

**Committee on Trade and Development  
Special Session**

**SPECIAL SESSION OF THE COMMITTEE ON  
TRADE AND DEVELOPMENT**

Report by the Chairman, Ambassador Ransford Smith (Jamaica),  
to the Trade Negotiations Committee

1. Since its report<sup>1</sup> to the Sixth Trade Negotiations Committee (TNC), the Special Session of the Committee on Trade and Development (CTD) held one formal and a number of informal meetings in order to finalize its report to the General Council. As indicated in the earlier report, the two main areas on which convergence among Members was being sought, were the Agreement-specific proposals on which recommendations could be made to the General Council, and the 'Way Forward' for the Special Session of the CTD beyond the 10 February meeting of the General Council.
2. Although during this period intensive consultations were held and the Special Session considered many of the Agreement-specific proposals, both in open-ended informal meetings and smaller plurilateral consultations, positions could not be bridged on most of them. In all, Members could agree to make recommendations on 12 Agreement-specific proposals. However, there were different views on whether these should be harvested now. Some Members considered that this should be done, but others expressed a preference for doing so only after further progress had been made on the seventy-five or so remaining Agreement-specific proposals.
3. An important area of difference has been the interpretation of some aspects of the Doha mandate. While Members recognized the importance that Ministers attached to the S&D work programme, and accepted the need to review all S&D provisions "with a view to strengthening them and making them more precise, effective and operational", there were significant differences on how this could be achieved. Some Members considered that one way to make S&D provisions more precise, effective and operational, was to make them mandatory by changing the existing language of some of the 'best endeavour' provisions. Others did not wish to consider amending the text of the Agreements or otherwise altering what they considered to be the existing balance of rights and obligations.
4. In the discussions on the "Way Forward", many Members expressed the need for seeking clarification of the mandate contained in paragraph 44 of the Doha Ministerial Declaration and paragraph 12 of the Decision on Implementation-Related Issues and Concerns. These Members felt that further work in the Special Session of the CTD should be undertaken only after clarification of the mandate had been provided by the General Council. Other Members affirmed that the mandate was clear and were of the view that the difficulties resulted from differences on how the mandate should be implemented, the nature of some of the proposals, and from differing expectations about the outcome. They were prepared to continue working on the Agreement-specific proposals and other aspects of the work programme, albeit at a reduced pace. Some of these Members acknowledged that there were differences in perception and interpretation of the mandate.

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<sup>1</sup> TN/CTD/6.

5. Accordingly, the Special Session in its report<sup>2</sup> to the General Council recommended that the General Council take note of the recommendations made on the 12 Agreement-specific proposals on which Members had agreed in principle, but revert to the question of their adoption at a later date. The Special Session also recommended that the General Council provide clarification, as it considers appropriate, regarding paragraph 44 of the Doha Ministerial Declaration and paragraph 12 of the Decision on Implementation-Related Issues and Concerns, and the legal and practical means to give effect to the mandate. In the interim, it was recommended that the General Council instruct the Special Session of the CTD to suspend further work.

6. The report of the Special Session was considered in the General Council during its meeting of 10 and 11 February 2003 and, in light of the absence of consensus on adopting its recommendations, it was agreed that the Chairman of the General Council would undertake consultations on how to take the matter forward.

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<sup>2</sup> TN/CTD/7.