

ACP Statement for Meeting of TNC

14th December 2020

Thank you, Chair.

The ACP Group thanks you for your report. We also thank the respective Chairs for their reports.

Fisheries Subsidies

I will begin with fisheries subsidies.

The ACP Group reaffirms its commitment to the implementation of SDG14.6 and our mandate from Ministers at MC11. The fisheries sector is of critical importance to the economies and livelihood of ACP Group members. We also prioritize our objective to responsibly maximize the benefits to be derived from the blue economy. Hence, any outcome on fisheries subsidies should respect the mandate of appropriate and effective special and differential treatment for developing countries and LDCs.

Transition periods alone with technical assistance and capacity building is not acceptable to the ACP Group. Additionally, we do not view as constructive, suggestions that Article 5.2, as presented in the draft consolidated text, can fulfil the S&DT mandate of Ministers. Likewise, the pursuit of sustainability in an outcome should not create disguised exemptions for large subsidizers.

Further, data reveals that our vessel and fishing capacity falls mainly within artisanal and small-scale fishing, within our own waters and under RFMO quotas.

On IUU fishing, coastal State determinations, considered relevant by them, should always be the trigger to remove and prohibit subsidies for vessels or operators violating laws in maritime jurisdiction of that coastal State. We cannot accept an outcome that provides the WTO with the ability to scrutinize our national determination processes under the guise of due process.

This will create a chilling effect on making any determinations. Similarly, we cannot accept language that penalizes a vessel by virtue of its flag, when our focus should be on the vessel's activities and who is subsidizing the vessel or operator.

We see many opportunities in the Chair's text and ideas put forward by Members. While we welcome engagements at the level of HoDs, we urge that our involvement be considered, as and when we have sufficiently built bridges at the technical level and have only to take decisions clearly elaborated. We look forward to a process that will allow us to conclude our negotiations.

Agriculture

Chair,

On agriculture, this sector is a cornerstone of the economies of members of the ACP Group. COVID-19 may present certain implications for the negotiations, including our capacity to take on long term obligations in an environment of uncertainty. Nevertheless, the WTO cannot afford to have yet another ministerial conference without an outcome on such an important file. Domestic Support, including for cotton, SSM and PSH are priorities of the Group.

We will comment on Export Restrictions under agenda item 9 of the General Council meeting. We take note of the Chair's intention to continue the facilitator-led process. Going forward, we should accommodate the capacity constraints of small delegations. Doing so includes

avoiding unnecessary meetings, preventing the scheduling of meetings that clash with other major meetings, providing adequate time to respond to questions, keeping the topics for discussions manageable and, importantly, ensuring that interpretation is provided for facilitator-led meetings.

Services

As it relates to services, the COVID-19 pandemic has had a detrimental impact on ACP Group members, particularly those that are services-oriented economies. The impact is more evident on members that are heavily reliant on tourism, travel, and hospitality services for income, employment and a multiplicity of other direct and indirect services to fuel their economies. The ACP Group will be making a submission aimed at highlighting some of the areas of interest to the Group in light of the impact of the pandemic.

The ACP Group has engaged constructively in the exploratory discussions in the CTS SS. On a general note, we urge members promoting “exploratory discussions” in the CTS-SS to respect the WTO bodies and their mandates. The GATS itself and the negotiating guidelines and procedures include flexibilities for individual developing countries in making commitments if they choose to do so. The ACP Group invites outcomes in any discussion that reflect sectors and modes of supply of interest to our members.

WTO Reform

On **reform**, the ACP Group reiterates its position that the process and substance should undergird the development dimension of international trade, accelerate the attainment of the sustainable Development Goals and be advanced in a fair, transparent and equitable manner. Indeed, the ACP Group has long advocated for reform in critical economic and trade related sectors, and by extension, reforms leading to a WTO work programme focused on pro-poor,

pro-development policies. We reiterate the need for us to begin with a comprehensive dialogue on the structure, scope and objectives of WTO Reform.

We must collectively find a resolution to the Appellate Body impasse to ensure that we have a two-tier, transparent, independent dispute settlement system as envisaged by the DSU. We cannot surrender the multilateral two-tier dispute settlement system to external remedies, notwithstanding how well intentioned they may be. Reform should not be seen as academic or heterodox but reinforcing of the core development principles framed in the Marrakesh agreement.

In closing, Chair, the ACP Group stands ready to engage constructively on these and other issues, as we reaffirm our commitment to a transparent, open, inclusive and rules-based multilateral trading system with the WTO as its core institution.

I thank you, Chair.