 of Annex D. They hoped for their proposal to be favourably considered and its content included in the negotiating modalities to be agreed so that those countries could really feel the benefits of the WTO Membership as stated in paragraph 49 of the Doha Ministerial Declaration.

76. The representative of Jamaica associated her delegation with the statement made by the Philippines on behalf of the Core Group. Jamaica appreciated the continued transparent and inclusive approach adopted to the preparation of the report to Ministers in Hong Kong.

77. Jamaica had indicated the previous month the importance of Ministers being informed of the generally very positive assessment of the NG's work. That had been captured in the draft report. Jamaica had also taken note that some emphasis had been placed on the development dimension of the mandate contained in Annex D, including on the commitments in respect of the provision of TA&CB and the linkage to implementing the results of these negotiations, as well as regarding flexibility to the provisions of S&D, which had also been emphasized as important for Ministers to pronounce on in Hong Kong, in order to ensure fidelity to the mandate.

78. Jamaica, therefore, just wished to make two brief points. In paragraph 4, the second sentence introducing the list of elements should be clarified to reflect the fact that the list was merely illustrative and that it should not be assumed that all elements contained therein would be the subject of text-based negotiations. Secondly, Jamaica wished to reiterate one of the key points made by the Philippines on behalf of the Core Group. There was urgent need for the participation of capital-based officials, particularly customs officials, in the Geneva negotiations and urgent need for small, targeted financial assistance in that regard. For some Members, that could be one of the most important decisions taken by Ministers in Hong Kong.

79. The representative of Kenya associated his delegation with the statement made by the Philippines on behalf of the Core Group and by Morocco on behalf of the African Group. Kenya had a few comments to make.

80. First, paragraph 2 of the report had highlighted that Members had advanced their understanding of the measures in question and were building common ground on many elements proposed by Members. That would give the impression that Members had reached a high level of convergence on the elements that had been proposed, although Members were still in the process of understanding and clarifying those elements with a view to narrowing the differences that might exist. Paragraph 2 should therefore be refreshed to capture those views.

81. Paragraph 4 indicated that progress in the negotiations aimed at developing a set of multilateral commitments on all elements of the mandate. Kenya saw that as prejudging the possible format of the final result of the negotiations when the modalities contained in Annex D were open to various forms of outcomes. There might be need for re-phrasing, perhaps by referring to the progress in relation to the mandate contained in Annex D.

82. Paragraph 4 also seemed to recommend a focused drafting mode early next year so as to allow time for text-based negotiations. Kenya requested some balance on that point. There were two view points on this aspect. Some delegations had expressed a preference for text-based negotiations early next year while others had indicated that they were still assessing the implications of some of the proposals that they wanted to allow time for early next year to further discuss them. It could therefore be important to state the two views in the report rather than trying to recommend text-based negotiations, which was too early. Kenya certainly understood the clarification given by the Chair but had difficulties as it had clearly stated the need for further discussions to understand the implication of some of the elements proposed. It was also necessary to see clearly on the issue of TA&CB before thinking of text-based negotiations.

83. Paragraph 5 mentioned the elements contained in the Secretariat's compilation. It would be important to put some disclaimers there to indicate that the elements constituted an illustrative list of possible measures to improve and clarify the three Articles. It was also important to indicate that the elements did not prejudge the outcome of the negotiations either in substance or in form. That would raise the level of comfort for some Members.

84. On paragraph 6, Kenya took note of the recommendations made in the report regarding the need to reaffirm, reinforce and to make TA&CB operational. In view of the fact that that was an issue on which Members had made the least progress, before making those recommendations it would also be important to mention that some Members had expressed a lack of progress in that area.

85. The Chair explained that the reference to multilateral commitments was one that not only related to new rules, but also referred to S&D and TA&CB. That was why the balance was there. If the words "multilateral commitments" were taken out, that would also remove it with respect to the areas of S&D and TA&CB.

86. On the question of text-based negotiations, there the reference was to "early enough in 2006 so as to allow for a timely conclusion of text-based negotiations". It was therefore not without qualification. Furthermore, even the Core Group had recognized the fact that a focussed drafting mode would have to happen in 2006.

87. As for the wish to add the word "illustrative" to the list, he recalled that the text contained the explicit reference to the list being "without prejudice to individual Member's positions on individual proposals", given also assurances as to the possibility of submitting new proposals. The concern was therefore taken care of.

88. The representative of Kenya said that, while understanding the clarification given on paragraph 4 with respect to developing a set of multilateral commitments, it was likely to be interpreted differently by different Members depending on the element looked at. That made it important to refer to the mandate in Annex D. That could bring the balance Kenya wished to see.

89. The Chair clarified that by expressly referring to multilateral commitments *on all elements of the mandate*, the text was very clear and should not give room for different interpretations.

90. The representative of Trinidad and Tobago expressed appreciation for the Chair having conducted the negotiations in a transparent and constructive manner and also wished to commend the Secretariat for the draft report. Trinidad and Tobago associated itself with the intervention made by the Philippines on behalf of the Core Group and believed that, in general, the draft report addressed the key issues as outlined in Annex D. Trinidad and Tobago therefore wished to raise only a few concerns.

91. While the issue of TA&CB was addressed in the report, there was need to underscore the importance of having concrete proposals on TA&CB, which had so far been absent. In that regard, Trinidad and Tobago acknowledged the need for increased work on identifying needs and priorities as highlighted in paragraph 5, and was working to ensure an adequate level of that aspect of the NG's mandate. As highlighted by the Philippines, the phrase "developing a set of multilateral commitments" should be qualified in light of the fact that the negotiations had not yet gone beyond the clarification stage.

92. With respect to the listing of elements, there had to be a clear indication that the listing was indicative in nature. Trinidad and Tobago further wished to suggest that the issues of needs and priorities identification and TA&CB be given their own major headings rather than be subsumed under cross-cutting submissions which would highlight the importance attributed to these areas by a significant number of the Membership. However, note had been taken of earlier interventions on that issue and Trinidad and Tobago would be flexible on the matter.

93. Finally, making S&D operational was imperative for Trinidad and Tobago which therefore supported the suggestions by Argentina and Brazil in that regard.

94. The representative of Korea said that the draft report served well as a good summary of the state of play and good guidance for future work. The report, in general, contained a balanced description of all areas mandated by Annex D's work programme, including S&D and TA&CB.

95. Korea wished to express support for the draft as it was, although it was not sufficient to satisfy all Members, including Korea, in terms of addressing the various elements under discussion.

96. At the same time, Korea had concerns over any attempt to break the delicate overall balance of that text by further weakening its words and phrases. Korea was not fully satisfied with the present text, since it lacked a clear picture of the work programme after Hong Kong and simply outlined the measures to improve and clarify without more detailed content and direction.

97. However, in the spirit of keeping the constructive atmosphere and moving forward after Hong Kong, Korea wished to express full support for going along with the text as it stood.

98. The representative of Pakistan expressed appreciation for the way in which the Chair had conducted the proceedings in the NG. While agreeing that the draft was not perfect, it provided a good foundation to build upon. At the same time, Members should not shy away from trying to improve it, if possible, as the future outcome of the negotiations would be based upon it. Members had to continue work with the same exemplary spirit shown over the course of the previous year, placing emphasis on discussing matters in the spirit of mutual benefit rather than negotiating country positions.

99. While Pakistan was supportive of the intent and content of the suggested draft, it wished to make certain observations and suggestions for amendment. While acknowledging the valuable contribution made by the authors of TN/TF/W/33, 36, 37 and 68, which were the four documents mentioned in the report out of a total number of more than fifty proposals, Pakistan wished to suggest that for the sake of uniformity no document number be mentioned except for that of the Secretariat's compilation. The two sentences mentioning specific document numbers could therefore be deleted.

100. Paragraph 6 concerning TA&CB seemed to lack mention of the objective of TA&CB to enhance the implementation capacities of developing and least-developed countries. It also failed to mention the linkage between implementation capacities and binding commitments. It had to be reaffirmed that where Members lacked the necessary capacities, implementation would not be required as mentioned in paragraph 6 of Annex D. Paragraph 6 of the report must specifically mention that.

101. Building on Argentina's suggestion to add some bullet points to the "multiple areas" section, Pakistan wished to propose the following points: (i) Pledging mechanism for TA&CB and funding; (ii) WTO Trade Facilitation Committee to endorse Members' obligations and commitments, and (iii) multilateral endorsement of implementation capacities. These were not new ideas, but had been extracted from the proposal Pakistan had made with Switzerland in TN/TF/W/63.

102. Pakistan also supported the proposal to consider the list of written measures to improve and clarify GATT Articles V, VIII and X to be an indicative one. With respect to TA&CB beyond the negotiating phase (section III, sub-paragraph 2) Pakistan suggested the following additions: Support for creating and enhancing implementation capacities of developing countries and LDCs and review of the effectiveness of TA&CB and its availability to support implementation of agreed measures.

103. The representative of Rwanda appreciated the efforts in developing the draft Hong Kong report and the exercise of a high degree of transparency and inclusiveness in the process. Rwanda associated itself with the statements made by the Philippines on behalf of the Core Group, Morocco on behalf of the African Group and Zambia on behalf of the LDCs. Overall, Rwanda appreciated the

fact that the report had attempted to provide Members with a balanced reflection of the status of the NG's work. Rwanda simply wished to emphasize the following elements.

104. First, on paragraph 2, the phrase "building on common ground" was an overestimation and should therefore be deleted. Secondly, Rwanda acknowledged and welcomed the importance attached in the report to the need for improved identification of needs and priorities as well as TA&CB. To the extent that Rwanda had co-sponsored the proposal on Article V it considered itself to have offensive interest in that particular Article. However, Rwanda noted the importance of TA&CB for many Members to implement Rwanda's Article V proposal and therefore made that recommendation with regard to TA&CB which it wanted to see reflected in the text.

105. TA&CB had to be intensified and expedited during the negotiations, including through the identification of needs and priorities, as well as through the participation of capital-based experts. The operationalization of TA&CB, including through defining a coordination mechanism, was key in facilitating the next phase of negotiations which was, as a number of Members preferred, a text-based phase. Once taken up, those elements would very much address certain discomfort some Members might have and ensure effective participation in the next phase of the negotiations.

106. The representative of Chile said that while the report was not perfect, it nevertheless contained all the elements in a balanced way.

107. Chile had co-sponsored TN/TF/W/41 which mentioned the links between the various elements of Annex D and suggested that discussions on technical assistance and S&D treatment should be developed in a dynamic, continuous way in negotiating disciplines. While the report could be improved by making those linkages explicit, Chile was of the view that the current draft and the negotiating mandate contained in Annex D allowed Members to work in the right direction.

108. With regard to the list at the end of the document, Chile considered it useful to help focus the work not only in Geneva, but also in capitals. Chile very much appreciated that the list had been drafted, but it should be made clear that it was an illustrative list and not an exhaustive one. Another minor point that could easily be introduced was the link between paragraph 4, referring to the compilation of the Secretariat, and the list at the end of the report. Finally, with regard to the reference to starting text-based negotiations, there could be a link to that being dependent on the overall conclusion of the Round. If the Round was to conclude in 2006, one had to start the text-based phase of the negotiations as soon as possible.

109. The representative of Nicaragua supported proposal TN/TF/W/41 and informed that his delegation had indicated its intention to co-sponsor the document.

110. As for the draft report, Nicaragua was of the view that the language in paragraph 2 on the factual presentation of the proposals should be neutral. Some proposals had been referred to while others had not. Similarly, some connotations were given with regard to some proposals while that was not the case for others. Nicaragua wished to have a more neutral language in paragraph 2.

111. With regard to paragraph 4, Nicaragua echoed the sentiments expressed by others, in particular Brazil and Argentina, on the reference to the proposals being submitted as an indicative list.

112. With regard to paragraph 6, Nicaragua considered it to be an issue of semantics when talking about S&D treatment. It had to be made clear whether the Annex on Trade Facilitation was part of the Trade Facilitation negotiations itself or whether it had linkages with negotiations on Special and Differential treatment. There was a reference to S&DT in paragraph 6, which at the end also talked about reflecting the needs and priorities of developing countries. And there, it was necessary to clarify something important from the very beginning.

113. What Nicaragua was concerned about were the commitments that arose from the Trade Facilitation negotiations and how states had to meet them. Technical assistance for those negotiations, and the responsibility to present negotiating positions were the responsibilities of states. That did not mean that TA was not valid and useful, but Members had to analyze whether technical assistance was necessary as a pre-condition for participating in the negotiations. All Members recognized the merits of Trade Facilitation as such. Therefore, in paragraph 6, it was proposed that the needs and priorities of developing countries should be stated at the very beginning in order to ensure their consideration as something very important for states.

114. With regard to paragraph 7, Nicaragua supported the proposals from Brazil and Argentina. Nicaragua agreed that one had to be more specific about flexibility. If the other negotiations on S&D were linked with S&D treatment in Trade Facilitation, there were important elements contained in some proposals on S&D which were different. Paragraph 7 had to be more specific. Paragraphs 4, 5 and 6 of Annex D had to be mentioned. Also, the negotiations dealing with S&D treatment should be linked with disciplines, but that could give rise to confusion if one mixed the multilateral commitments with S&D treatment. With respect to the last sentence of paragraph 7 which talked about the context, it was important to avoid mixing up S&D treatment with the context of measures related to GATT commitments.

115. The draft report was a good starting point which could, nevertheless, be made more perfect.

116. The representative of Switzerland said that her delegation supported the general thrust of the report. Most of the elements suggested at the last meeting were reflected in the draft text, while others, which were important to Switzerland, had not been taken up. Switzerland recognized that not all elements suggested by all Members could be reflected in the report. Consequently, the Chair had to make choices. In that spirit, Switzerland would not insist that all of its elements be taken up.

117. Switzerland saw the report to be a mix of a factual report on the progress made so far and guidance for future work after Hong Kong. Therefore, Switzerland was of the view that any qualifier of a submission should be made on equal terms. Switzerland had some difficulties with seeing merely a few submissions mentioned. Either all were mentioned or none of them were. For the area of technical assistance, for instance, one should either mention TN/TF/W/33, TN/TF/W/56, TN/TF/W/41, TN/TF/W/62 and TN/TF/W/63 or none of those documents.

118. Regarding paragraph 4, Switzerland appreciated the explanation given by the Chair on the multilateral commitments concerning all elements of the mandate. Switzerland believed that to be a key statement of the report. Switzerland also wished to echo what Argentina had said regarding the list of elements. The list of elements under heading III seemed selective. Switzerland supported the statement made by Pakistan suggesting some of the elements that could be added. With regard to the multiple areas section (III.3), some of the bullet points stemmed from Switzerland's submission TN/TF/W/63. Switzerland wished to suggest, as "Inventory" stood in the context of "Inventory of trade facilitation measures", that that point was taken care of under I. With regard to timing and sequencing, that sentence should be complemented by "timing and sequencing of the implementation of measures".

119. Regarding paragraph 7, Switzerland supported Argentina's point that the language "allow for necessary flexibility in implementing the results of the negotiations", could be read in a different manner than Annex D. The language should therefore be more explicit. The present language could indeed convey the impression that Members had been revisiting Annex D since July 2004 which was not the case. While picking and choosing among the elements of Annex D was a sensitive action, Switzerland believed that the flexibility mentioned by the report was more adequately reflected by language contained in paragraph 2 of the Annex, as had been suggested by Brazil.

120. Finally, Switzerland agreed that the report could be a good basis for drafting the Hong Kong Ministerial Declaration, but thought that Members had to have enough time to work on that text, taking into account the widespread sensitivities amongst the Membership.

121. The representative of Nepal commended the Chair for bringing out a generally balanced report. Nepal associated itself with the statement made by Zambia on behalf of the LDC Group and also supported the statement by the Philippines on behalf of the Core Group. Nepal appreciated that the report rightly left room for new proposals which would be helpful for countries with a low level of capacity like Nepal. As negotiations were still at a clarification stage, measures reflected in the report should be taken as illustrative ones.

122. TA&CB were very important for many countries. The operationalization of TA&CB was of much significance for Nepal and was important during the negotiations for the assessment of needs and priorities as well as for implementation. An enhanced, sustained and dedicated assistance package should be developed for LDCs. Nepal was expecting practical support from relevant international organizations in the respective areas. Nepal hoped that his delegation's concerns be reflected in the report in an appropriate manner so as to enable LDCs to go along with the rest of the global community, which ultimately should contribute to having a meaningful development Round for all Members. Certainly, text-based negotiations should not precede TA&CB commitment and its operationalization. Similarly, S&D should be an integral part of the negotiations, making it precise, effective and operational. Considering the lowest level of capacities of LDCs, and as mandated by Annex D, the LDCs' concerns should find a specific paragraph in the report as Zambia had requested.

123. The representative of Cuba supported the statements by the Philippines on behalf of the Core Group, and Argentina as the coordinator of the Latin American Group.

124. On document TN/TF/W/41, Cuba supported the proposals by Brazil and Argentina on suggested amendments to reflect in paragraph 7 the linkages between elements of Annex D and other elements of the negotiations. As for paragraph 2, Cuba echoed the concerns expressed by other delegations. Some proposals were mentioned and some were not. It would be better not to mention any submission specifically. Cuba wished the text to be drafted in the same balanced approach the Chair and the Secretariat had been pursuing so far.

125. Cuba also supported what Kenya had said about an explicit reference to a date early in 2006 being rather premature, taking into account the state Members had reached in the negotiations. Cuba was committed to concluding the Round as quickly as possible in that area. But Cuba was well aware that on other issues there had not been a lot of progress made. Members had to keep a balance in all areas of the negotiations. Therefore, the reference to a date early in 2006 could be a problem.

126. Similarly, as other delegations had mentioned, Cuba would like to refer to S&D treatment. Cuba supported the proposals of Argentina and Brazil in that regard and welcomed the statement by Zambia as coordinator of the LDCs.

127. The representative of Indonesia expressed appreciation for document TN/TF/W/72 and for the positive and transparent process in its preparation. Indonesia fully supported the statement made by the Philippines on behalf of the Core Group on the draft report.

128. Regarding paragraph 6, in addition to the suggestion made by the Philippines on behalf of the Core Group, Indonesia wished to underscore the importance of having the need for concrete TA&CB and S&D reflected in the draft report. The operationalization of TA&CB was very important for the effective outcome of the negotiations. In that regard, it was essential to emphasize that there be a strong link between the trade facilitation measures in force and the capacity of Members.

129. The representative of the European Communities said that the draft report reflected the views of the NG on the work done so far and that to be done next year. With that report, Members were reaching a significant moment in the work of the NG. It was therefore important that the report was an accurate reflection of what had taken place in the negotiations and where Members wanted them to move next year.

130. Several Members had suggested changes and fine tuning of the draft, while a large number of other Members had called for letting sleeping dogs lie and for not making the best the enemy of the good, as the report reflected everybody's common level of shared satisfaction. In respect to those Members who had proposed purely factual adjustments, the EC had no difficulty in contemplating those adjustments.

131. But a number of Members had also suggested to import specific bits of Annex D into the report or to reflect them differently. The EC had no problem with that in principle but questioned the purpose of selecting certain parts of the mandate and transferring them into the report. Nobody was trying to touch or alter the mandate which was the basis of the negotiations. It seemed risky to selectively pick and choose some parts of Annex D and put them in the report. If there was a need to do that, the EC was willing to look at it on its merits, but would caution against an excessive desire to take parts of the mandate and bring them into the report. The draft already contained many references to the fact that the mandate remained the anchor for the report and for work next year.

132. A number of other Members had suggested changes which were changes in substance, even if they were characterized as "minor stylistic adjustments". The EC saw that as a fairly unexpected attempt by some to pull the proverbial duvet a bit closer to their side of the bed. While that was in a sense to be expected when producing that sort of report, some of the proposals for substantive changes could not be accepted by the European Communities as they did not reflect the common points of view that had been expressed in the NG for nearly a year and a half. Like others, the EC had wished to see much more ambition in that report in terms of the road map for 2006 concerning dates, deadlines and targets. The Chair had chosen not to reflect those ambitions, because he felt that the traffic would not bear it within the Group. The EC was willing to accept a text which was a second-best option in many respects, but on condition that others did as well. Since time was limited, he would not go into details about the specific areas the EC had difficulties with, but said they were probably fairly clear.

133. The representative of Costa Rica said that there was little to add to what had been said by the European Communities. Costa Rica concurred as regards the factual comments. If any modification had to be made, it had to be done in that way. Paragraph 2, for instance, made reference to some documents but not to others. Costa Rica concurred with others that the current draft contained the elements Members had considered in the negotiations and set out areas where Members needed specific guidance from Ministers. It was not a perfect text. Costa Rica had concerns that had not been reflected in a manner wished by Costa Rica. Nevertheless, Costa Rica could live with the document as it was, as long as it was not re-opened significantly beyond a mere correction of factual aspects.

134. With respect to substantive issues, Costa Rica would have significant problems as regards the comments made by other delegations to that end. Certain comments related to part of paragraph 2 where reference was made to building common ground. In most cases, no Member had rejected any proposal outright. Members were probably not in agreement on all the contents, but that would be resolved in the next stage of the negotiations. Therefore, that phrase should remain. Costa Rica also would have liked to see more explicit language in paragraph 4 regarding text-based negotiations immediately after Hong Kong, but was prepared to live with the text's suggested language if it remained as currently drafted. As for paragraph 7, Costa Rica believed that the Chair had appropriately reflected what Members had to do. In that context, Costa Rica wished to clarify that

Argentina had not spoken as coordinator of the Latin American Group. Costa Rica did not consider itself represented by Argentina's statement.

135. Argentina and Brazil had suggested certain modifications such as referring to other paragraphs of the modalities, mentioning paragraphs 4, 5 and 6 of Annex D. If such references were to be made, paragraph 1 should be included as well because when speaking of S&D one had to speak of the substance which could not be separated from the rest.

136. The representative of New Zealand recognized that the Chair's task had been a difficult one. New Zealand had some strong reservations about aspects of the Chair's report. In light of the limited time available, she would only mention three specific points.

137. First, in relation to paragraph 6 on TA&CB, some of the language in the final sentence of that paragraph went further than Members had gone in the room. Being a small donor country, that made New Zealand quite uncomfortable. New Zealand would have preferred not to have such language.

138. Second, like others had mentioned, New Zealand had concerns about some of the references to specific proposals in paragraph 2. All proposals had equal status. Some had suggested adding further items to that list. New Zealand would prefer to see no proposals singled out.

139. Third, New Zealand would have preferred to see greater specificity in paragraph 4 on the work programme for next year, both in terms of greater direction from Ministers to move swiftly towards negotiations, and perhaps a clear link between the elements cited in the list and the future negotiations. New Zealand also echoed the point made by the EC that it was risky to pick and choose parts of the mandate. It would be better to reaffirm the whole mandate on the basis of the negotiations.

140. Despite those concerns, and she had just mentioned three on them, New Zealand recognized that all Members who had spoken had concerns of one sort or another and that what the Chair had attempted to produce was the best balance of the various concerns. What was offered was a compromise.

141. Therefore, overall, and on that basis, New Zealand could accept the text as it was, but only on condition of there not being substantive changes. It had not been an easy decision and New Zealand's acquiescence was dangling by a thread. New Zealand left the Chair with the task of ensuring that the thread was not broken.

142. The representative of Sri Lanka appreciated the fact that the draft report had been made available early enough to allow his capital to react. Sri Lanka considered the text to be a balanced one which represented a good reflection of the work the NG had undertaken since the launch of the negotiations. Sri Lanka also had some reservations on certain elements and certain paragraphs, but, basically, could live with it, or even with some modifications suggested by some developing countries. He only had a few minor comments to make.

143. First, with respect to text-based negotiations, Sri Lanka agreed on the importance of making some reference to the overall time line for completing the negotiations, including appropriate language to take into account such concern. Perhaps it would be useful to guide or organize the future work. Second, as some other developing countries had already stated, including the Philippines, Sri Lanka supported targeted technical assistance and a commitment to facilitate the participation of capital-based customs officials. With such participation, Members might be able to commence text-based negotiation, not too early, but at the same time not too late, keeping in mind the end date for completing the task.

144. Like Pakistan, Sri Lanka supported linking the commitment and obligation with TA&CB in a more explicit manner. Finally, as mentioned in paragraph 5 of the report, Sri Lanka recognized the

role of international organizations and supported that inclusion as Sri Lanka had immensely benefited by various activities of those international organizations, such as the Expert Meeting organized by UNCTAD in September or the conference the OECD organized in Colombo. Those efforts had contributed immensely to understanding the issues of the negotiations. Perhaps that language could be further strengthened on that point.

145. The representative of Turkey said that even though Turkey would have preferred to see more ambition and clearer language in a draft, giving direction for future work, the report was a balanced one, considering Members' different views on substance and on process. Turkey was of the view that having a list of proposed elements in the draft text, in addition to making reference to TN/TF/W/43 as a reference for future work, was the right approach. However, fine tuning was needed in the heading of the first topic to reflect the fact that the list did not prejudge the outcome of the Trade Facilitation negotiations. Other than that, Turkey could go along with the report as it was.

146. The representative of Zimbabwe fully supported the statement made by the Philippines on behalf of the Core Group, by the African Group and by Zambia representing the LDCs. The importance of Trade Facilitation could not be over-emphasized, especially for developing countries such as Zimbabwe which had little or no resources to implement Articles V, VIII and X. Zimbabwe reiterated its support for provisions mandated by Annex D of the July package and paragraph 27 of the Doha Development Agenda. Zimbabwe reserved the right not to start text-based negotiations until such time when concrete TA&CB programmes with Zimbabwe's development partners had been put on the table. Zimbabwe would also like to see effective S&D spelled out in the draft ministerial text. Trade Facilitation should also bring development to developing and least-developed countries.

147. The representative of Uruguay generally concurred with what had been said by other delegations about the text largely reflecting the debate that had so far taken place. It was a consensus text and a balanced one. Nevertheless, Uruguay concurred with the comments made by Brazil regarding paragraphs 2, 4, and 7 as a means of improving that first draft.

148. The representative of China said that the draft was a good reflection of the discussions held at previous meetings. It did not only give Members a good picture of what they had been discussing in the NG but also provided them with guidelines for work after Hong Kong. China welcomed the recommendations made in the draft report in respect of identification of needs and priorities of Members, the provision of TA&CB and the proper settlement of S&D treatment. Basically, the report was a good one, covering all the elements of the mandate.

149. Some Members had referred to the importance of keeping the balance of the report. Others had also expressed concerns about paragraph 2 referring to some submissions without mentioning others. Taking into consideration that there were now about 60 submissions, it would be difficult to refer to them one by one or to make a selection. Perhaps one could strike the balance by taking up the suggestions by Pakistan, Nicaragua, Switzerland and others for that paragraph only to give a factual and neutral description of the issues discussed in the NG without referring to specific submissions.

150. The representative of India concurred with the view that the report reflected the process followed as a build-up to the report. India appreciated the transparent and inclusive process adopted in presenting the draft report which had well captured the positive spirit of the NG. India also appreciated the reference to the compilation of questions and answers as well as reference to the written submissions on trade facilitation and customs compliance issues.

151. India supported the statement by the Philippines on behalf of the Core Group regarding suggested changes. Most of these statements would be in the nature of fine tuning rather than major surgery. In particular, India would like to point out that in paragraph 2, the attempt of the report was to give a factual presentation of the work done so far. In India's understanding, the factual assessment for the first aim of the negotiation had been that Members were presently attempting to have greater

clarity on the proposal. The phase to build common ground would be a subsequent phase. That was why it was in keeping with the factual nature of the reporting being done. India suggested to modify that language regarding building common ground, because that might be premature.

152. India expressed some concern regarding the suggestion to delete reference to certain documents in paragraph 2. India felt that that was part of the overall balance of the text. While there was an annex listing many proposals and their main elements, the listing was not so elaborate on other areas of the negotiations. India had refrained from seeking any further addition to that listing which it could have done, because of the nature of the proposals India had made which had only been indicated by one bullet point. But India was willing not to request further expanding the language under that heading on customs compliance issue, provided that the mention to the documents in paragraph 2 was retained, because India felt that provided adequate comfort.

153. The representative of the Dominican Republic said that the document had all the necessary elements that had to be put on the table, although it was perhaps not as balanced as his delegation would like it to be.

154. The Dominican Republic agreed with what the Philippines had said on behalf of the Core Group as well as by Zambia on behalf of the LDCs, and also agreed with Kenya. In particular, the Dominican Republic wished to endorse Argentina and Brazil's point. A number of opinions had been voiced about the various paragraphs of the document. For example, on paragraph 2, the Dominican Republic considered it important to include all the submissions made and all the opinions expressed throughout the course of the meetings. On paragraph 4, the Dominican Republic had two particular points to make. Even though Members had not adopted all the issues up for discussion and it might be early days to focus on specific wording, the Dominican Republic could agree to the reference to the articles in that paragraph. It was necessary to point out that the list in paragraph 4 was only an indicative one.

155. As for paragraph 7, the Dominican Republic supported the statements made by Argentina and Brazil. Their concerns were also a main concern of the Dominican Republic with regard to the document. If there were no clear recommendations with regard to TA&CB, the report would not be clearly reflecting all of Annex D's elements. The report was intended to reflect the NG's work. But Members had focussed a lot on the creation of rules without sufficiently concentrating on aspects dealing with TA&CB. For that reason, it was important to take into account the comments by Argentina with regard to paragraph 7. Argentina had rightly expressed the substance of document TN/TF/W/41.

156. The Chair said that due to the late hour he would suspend the meeting. The remaining speakers on his list would be given the opportunity to make their contributions the next day. Before suspending the meeting, he asked Members to carefully reflect on the way forward, given that some Members had proposed substantive changes, some had suggested minor stylistic adjustments with others also proposing suggestions to make the document perfect, without however necessarily insisting on them unless others insisted on the changes. He therefore urged everybody to reflect on that and to consider how one should proceed. He reminded Members that the text had to be submitted very soon.

157. Members should take the time to reflect among themselves as to how best to proceed, taking into account what had been said. He wanted clear advice from everybody as to how to move forward. All Members' statements and concerns would be reflected in the minutes of the meeting. Members might wish to take that into account when thinking about whether to insist on certain amendments.

158. The Negotiating Group took note of the statements made.

159. The meeting was suspended.

160. The meeting resumed on 10 November.

161. The Chair expressed his hope that Members had used the time to reflect on how to move forward.

162. The representative of El Salvador said that the document circulated the previous week reflected well the progress made by the NG so far. El Salvador considered it important to include in paragraph 2 of the draft report a reference to contribution TN/TF/W/41 by a number of Latin American countries, which contained a number of points on the interrelationship between Annex D's elements.

163. In addition, El Salvador considered it necessary that the language contained in paragraph 4 of the draft report on the list of elements contained in the last part of the document should clearly reflect its indicative nature to make clear that each and every element contained in that list remained subject to negotiations and that there was the possibility of elements not being included.

164. Finally, El Salvador considered it necessary that the language contained in the first sentence of paragraph 7 about the work having to be deepened and intensified on S&DT should keep the already agreed language contained in Annex D.

165. The representative of Colombia said that the submitted draft reflected to a great extent the NG's work. It was an objective report. To make the text even more balanced, Colombia considered it important to mention document TN/TF/W/41, which Colombia had sponsored together with a large group of Latin American countries. The aim was to complement the information contained in paragraph 2 when mentioning the contributions from the African Group (documents TN/TF/W/33 and TN/TF/W/56 regarding TA&CB and the practical application of the principle of S&DT). The report said that various contributions had been made on that area but it merely highlighted the position of the African Group. There had been other documents on the issue, several of them containing information on TA programmes provided. But only those of the African Group and of Latin American countries dealt with the interrelationship that should exist between the 3 pillars of Annex D.

166. In order to maintain a proper balance, document TN/TF/W/41 should be mentioned. Colombia also agreed with intensifying work over the next year to achieve a text that took account of all the elements of the mandate. To achieve that, paragraphs 5 and 7 highlighted the areas where it was imperative to work hard. In particular, Colombia welcomed what paragraph 6 said. That was in line with the positions of the Latin American countries set out in TN/TF/W/41. Finally, the list of themes should be an illustrative one, as mentioned in paragraph 4.

167. The representative of Egypt wished to record a few factual observations. While Egypt understood and shared some of the concerns expressed by Members of both the African Group and the Core Group, Egypt remained convinced that Members had a good draft which needed fine tuning rather than redrafting or re-negotiation altogether. It was clear that the report reflected the constructive spirit and nature of the work done by the NG so far. Egypt was keen to preserve that spirit, particularly when trying to identify the thrust of the message sent to Hong Kong.

168. Egypt preferred to avoid any selectivity in referring to submissions in the report. One way of doing that was to eliminate those references as China had already mentioned. That might be a good way of dealing with the issue, allowing the report to remain factual. The references would perhaps also serve as a confusing element to Ministers rather than anything else. They were clear to Members in the room but might not be clear to Ministers in Hong Kong.

169. One way of continuing to be constructive while being factual was, as Brazil and Argentina had mentioned, to stress in a more explicit way the linkages contained in the mandate, saying that new

commitments must be substantiated by equal and balanced commitments on TA&CB and S&D for the different Members.

170. As for the three roman numbers, Egypt saw no real utility in keeping them. It might also be a little confusing for Ministers to see just a listing of the different headings that had been discussed by the Group.

171. Finally, Egypt wished to express its discomfort with the tone some Members had introduced in the NG, which had so far been working in harmony. Negotiations were going on. It was not going to be a take-it-or-leave-it exercise for anybody. Members should maintain the spirit in which they had started their work and continue to work constructively around the different proposals. That was the spirit of the African Group and also of the Core Group.

172. The representative of Ecuador expressed appreciation for the report which contained Annex D's elements and generally was a balanced document to which adjustments could be made.

173. On paragraph 2, a reference had to be included to all submitted documents in order for the report to maintain that balance. Alternatively, one could also not mention any document. On paragraph 4 of the report regarding the reference to the list of elements, Ecuador agreed with Colombia and El Salvador that the list should be merely referential, especially as it was connected to the Secretariat's document TN/TF/W/43/Rev.4. In paragraph 7, it might be wise to include a reference to the link existing between all elements of Annex D in the context of the proposal submitted by some Latin American countries.

174. The representative of Mexico echoed the proposals made by Members on how to improve paragraphs 2, 4 and 7 of the draft report. It would be relatively easy to take them on board. That would help raise the level of support of a group of delegations that had been very constructive in the TF and other negotiations. As for paragraph 2, it would be sensible to include a reference to document TN/TF/W/41. It would not require any work and would meet the expectations of a large number of countries. Mexico therefore proposed to have paragraph 2 say that other valuable documents had been presented, adding TN/TF/W/41 to the other documents.

175. With regard to paragraph 4, the addition of an adjective before "list of elements" such as "illustrative" or "indicative" would resolve the concerns of many delegations.

176. On paragraph 7, the Secretariat could help find some wording about the link between the elements in Annex D. Everybody agreed on that – and it would be quite easy to reflect all those elements.

177. The representative of Norway observed that some of the views expressed by Members on the content of the report for Hong Kong went in the same direction while others had a different view of what a report for Ministers in Hong Kong should contain. Norway had put forward several views and saw most of the items reflected in the present draft. At the same time, it was clear that the way in which some of Norway's ideas had been reflected was not necessarily in line with what it would have liked to see.

178. Norway therefore belonged to the camp of "unhappy" delegations, and seemed to be in good company. Several other delegations had already pointed to parts of the report they would have liked to see changed. With respect to paragraph 2, for instance, Norway saw no need to have a reference to some selected papers. In paragraph 4, the last sentence should have a clear target date, and the language in paragraphs 6 and 7 should have been modified. There was no need to enter into specific details in that regard unless the Chair wanted it.

179. Norway had listened that morning to the summing up at the HODs meeting by the Director-General in which he had mentioned several points of agreement among all Members. The first had been that Hong Kong should capture progress made since July 2004. Second, he had pointed to the fact that Members needed a text for Ministers in Hong Kong and that such a text should be developed in a bottom-up approach. The final point he had mentioned was that the text of July 2004 should not be renegotiated. He also called for a balance across the board and for the views from all Negotiating Groups.

180. Building on the points made by the Director-General, nobody would disagree with the fact that good progress had been made in the NGTF on all parts of the mandate, even though some might have had a slower start-up than others. That should be, and had been, captured in the draft report to Ministers.

181. The bottom-up approach in developing such a report had also been achieved. Furthermore, the draft report should be balanced compared to what the progress was in other NGs. The draft report came very close to reaching that objective as well. Norway wished to point out the fact that the July Package was not being renegotiated. The July 2004 text had already set out the agreed modalities for the TF negotiations. Members were therefore not deciding on renegotiating modalities in Hong Kong. What Members should do was to simply reaffirm the mandate by putting forward a balanced report for Hong Kong that captured the progress made since July 2004 and that made recommendations for future work in line with the given modalities. These recommendations, as well as the report of the progress made, should cover all aspects of the mandate, such as substance, TA&CB, needs assessment and S&DT.

182. The representative of the United States added her voice to the delegations expressing appreciation for the process set up by the Chair in the TF negotiations over the last year which had led to a very engaged process. Voices had been heard that were not normally heard in the WTO. There had been so many submissions and much engagement at all levels that the US felt fairly confident that no matter what happened with the report, Members would continue working with a commitment to carry out all parts of the mandate.

183. At the same time, the United States was concerned that some suggestions, which had been considered to be "stylistic" by those making them, might in fact be substantive to others and that that would cause further attempts to negotiate the text. There was danger in going into that. The United States was of the view that it was not that important in the negotiations to have a report that everybody was happy with in terms of every sentence.

184. The report contained some phrases that had raised some questions in Washington. But that was all right. The US could accept the text as it was and hoped that others would be able to go along as well with the same attitude. The text captured where the discussions were. The US was not sure whether much more could really get the Group anywhere. The NGTF was not a body requiring fine tuning.

185. The US looked forward to discussing the issues with other delegations, but hoped that work on the matter could finish soon, and also looked forward to getting back to work again after the Ministerial Conference in the way carried out over the course of the past year.

186. The representative of Djibouti said that the NGTF had done a remarkable job and had considered the concerns of all Members, especially in the area of technical assistance, which was of particular interest to Djibouti as an LDC. It stood out positively compared to other Negotiating Groups. Having a draft report on which everybody agreed was a tremendous result. It was largely thanks to the Chair's determination that Members had achieved something positive. And it had done so on issues of national interest such as S&DT and capacity building which were issues of particular concern to LDCs.

187. One thing to avoid were selective preferences. Once Ministers were involved, views were sometimes a little different. Ministers were not going to say preference for that or that group but rather they would consider preferences on a case-by-case basis. That was why one should avoid specific preferences but rather express a general view as it had always been traditional in the WTO. Once those documents were before Ministers, they would have to adopt them and they preferred to adopt general principles rather than a particular preference for a particular group. One had to avoid selectivity on the matter of preferences if one wanted to ensure the adoption of the excellent report.

188. The representative of Honduras said that the draft report well reflected the progress made in the Negotiating Group. It was important to reaffirm the mandate in Annex D. Honduras also supported the addition of the word "indicative" to the reference to the list of possible measures agreed upon in the negotiations, and shared the view that in paragraph 2 reference should be made to TN/TF/W/41.

189. The representative of Singapore underlined the importance of what Members were discussing in the NGTF in terms of the broader process launched. At the informal HODs meeting earlier that day, there had been a clear sense that one should intensify work and do what one could in the remaining time possible. It was essential to agree on as much as possible so that one could build on the July framework. Without reiterating the detailed comments already, Singapore wished to underline two points.

190. First, the report was based on the discussions, the negotiations and the work Members had done within the NG. It was not something the Chair had imposed on Members. Rather, even though it might contain some imperfections, it was a collective product.

191. The second and most important point for Singapore was that the report was drafted in a way that did not prejudge the negotiating position or interest of any delegation. It gave room and flexibility for all Members to continue work post-Hong Kong. There should be some latitude in terms of taking into account the various comments that had been made in the course of the present meeting, but one should not let the best become the enemy of the good.

192. What Members had in front of them was a constructive and productive piece of work. It was important that the Negotiating Group set the example for the rest of the process since it was the first Negotiating Group meeting where there had clearly been a sense that Members should intensify work and do what they could to breach differences. Singapore wished to appeal once more for the spirit of working together that Egypt had evoked earlier. On that basis, Singapore hoped that Members could agree to the report with as minimal changes as possible.

193. The Chair wished to set out how he would like to proceed in order to bring the meeting to a satisfactory conclusion for everyone concerned. As mentioned right at the start of the meeting, the main aim was to finalize the NG's report to the TNC. While that was certainly an important step in the NG's work, it had to be recalled that what Members were trying to do was agree on a report that encapsulated the NG's view on the progress made and the road ahead. The report would then have to go to the TNC, and from there to the General Council, leaving Members with the opportunity to decide precisely how they would like to see the text reflected in the respective products of those bodies. He was, of course, aware of the broader overall context in which the Group operated and of its implications on the NG's work. At the same time, he considered it important to put things into perspective, and not to confuse the present task in the NG with what was yet to come in the TNC and General Council process.

194. The task to date was to produce a collective appreciation of the progress Members had made so far in the negotiations, and to set out some guidance on how Members, collectively, wished the negotiations to proceed after Hong Kong. To do that, it was necessary to identify the common ground

where each Member, individually, felt comfortable positioning itself, and where Members felt that their negotiating position was properly protected.

195. He had listened very carefully to all comments made. They would be faithfully reproduced in the minutes of the meeting. That would ensure that the precise way in which Members wished to situate themselves in relation to the common ground Members were trying to capture in the Group's report to the TNC was fully and accurately captured for the record, and that each delegation's negotiating position was not prejudiced once negotiations started up again in the NG after Hong Kong.

196. With respect to the draft report by the NG to the TNC on which Members had been commenting (TN/TF/W/72), there had been a number of requests for corrections which could be termed factual. He had made those changes, and would ask the Secretariat to distribute a revised text that contained them. With regard to comments on the quality of the text in capturing the common ground of the progress the NG had made in the negotiations, he wished to say the following.

197. Understandably, Members' comments pulled in several different directions. Some, for example, wanted a date for starting text-based negotiations, while others did not want any mention of that point. He had not heard anything at the present meeting which differed significantly from what he had heard from Members in the consultations he had conducted two weeks ago prior to preparing the draft text. He had tried his best to identify the middle ground then, and was not sure he was able to do a better job now. It had to be acknowledged that there were different shades of grey over important issues such as starting text-based negotiations. The key question for Members was whether Members could live with the middle ground in the draft, taking into account that the comments Members had made to paint in their particular shade of grey around the text would be fully reflected in the minutes and could therefore be referred to authoritatively again at future meetings of the NG.

198. Secondly, again on the common ground, he was pleased to note that there had been no fundamental disagreement among Members on the seven recommendations contained in the text. That was the operational part of the text, and the part that therefore counted the most since it provided guidance to the Group on the way in which further negotiations should proceed.

199. Turning to the question of the text for Ministers in Hong Kong, which many Members had encouraged him to draft and which, as Members knew, he had been asked by the Director-General to produce by the end of that week, he said that he had prepared a draft text which he would ask the Secretariat to circulate. It made three points, which he hoped would attract Members' support.

200. The first was that the mandate contained in Annex D remained unchanged, and was to apply fully to all aspects of the further negotiations.

201. Second, Ministers were not asked to *adopt* the report. Ministers were invited to *note* the Group's report along with the comments delegations had made at the meeting on the report – those were the shades of grey which he had mentioned earlier, which would protect the negotiating position of each delegation when the negotiations started up again after Hong Kong.

202. Third, Ministers were invited to endorse the Group's recommendations contained in the report. They had not attracted real adverse comments from anyone in the Group, so he did not believe that this should represent a controversial step for Ministers to take.

203. Finally, on procedure, he did not believe that time spent further trying to produce the "perfect" text of the Group's report, which some Members had indicated they were looking for, would be time well spent, either by Members as busy delegates, or by him as Chairman who, as he readily admitted, also had to dedicate himself to defending his country's position in other areas of the Doha negotiations.

204. What he was presenting to Members now was therefore an "imperfect" text. Nevertheless, he would like to ask Members to agree to adopt the draft as the Group's report to the TNC, taking into account the safeguards he had set out: (i) that individual negotiating positions were fully protected by the record of Members' comments made at the meeting (ii) that Ministers would not be asked to adopt the report, but rather to *note* its contents, along with Members' comments, (iii) and that the recommendations the NG asked Ministers to endorse had not attracted any real adverse comment.

205. Copies of the revised draft report and the draft Ministerial language were distributed in the room, and copies of his speaking note were also made available to Members.. He suggested to take a break while Members considered the draft texts, and to consult with each other on how the Group should proceed. He would be available to anyone who would like to speak to him. The meeting would then be resumed.

206. The meeting was suspended.

207. Upon resuming the meeting, the Chair invited Members to share the results of their reflection and consultations on the proposed texts.

208. The representative of Djibouti appreciated the opportunity to comment on the paper and to see whether Members could accept it. In light of the current stage of discussions, it was interesting to see what Members could come up with as the view of the Group. Some Members might not yet be ready and might need more time in order to consult among themselves.

209. The Chair asked whether the wish for more time was a general wish of the NG. If that was the case, he would try to seek ways to arrange for that.

210. The representative of Zambia, speaking on behalf of the LDC Group, commended the Chair for taking into consideration delegations' input towards refining the report. At the same time, the LDCs had not anticipated to be requested to consider the report in the suggested manner. The time accorded to considering the revised report was very little to consult with other countries that made up the LDC Group. While only three amendments had been made, the LDCs wished to consult further with the rest of the LDC Group before adopting the report. Some concerns put forward by the LDCs had not been taken on board. For example, the title of the list of elements should read "proposed measures". That had not yet been taken into account, even though it was a fact and should have been amended as such.

211. The Chair said that if Members wanted more time, he was prepared to positively respond to that. But with respect to the remark about not having expected to be asked to finalize the report, it had to be recalled that the airgram listed the finalization of the NG's report as its first agenda item. In addition, a fax had been sent out to delegations referring to the finalization and eventual adoption of the report. The intention and purpose of the meeting had therefore been made quite clear. But he was, of course, in the hands of Members and, if they so wished, the meeting could be extended to give delegations more time.

212. The representative of Kenya said that it was necessary to inject some seriousness in the work of the NG. One seemed to take a lot of things for granted and that might not act very well for some Members. The Chair had to know that there were constituencies to report to. When consulting on the report with capital and when being given the opportunity to discuss the report many Members had highlighted what their constituencies would like to see. Kenya had thought that, when circulating the revised draft, more time would be given to Members to consult with their capitals before arriving at the final conclusion of the report. Kenya was surprised that Members were now called to adopt the report when it had not consulted with its capital on the revised draft. That was not appropriate. Kenya wanted more time to consult with its capital before adopting the report.

213. The Chair said that the meeting and the preceding consultations had been conducted in an open and inclusive manner as delegations had repeatedly recognized. The allegation of there being a need to inject seriousness into the work of the NG was therefore a serious one. He had done his work in all seriousness when introducing those amendments, which had taken a lot of time away from what was his main job as his country's representative. If Members wanted more time, they should make this known and he would respond to that positively. But accusing the Chair of being less than serious was something he took seriously.

214. The representative of Djibouti said that the NG had made progress in most of the issues before it. As had been noted by Zambia on behalf of the LDCs and by Kenya, one had to be quite clear that in view of the consultations currently ongoing between various groups, it would be extremely difficult to already give a final answer on the report.

215. Djibouti would try to organize a meeting either next week, or when time permitted, in order to consider the proposal. To give an answer immediately would be impossible since everybody had to agree and that required the approval of ambassadors. More time was needed.

216. The Negotiating Group took note of the statements made.

217. The meeting was suspended.

218. The meeting resumed on 11 November.

219. The Chair said that he had provided delegations with more time as he had sensed that to be the Members' wish. He hoped that Members were in a position to share with the Group whatever additional information they had gained from their consultations and that the Group would be able to see where to go. He hoped Members would share their views and positions so that everybody was aware of where one stood and nobody was under any illusions. As set out in the airgram, the objective of the meeting was the finalization of the Group's report to the TNC in the context of the Hong Kong Ministerial Conference.

220. The representative of the Philippines, speaking on behalf of the Core Group, expressed appreciation for the transparent manner in which work on the texts had taken place and for the spirit of constructive engagement. Members were there to finalize the report of the Negotiating Group on Trade Facilitation, a Group that had achieved much progress over the last one-and-half years, and it had done so in a spirit of positive engagement. In that spirit of positive progress and constructive engagement, after much discussion in the Core Group, the Group had limited its comments to five suggested refinements of the Chair's draft text.

221. In Paragraph 2, 7th line, following up on the Core Group's earlier comments on its concern regarding the phrase, "building common ground", the Core Group proposed to speak of "*were working towards common ground....*", so that the sentence would read: "Members had advanced their understanding of the measures in question and were working towards common ground on many aspects of that part of the negotiating mandate".

222. In Paragraph 3, 2nd line, the Core Group proposed a footnote after, "experience papers" and requested the Secretariat to make reference to all submitted experience papers, similar to what had been done with respect to footnotes 1 to 4.

223. In Paragraph 4, 4th line, after TN/TF/W/43/Rev.4, the sentence should continue with, "*and any additional proposals to be presented*". The sentence should then read, "*..... as reflected currently in document TN/TF/W/43/Rev.4 and any additional proposals to be presented*".

224. Still on Paragraph 4, 5th line, one should add after "list of" the words, "proposed measures" and delete "elements". The sentence would then read: "Without prejudice to individual Member's positions on individual proposals, a list of *proposed measures* drawn from it was provided below." The fifth and final minor refinement was to insert the word "proposed" before the word "measures" in introducing the long list of possible improvements and measures.

225. Those were refinements the Core Group had arrived at after much internal discussion. They had limited their comments in order to take into account the Chair's and all other Member's desire to finalize the report as soon as possible.

226. The representative of Argentina attached great importance to the text of the report as well as to that of the proposed ministerial language. There were certain paragraphs in that report which were going to become recommendations. Consequently, it was necessary once again to be mindful of the suggestion and concern Argentina had mentioned earlier regarding paragraph 7, designed to bring the text of what would be a future recommendation in line with the text already agreed upon in Annex D.

227. Two basic points had been proposed. In the first part of paragraph 7, Argentina suggested to replace the phrase "allow for necessary flexibility in implementing the results of the negotiations" by "taking into account the timing and extent of entering into commitments... etc" which was a principle of Annex D and which truly reflected the principle all Members had agreed upon. It was not really clear what the current reference to necessary flexibility, which was new wording, actually meant.

228. The second point Argentina had suggested affected the second part of paragraph 7, where it was proposed that reference be made globally to the existing links in paragraphs 2, 3, 4, 5 and 6. The text suggested was: "among the elements of Annex D, especially those contained in paragraphs 2, 3, 4, 5, and 6". Afterwards the text would continue as it currently stood. What Argentina wanted to reflect was the basic idea that those paragraphs must be read in the most comprehensive manner possible. Argentina wished to have those observations reflected in any future ministerial recommendation which would be just as important as Annex D.

229. The representative of Brazil appreciated the efforts made by the Chair in providing Members with a revised draft expeditiously and in providing delegations with time to exchange ideas among themselves and with the Chair. The way of conducting work had always, especially over the past few, proven that the NG was moving in the right direction. Brazil very much agreed with the way the Chair had led Members. The revised draft had incorporated some of the suggestions made earlier by some delegations. Brazil, however, wished to echo what was said by Argentina on the importance of paragraph 7 which contained the main element of the draft and was probably the most important element to be inserted in the Ministerial Declaration.

230. The reasoning behind that proposed change of language was the attempt to reflect the very delicate balance set out in Annex D concerning the entering into new commitments, S&DT, TA and implementation. Brazil was not trying to invent any language, but merely sought to reflect faithfully what was in Annex D in order to maintain its balance.

231. As for the first change proposed by Argentina, taking up that proposal would give the necessary level of comfort required to continue with the negotiations on new commitments. The relation between the extent and timing of entering into commitments to implementation capacities was one core idea of Annex D. It maintained the level of comfort required to continue with the exercise. That was why there was so much insisting on it being part of the text. It was not, as some had pointed out, selective reading. It would be selective reading if there was any kind of arbitrariness in picking up that sentence. But there was no arbitrariness. It was language of Annex D, which was part of a very delicate balance on which all Members agreed.

232. The second suggestion reflected the idea that the mandate should be read in a holistic way. One had to see the commitments Members were negotiating and link them to the question of S&D, implementation capacity and technical assistance. No element should be regarded in isolation since all of them were closely linked to each other. That was the point that was being made and the reason for endorsing Argentina's suggestion which was important.

233. The representative of Morocco, speaking on behalf of the African Group said that, as far as the draft report to the TNC was concerned, the African Group, within the spirit of compromise, wished to offer some minor suggestions for the purpose of fine tuning the report. Accordingly, the African Group suggested the following: In terms of paragraph 2 of the text, the sentence starting "Members had advanced their understanding of the measures in question and were building common ground on many aspects of that part of the negotiating mandate" should be read as follows: "Members had advanced their understanding of the measures in question and were working towards common ground on many aspects of that part of the negotiating mandate".

234. In paragraph 3 of the text, the African Group suggested that there should be a footnote after the word "process" appearing in the second line, referring to input with regard to national experiences. In paragraph 4, the sentence starting with "allowing also for additional proposals to be presented and taken into account" could simply be modified to read: "any additional proposals to be presented and taken into account". One should add the word "proposed measures" to the following sentence so that it would read: "Without prejudice to individual Member's positions on individual proposals, a list of proposed measures of elements drawn from it is provided below to facilitate further negotiations".

235. The third suggested modification with regard to paragraph 4 was to replace the word "must" by "should", so that the sentence would read: "Members should be mindful of the overall deadline for finishing the negotiations".

236. A fourth, minor, suggestion within the same paragraph was to remove the word "enough", with the sentence then reading: "need to move into focussed drafting mode early in 2006". With regard to paragraph 6, the word "expeditiously" should be added after "reinforced". The sentence would then read: "the Negotiating Group recommends that the commitments in Annex D's mandate in that area be reaffirmed, reinforced and expeditiously made operational".

237. Within the same paragraph, one should delete the words "the significant amount" within the reference to "valuable technical assistance" so that the sentence would read: "recognizing valuable assistance already being provided in the area". One should also add the word "proposed" to measures to improve and clarify GATT Articles V, VIII and X.

238. Finally, the African Group supported the proposal made and reaffirmed by Argentina.

239. The representative of Cuba expressed appreciation for the possibility to review the very important theme which could have major repercussions on Members' work in the future. Cuba supported the statements made by the Philippines on behalf of the Core Group, by the African Group, and by Argentina.

240. With respect to paragraph 7, in order to continue with the discussions that had already started, especially within the framework of the recently-held TNC meeting, where the word recalibrate had been used, Cuba wished to make a proposal in a constructive fashion. Cuba wanted to eliminate the reference to the year 2006. Cuba understood that the fundamental objective was to conclude the negotiations on the basis of a text and was in full agreement with that. But one had to bear in mind the fact that the result of the negotiations was closely linked to that of subjects as well, where full clarity had not yet been achieved. Cuba wished that concern to be included in a revised version.

241. The Chair sought clarification from Cuba to better understand its position. The African Group had said that they wanted to delete the word "enough", in paragraph 4's penultimate line bottom, suggesting the sentence to read "early in 2006". Cuba had said that it supported the African Group position, but now also mentioned its wish to delete "2006" which would leave the sentence to read "early" without "2006". A clarification from Cuba would be appreciated.

242. The representative of Cuba said that there might be a problem of misunderstanding. What Cuba wanted was to remove the explicit mention to 2006. There was a general date for finishing the negotiations, but it was not yet known exactly whether it would be possible to finish by then. There was no explicit mention of such a date in other areas of negotiation. That was why Cuba wanted to have the reference to the date removed.

243. The representative of Egypt fully endorsed the statements made by the African Group and the Core Group. In the spirit of constructive deliberations within that Group, Egypt had tried to remain strictly factual and would only suggest very minor changes by way of fine tuning the language of the report. Egypt supported the suggestion by Argentina regarding paragraph 7, which was completely in line with Annex D, paragraphs 2, 3, 4, 5 and 6. Egypt underlined the need for a holistic approach. That was in the letter and in the spirit of Annex D.

244. By way of information, Egypt also wanted to inform Members of a new submission that would soon be circulated by Egypt on its national experience, particularly with the clarification of Articles V, VIII and X.

245. The representative of Zambia wished to revert to some of the changes proposed earlier which had not been taken on board. In the spirit of moving the process forward, the LDCs had shortened its list of proposals, welcoming also the proposals by the African Group.

246. In paragraph 2, 7th line, as the Core Group had proposed, the LDCs also wished to remove the word "building" to have the sentence speak of "working towards a common ground". As for paragraph 4, second page, the LDCs would like to add the word "illustrative" before "list of elements". On paragraph 6, 4th line, starting with "reaffirmed, reinforced and made operational", the LDCs wished to insert the word "expeditiously" before "made".

247. The other change that the LDCs wanted to propose related to the line in paragraph 6 starting with "recognizing". The LDCs had proposed to delete the phrase "the significant amount of valuable", and wanted that to be considered. The section should read: "recognizing assistance already provided". As for the title below paragraph 7, the LDCs wanted that to speak of an "illustrative list of proposed measures to improve and clarify GATT Articles V, VIII and X".

248. The representative of Tanzania associated his delegation with the statements by the Philippines on behalf of the Core Group, Morocco on behalf of the African Group and Zambia on behalf of the LDCs. The refinement proposed captured Tanzania's concerns which should be taken into account if one was to have a factual balanced report. In the TNC meeting the previous day, Tanzania had emphasized the need to go to Hong Kong with clarity in order to make Ministers give Members balanced guidance. For that, it was necessary to send them a balanced draft text. Many Members shared that view. Tanzania therefore expected that balance to be maintained in all important areas negotiated under the Doha mandate. Trade Facilitation was not isolated from that important overall crusade.

249. The representative of the European Communities expressed appreciation for the Chair's efforts to reach a text that was balanced and which fairly reflected the views of the NG, both on the progress made and on the way ahead.

250. As already indicated, while having concerns with the text and reservations, the EC was ready to agree on the text proposed by the Chair in the spirit of compromise. The EC was also willing to consider factual changes, but could not accept changes on substance which would distort the text and no longer fairly reflect the views of the Negotiating Group.

251. Therefore, the European Communities could not accept the proposals, many of which constituted a major change in substance. There was selective quoting and even a rewriting of Annex D. Therefore, with one or two exceptions, the suggested changes were not acceptable to the EC. The EC would come back with further proposals from its side. The text could be improved, such as by proposing to start text-based negotiations in January.

252. The representative of Canada said that her delegation had reviewed the Chair's original text, which Canada had considered to be a very carefully crafted balance of the views of the Negotiating Group and which Canada, with some reservations, had been prepared to adopt. There were some factual changes made in the revised version which Canada had also reviewed and was prepared to accept.

253. But the interventions heard to date tipped the balance of the report of the NG to the effect that Canada found itself unable to go along with those changes.

254. The Chair asked Members for direction as to what to do next.

255. The representative of the Philippines, speaking on behalf of the Core Group reiterated that the Core Group had only proposed five refinements. If there were specific concerns, they could be discussed item by item. In any event, Members had TN/TF/W/43.Rev.4 to work with and to bring to Hong Kong. Ministers could direct further discussions and negotiations based on that document and on Annex D.

256. The representative of the United States expressed appreciation for having been given time to review the report again and to see the actual text for the declaration which the US was still studying. The reaction of the United States to the changes suggested by certain Members was that most of the changes proposed did not appear to be stylistic or factual. But before condemning every single one of them, it should be said that the US was sympathetic to some of them. Listing national experience papers, for instance, as part of the NG's work was very helpful and would be a valuable contribution to the report. The US also sympathized with those Members who had suggested changing the reference to the list of measures. The wording could be more precise to reflect the fact that those were proposed measures. The US did not agree with the suggestion to insert the term "illustrative" because the measures came from Members, no one had made them up. They were not illustrative but had actually been proposed. But to the extent that any more precision was needed to describe that list, the US could sympathize with that because it was factual.

257. On other aspects, the US was a little disappointed to hear people suggesting that the NG was only working towards a common ground. The US had thought that Members were at least beginning to build common ground, without claiming that consensus on anything already existed until everything ended. Some of those suggestions did tip the balance quite radically. The US was also disappointed about the suggestion to call the aid provided neither valuable nor significant after the US had distributed the full record of the assistance provided around the world.

258. The US was not sure whether the spirit emerging from the current meeting was a good one, and was also not sure what the best way might be to go forward. Perhaps one could step back and find out what the problem really was. Some wished to renegotiate Annex D. The Director-General had made it clear that Members were not supposed to do that. But perhaps it was possible to see whether there was anything that really hurt, given the cooperative spirit experienced in the negotiations.

259. There were many things in the report that were not perfect. Washington had a lot of questions about some of the expressions used. Left to its own devices for half a day, the US could come up with a lot of additions to make it the perfect report for the United States. But the US had respect for the consultations the Chair had been holding among Members. The US was open to factual corrections. But some of the suggestions really went in a direction that seemed to make it not representative of the good work of the NG and its constructive spirit.

260. The representative of Nigeria said that with respect to what to do next, Nigeria wished to suggest the following. Groups having proposed amendments could perhaps get together with other Members and discuss them item-by-item. Another option would be for the delegations objecting to the amendments to propose something which the other side could consider. One should have a report that was factual and balanced for all Members. Nigeria hoped that an agreement could be reached as soon as possible. Perhaps one could use the weekend to reflect and come back on Monday with ideas on the best way to proceed.

261. The representative of Egypt wished to hear more about why some proposals were considered to be not factual. One way of verifying whether they were factual was to go to the minutes of the meetings of the NG, look at some of the comments that had been made earlier and see how they related to the very minor points that were suggested to be changed. Some of the suggestions amounted to changing four or five words. Both the Core Group and the African Group had tried to remain factual in their proposed changes. Egypt wished to know why some of the proposals should constitute a divergence from the approach agreed on. Egypt was not in full agreement with that.

262. The representative of the Philippines, speaking on behalf of the Core Group, acknowledged the constructive comment by Nigeria and thanked the United States for its comments, which were also very constructive. The Core Group would just like to clarify that the intention was to discuss factual refinements, relating to only five points. There were some items that could be discussed also with the African Group and the LDCs to arrive at a common understanding. With respect to the US comment about the listing of measures, which seemed to be a factual one, the Core Group could engage in further discussions with the LDC Group and African Group to see whether one could come up with a common position. The proposal to add the work "proposed", for instance, was a factual one that should be easy enough to resolve.

263. The issue of any additional proposals could also be just a factual item. With respect to listing "experience papers" in a footnote, the Core Group acknowledged and thanked the United States for its remarks about that merely being a factual change acknowledging the contributions already made. There were just one or two others that were considered to be not just factual, where a discussion would be constructive. The Core Group remained engaged and ready to discuss things on a factual basis.

264. The representative of Brazil said that one was often confronted with a situation where Members did not agree with something they did not want. There was always questioning of the reasons for not wanting certain things. That was also the case with respect to TF, only the other way round. Argentina had made a proposal that Brazil supported. The Core Group and the African Group had also made a proposal. Brazil was ready to discuss it. It would be easier to have those discussions if countries could say why they did not want certain things. Members were close to reaching a final agreement and it would help to know what were the points at stake.

265. The representative of Switzerland said that efforts should be made to go through all issues, item by item, to look at whether a suggested change was in fact factual or not, and then discuss it and arrive at a common sense on what would not be factual. Easy elements such as adding a footnote could then perhaps be taken up. Members should remove as many obstacles as possible in the report that night.

266. The representative of Korea wondered why certain proposals had not been accepted and why certain suggestions had been made. Korea wished to hear more explanation and convincing arguments as to why the draft text should be amended in a certain way. For example, why was it necessary to speak of "working towards common ground" instead of "building common ground"? More explanation and some reasoning would be appreciated as to why that was to be a factual reflection of the discussions.

267. Korea also had some concerns and reservations with respect to the revised version of the draft text but had decided to accept it as it was in the spirit of moving forward. What was more important was to discuss contents and commitments and to ensure S&D and TA&CB after the Hong Kong process. There was not much value added in revising or correcting some words or phrases of the revised text. Rather, one had to concentrate on what were the contributions of all Members and what were the real contents to be discussed, and what kind of commitments should be reflected in the actual provisions or agreements on trade facilitation. One had to bear in mind the general objective of the exercise.

268. The Chair proposed to proceed along the following lines: First, he requested those delegations that had proposals for amendments to put them in writing. There seemed to be a sense of delegations on both sides to try to come to an understanding on the various proposals. He had received clear signals of willingness to listen, understand and see whether one could arrive at common ground.

269. It was always very tempting for the Chair to suggest the establishment of a drafting group to try to sort out the differences. But he had resisted the idea of having a small group throughout the whole year. One of the strong points in the NGTF was that it had managed to avoid that and that the process had been maintained at a 100 per cent transparent one. The alternative to having a small group was for Members to engage with each other, hear those proposals and concerns and look at some proposals to better understand them, rather than engage in speech-making. He proposed to provide time for delegations to consult with each other.

270. At some stage, one would revert to the plenary and see where one stood. His intentions had perhaps been misunderstood. He would not want to rush Members into an agreement. What he would do would be to suspend the meeting so that Members would continue with the agenda that had been sent out. The Group could then resume on 21 November.

271. He hoped that that would allow people to consult and to engage with each other. Then, on 21 November, hopefully, one could hear good news of Members having been able to arrive at an agreement. In the meantime, he would request the Secretariat to make itself available to assist Members in the consultations. If required, Members could also call on the Chair.

272. The representative of Switzerland sought a clarification. When meeting again to finalize the report to the TNC, would there also be discussion and finalization of the TF language for the Ministerial Declaration or did the Chair consider that to already have been agreed on?

273. The Chair said that whether both texts could be adopted would depend on Members. If Members could agree on both the NG's report to the TNC and the Ministerial language, that would be ideal. It was really up to Members. Both documents should reflect the views of Members.

274. The representative of Kenya requested the Chair to change the meeting date as the African Trade Ministers would be meeting in Arusha, Tanzania from 21-24 November with most of the African Group officials therefore being in Tanzania at that time. Perhaps the meeting could be held a little earlier, so that the Trade Facilitation area would be settled by the time the Ministers left for Tanzania, which should not be a big problem. It was just a problem of language. When sitting together in a smaller setting, Members would be able to come up with something that was acceptable to all. S&D for developing countries was something everybody had to take seriously. Paragraph 7

was important to all Members. They were trying to operationalize S&D. Members could not operationalize S&D in the current legal texts. That should not happen with the TF report.

275. The Chair said that language problems might indeed be part of the problem. That was one more reason why he proposed that, instead of him chairing a drafting group, Members should engage with each other in order to make things crystal clear amongst everybody. If the African Group did not find 21 November suitable, he would request the Secretariat to look for another date.

276. The representative of Cuba asked whether it was possible to circulate Members' proposals to all Members of the NG in written form. There might be convergence among the various proposals. Some of the differences might merely result from language problems. Perhaps it was possible to achieve the necessary momentum when resuming the meeting. An electronic version of the revised version of the report submitted earlier could allow Members to work better on that text in the meantime.

277. The Chair recalled the time constraints for agreeing on the texts.

278. The representative of New Zealand informed the NG that her delegation could accept the original draft provided by the Chair without changes. If further changes were introduced, New Zealand would have to reserve its right to seek changes as well.

279. The Chair said that the objective was to get everyone on board. The Group would continue with this endeavour. The date for resuming the meeting would be communicated to Members as soon as possible. He hoped that those delegations who had come up with new proposals would make them available in electronic form so that they could be put forward to the rest of the Membership.

280. He requested delegations to make available whatever emerged from their consultations as soon as possible to the rest of the Group in order to practice transparency and inclusiveness.

281. The Negotiating Group took note of the statements made.

282. The meeting was suspended.

283. The meeting resumed on 18 November.

284. The Chair recalled that since the meeting had been suspended, the NG was still proceeding on the basis of the same agenda and its main item of finalizing the Group's report to the TNC. Over the course of the discussions that had taken place in the context of the present meeting, Members had further inquired about the shape of the Ministerial Declaration in respect of Trade Facilitation and sought the Chair's input on this matter, leading to the Chair giving Members a draft text also on that respect.

285. He recalled that when suspending the meeting, he had urged Members to engage in consultations to see how they might come to an agreement on both TF elements of the Ministerial Declaration (Ministerial paragraph and report to the TNC). He was happy to report that on the basis of such intensive consultations which had been going on and for which he was grateful for, Members had arrived at an agreement on both the draft ministerial language on trade facilitation and the report to the TNC in the form of room documents which had been circulated. Since those texts had been the outcome of intensive consultations amongst Members, and he understood there to be agreement on them, he would suggest to adopt the documents as the NG's contribution to the draft ministerial language on trade facilitation as well as the Group's report to the TNC. Before seeking their adoption, there was only a minor correction to be made *vis-à-vis* one of the two room documents circulated to Members earlier. A comma was to be added after the word "and" in the first line of page 2 of the

draft of the Group's report to the TNC, so that the text would read "customs compliance; and," with the remaining part staying as shown in the circulated room document.

286. He invited the NG to adopt the report to the TNC together with the Ministerial language.

287. The Negotiating Group adopted both texts.

288. The representative of the European Communities said that it was the Chair's work that had made the adoption of the two texts possible together with the spirit of cooperation amongst Members and the hard work by the Secretariat. All groups had worked hard, first trying to understand their own group, then trying to understand the other group and then constantly communicating with each other. Thanks were also particularly due to the Chair for the masterful process leading not only to good texts but also providing a useful template for the rest of the process, both in terms of the spirit of cooperation and in architecture for the ministerial text.

289. The representative of the Philippines, speaking on behalf of the African Group, the LDC Group, the ACP Group and the Core Group, fully supported both the revised report of the Negotiating Group to the TNC and the ministerial text. Thanks were due to the Chair for having provided all groups with enough time to reflect on the changes Members had proposed to the texts. The extra time had been well spent with meetings with various groups in various configurations which had led to a better understanding and appreciation of the respective concerns, and which had enabled all groups to come up with a compromise solution. Speaking also on behalf of the ASEAN Group, he thanked all groups, the Chair and the Secretariat for the good work done.

290. The representative of Zambia said that the LDC Group was very pleased to endorse the statement made by the Philippines on behalf of the Core Group, the African Group, the ACP Group and the LDC Group. Zambia wished to thank all groups for the efforts in putting together the texts which enjoyed consensus from all Members. The Secretariat also deserved recommendation for the hard work. The LDC Group remained constructively engaged in the negotiations.

291. The representative of Morocco, speaking on behalf of the African Group, fully supported the statement made by the Philippines, and the two texts.

292. The representative of Canada, speaking also on behalf of Chile, was pleased about the constructive environment created in the NG and the resulting consensus report and Ministerial Declaration. It was very positive that both texts had emerged from the NG itself. Thanks were due to all parties for their hard work.

293. The representative of Mauritius, speaking as the ACP coordinator, endorsed the statement by the Philippines and expressed thanks to all Groups which had worked constructively together in producing the report.

B. AD HOC ATTENDANCE OF RELEVANT INTERNATIONAL ORGANIZATIONS, INCLUDING THE IMF, OECD, UNCTAD, WCO AND THE WORLD BANK, AT THE NEXT MEETING OF THE NEGOTIATING GROUP

294. The Chair suggested inviting relevant international organizations, including the IMF, OECD, UNCTAD, WCO and the World Bank to attend the next meeting of the NG on an *ad hoc* basis, as provided for in the Work Plan.

295. It was so agreed.

C. OTHER BUSINESS

296. No issue was raised under this item.

297. The meeting was adjourned.
