

# WORLD TRADE ORGANIZATION

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## Committee on Trade and Development Special Session

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

Report by the Chairman, Mr. Faizel Ismail (South Africa),  
to the Trade Negotiations Committee

#### I. INTRODUCTION

1. The Special Session of the Committee on Trade and Development (CTD) was directed to carry out "the review of all special and differential treatment provisions with a view to strengthening them and making them more precise, effective and operational" as mandated in paragraph 44 of the Ministerial Declaration". Paragraph 12.1 of the Decision on Implementation-Related Issues and Concerns also directed Members "to identify those special and differential treatment provisions that are already mandatory in nature and those that are non-binding in character, to consider the legal and practical implications" of doing so.

#### II. STATUS OF WORK

2. In pursuance of this Work Programme and during the run up to the Fifth Ministerial Conference Members had agreed to make recommendations for possible adoption by Ministers of a number of Agreement-specific proposals. Accordingly, Annex C to the draft ministerial text contained 24 recommendations by Members for specific action on 25 agreement-specific proposals. This progress was reflected in paragraph 11 of the revised draft ministerial text sent to Cancún, which provided for the adoption of the decisions in Annex C of that text. It also provided for work on the proposals referred to negotiating or other WTO bodies to be continued therein, under the close supervision of the General Council, and for work on the remaining agreement-specific proposals, as well as on all other outstanding issues, to be carried out in the CTD in Special Session. A further three recommendations were included in Annex C at Cancún. However, like the draft Ministerial text, Annex C was also not adopted at Cancún. As a result the package of the 28 Agreement-specific proposals on which there is an in-principle agreement, are yet to be adopted.

3. After the Ministerial Meeting, the status of the Work Programme on Special and Differential Treatment (S&D) was put on hold mainly because as agreed to by Members, the initial consultations had focussed on four issues namely, Agriculture, Non-Agricultural Market Access (NAMA), Cotton and the Singapore Issues. Once the election of the Chairpersons of the different negotiating groups had been finalised, a formal meeting of the Special Session was held on 1 April 2004 mainly to discuss how to structure the future work. During the course of the meeting it was suggested that in an attempt to take the Work Programme on S&D forward and to unlock the existing impasse it might be more useful to identify possible areas of convergence. Accordingly, the following three questions have been put to Members:

- What did Members wish to do with the proposals on which they have already agreed to in principle;

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- How can the current discussions on S&D be made more productive and;
- What suggestions did Members have on the way forward so as to fulfil the Doha Mandate of making S&D more precise, effective and operational.

4. Members have expressed broad support for this approach. A number of them stressed the need to consider the link between trade and development and for the work on S&D to follow a more horizontal approach. Members also feel that any possible package that may evolve by July should include a strong development component. Some Members also expressed the importance of considering some of the underlying issues impacting on development as well as some of the horizontal issues which remain to be addressed, such as the incorporation of S&D into the architecture of WTO rules; the monitoring mechanism; the objectives and principles of S&D treatment; special needs of particular groups of countries such as the LDCs; and the erosion of preferences.

### **III. FUTURE WORK**

5. During the coming months it is intended to explore the possible way forward and the broader issues of development related to these questions, in intensive informal consultations both plurilateral and open-ended. It is hoped that this would enable the Membership to identify areas of convergence and help take the Work Programme on S&D forward.

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