



TPSA | CANADA-INDONESIA TRADE AND
PRIVATE SECTOR ASSISTANCE PROJECT

Session 6: WHAT ELSE HAPPENED AT MC11?

Jakarta, Indonesia

27 April 2018

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Project Executed by:



The Conference Board
of Canada

Partner:



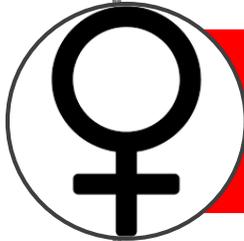
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Presentation Overview



Big ambitions, little results



Declaration on Women and Trade



Side events and International Org.





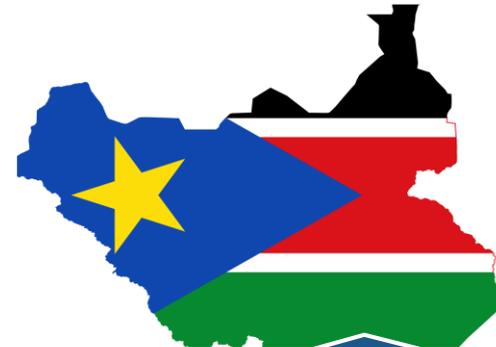
Big ambitions, little results



Moratorium on TRIPS non-violation and situation complaints



Work programme on small economies



Working party on the accession for South Sudan





Big ambitions, little results



What's a non-violation complaint?

- **No violation:** Government can go to the DSB even when an agreement has not been violated.
- **Condition:** Allowed if one member has been deprived of an expected benefit because of another government's action
- **Aim:** help preserve the balance of benefits struck during multilateral negotiations.

Negotiation context

- Possible under GATT and GATS, but no consensus on TRIPS
- 5-year Moratorium (1995-99), which is renewed at every MC
- MC11 decided ... not to decide for another 2 years

Moratorium on TRIPS non-violation and situation complaints



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Source: WTO, "Technical note - TRIPS: 'Non-Violation' Complaints (Article 64.2)"





Big ambitions, little results



Work programme on small economies

What are “small economies”?

- **No definition:** nor categorization within the WTO
- **Key characteristics:** small economies (GDP, population, % of world trade) are deemed vulnerable and structurally weak
- **Controversy:** How much smallness can be handicap? How to measure smallness?

Negotiation context

- Initiated by the Doha Declaration
- Nairobi Package
- MC11 agreed to pursue negotiations...

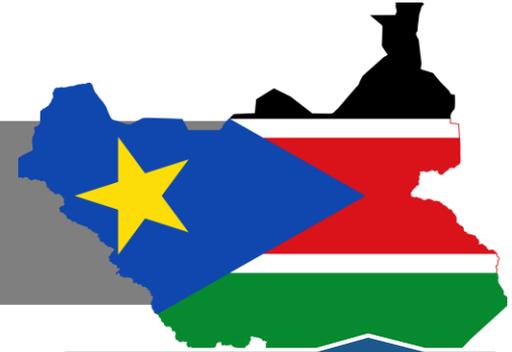


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Source: UNCTAD, “Structurally weak, vulnerable and small economies”, 2007



Big ambitions, little results



Working party on the accession for South Sudan

Request for accession

5 December 2017

Memo on foreign trade regime by South Sudan

WTO Membership



Working Party establishment

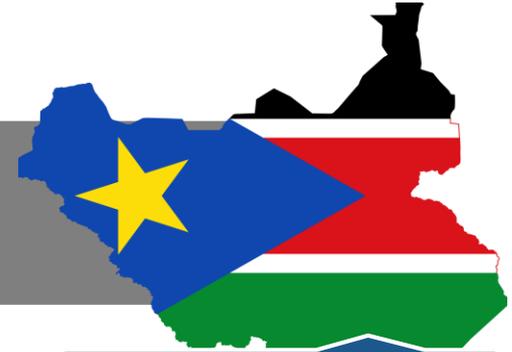
13 December 2017

Approval of the "Accession Package"

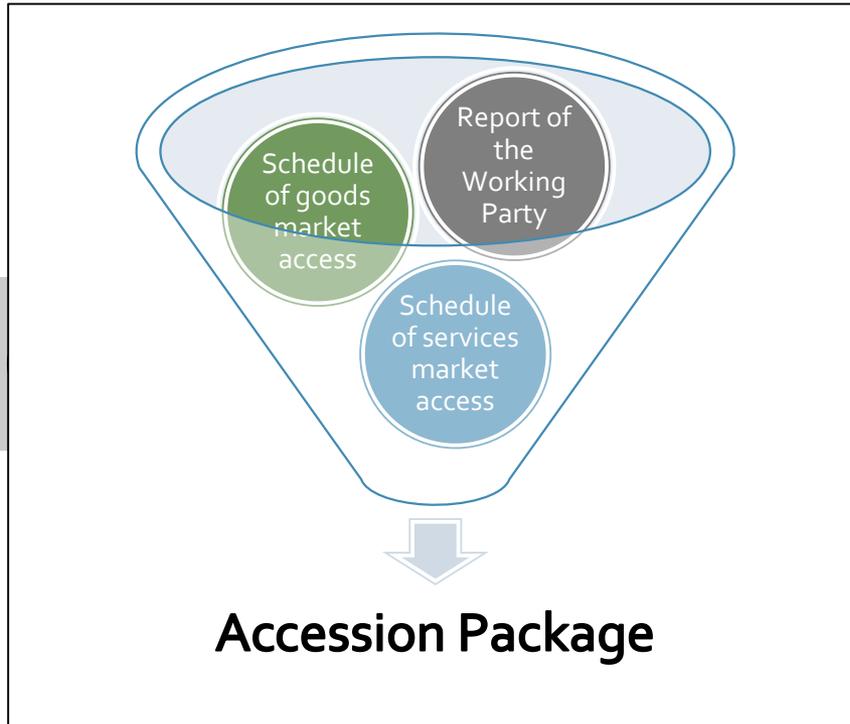




Big ambitions, little results



Working party on the accession for South Sudan

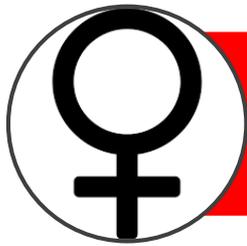


WTO
Membership

Approval of the
"Accession
Package"



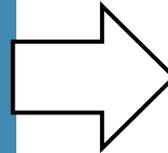
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Declaration on Women and Trade



Proponents:
Canada, Iceland,
and Sierra Leone



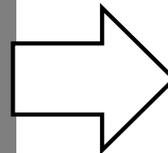
“The structural imbalances, which contribute to an unequal distribution of the benefits from trade must be acknowledged and acted upon.” – Sierra Leone Minister of Trade



Backing: Around
120 countries,
including
Indonesia



Opponents:
India, US, Saudi
Arabia, South
Africa, Venezuela

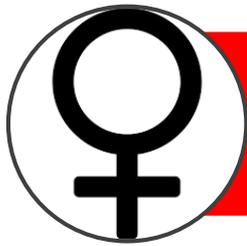


“Gender should not be confused as a WTO issue, we do not know how this can be brought in the WTO,” – Indian Commerce and Industry Minister,

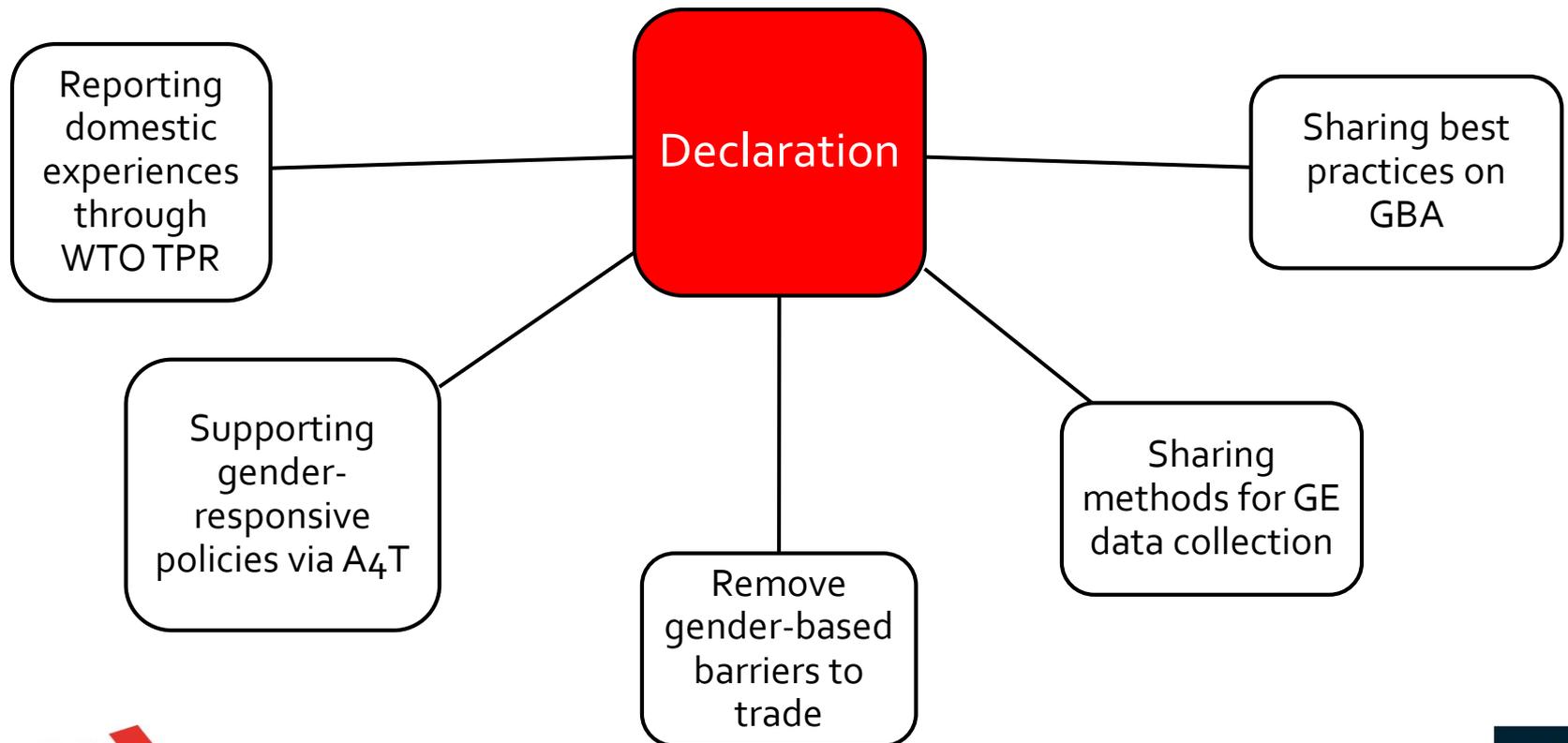


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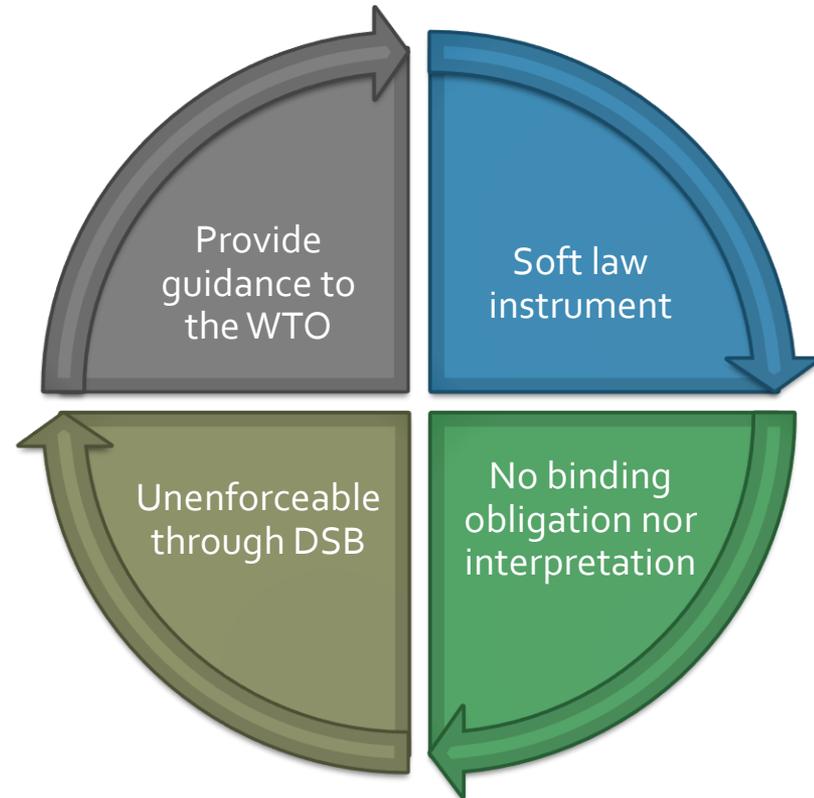


Declaration on Women and Trade



Legal status of ministerial declarations and decisions

Debate over the legal status of Ministerial Declarations and Decisions.



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Source: Aditya Satpute, "Legal Status Of Ministerial Declarations And Decisions: Can They Be Enforced Through WTO Dispute Settlement," 2014





Side events and International Org.



ICTSD's Trade and Sustainable Development Symposium



1st Business Forum



UNCTAD's events



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Side events and International Org.



ICTSD's Trade and Sustainable Development Symposium

“Leading **multi-stakeholder platform for intellectual enquiry and dialogue** on sustainable development and the global trade and investment system. It acts as an inclusive platform outside of the WTO negotiating setting for **sharing ideas, engaging in dialogue, and influencing trade policy negotiations.**”



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Side events and International Org.



ICTSD's Trade and Sustainable Development Symposium

TSDS's streams:

- **RTA Exchange:** constructing better RTAs for sustainable development
- **E15 Initiative:** building a cohesive and inclusive global trade and investment system that advances sustainable development
- **The New Economy:** role that trade and investment policy can play in harnessing the new economy to deliver for sustainable development
- **Natural Resources and Sustainability:** responding to sustainability challenges in agriculture and food security, climate change, and fisheries.



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Side events and International Org.



1st Business Forum

“The Business Forum aims at promoting open and constructive dialogue on core issues for the multilateral trade system, allowing governments and private sector leaders to interact during the 11th WTO Ministerial Conference.”



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Side events and International Org.



UNCTAD's events

“Make Trade Work for Development: bringing together leading voices from the **international trade and development community** to debate some of the most pressing issues, such as **digital development, mobilizing investment, ending harmful fishing subsidies** and forging trade policies that tally with the SDGs.”



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Thank you for your attention



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