

ACP Statement for informal Meeting of the TNC

30th September 2021

Thank you, Chair.

The ACP Group thanks you for your report. We also thank the Chairs of the WTO negotiating groups and Ambassador Walker for their reports.

We are 8 weeks away from MC12 and a lot of work remains to be done to put our Ministers in a position to conclude negotiations in some areas and set out the parameters for our future work in other areas.

I will outline the priorities of the ACP Group, accordingly.

Fisheries Subsidies

Chair,

I begin with fisheries subsidies. The ACP Group remains fully committed to an outcome on fisheries subsidies by MC12. For our Members, an agreement would complement other national, regional and multilateral efforts in addressing the challenges of IUU fishing and overfishing and overcapacity. In so doing, it is important that we target major subsidizers and large-scale industrial fishing, as well as prevent loopholes to be exploited by those targeted. We are pleased that progress has been made in the negotiations and our Group is making a contribution.

We recently submitted, together with the African Group, a proposal to the NGR looking at how to balance the Chair's text in line with the requests from a vast majority of the 104 Ministers who spoke at the 15th July meeting. We heard Ministers reiterating that we adhere to the

mandate of MC11. Particularly, we take note that Ministers have ruled out the option of special and differential treatment being limited to artisanal and small-scale fishing or transition period with technical assistance with capacity building. Our proposal seeks to accomplish these objectives. Additionally, the proposal encompasses Ministers' call for S&DT in the form of policy space to facilitate the responsible development of the fisheries sectors in developing countries and LDCs. We look forward to the Chair's circulation of a revised and balanced text that reflects the elements of our proposal.

Agriculture

On agriculture, the ACP Group takes note of the Chair's text in JOB/AG/215. The text does not have all the elements that would allow for Members to begin text-based negotiations. We have always maintained that the elimination of AMS above de minimis should be a first step in the implementation of reforms. We have to level the playing field. We have also consistently called for the removal of Article 6.2 from reduction commitments, tightening of green box disciplines to prevent box-shifting, as well as S&DT for developing countries, LDCs, SVEs and NFIDCs. These elements are not properly reflected in the text.

We believe more work is needed on the propositions for SSM and PSH, which are, in addition to domestic support, of keen interest to the ACP Group. MC12 provides us with an opportunity to complete our work on a Decision for the World Food Programme purchases. We recently made a submission to the CoA-ss looking at the nexus between COVID-19 and the negotiations, which we believe can contribute to bringing balance to the text. We expect a revised and balanced text which could be a basis for commencing text-based negotiations. We will contribute constructively.

Services

MC12 provides an opportunity for the WTO to play an important role in bolstering the resilience of the services sector in developing countries and LDCs. As is well known, the services sector is significantly impacted by the pandemic. We have made a submission outlining the key issues for us. In that context, engagement in accordance with the mandate and consistent with GATS Article XIX, especially as it relates to the in-built flexibilities for developing and least developed countries will be critical. The ACP Group supports the inclusion of a paragraph in the MC12 outcome document for our work going forward post-MC12 on services. The Group has put forward suggested language in the CTS-SS in that regard.

Ecommerce

As it relates to the ecommerce moratorium, we need to continue discussions on issues surrounding the moratorium as well as issues relating to the digital divide. We are working on technical papers on various issues. We need to focus on how we can reinvigorate the Work Programme given our specific interest on the development aspects and challenges of this longstanding area of work in the multilateral framework of the WTO. We believe that MC12 provides an avenue to pursue these objectives.

Development

Special and differential treatment is a fundamental pillar of the WTO and should not be dispensed with in current nor future agreements. We believe that an outcome for MC12 based on, inter alia, the G90 proposals would assist our national efforts to stabilize our trade imbalances, including those arising from the COVID-19 pandemic, build back better and

successfully integrate into the global economy and global trading system. We therefore call for constructive engagements on this file.

Intellectual Property

Chair

Our members do not have equitable access to vaccines, which is considered the most durable solution to address the impact of COVID-19. At the same time, there are members in possession of more than required to inoculate their entire population. With this in mind, we have already seen an emergence of measures prohibiting entry of unvaccinated people in some economies. We will be disproportionately affected because our economies are highly dependent on international trade, and our nationals, including those who travel to provide services. The WTO has an important role to play in facilitating swift, timely, affordable and equitable access to the vaccines and therapeutics to combat the pandemic.

We have consistently supported the general objectives of the TRIPS Waiver proposal. A TRIPS waiver arrangement that accommodates the interests and addresses the concerns of the membership should be a priority for an MC12 outcome. This is an important element of the WTO's response to the impact of the pandemic. We must resolve the issue of access. If agreed, an appropriate waiver arrangement would certainly improve our capacity to address future pandemics and unforeseen crisis appropriately and help to limit all type of casualties we are enduring due to various bottlenecks that limit access to the vaccines.

WTO's response to COVID19

We take note of ongoing work in various formats on the WTO's response to the impact of the COVID-19 pandemic. It is important that the WTO complement other international

stakeholders in responding to the impact of the pandemic. The Covid 19 pandemic is an unprecedented crisis and requires a multidimensional and multi sectoral approach to pull together their expertise to complement each other in our drive to assist members especially the vulnerable and those most in need. We have been following the discussions and we await the Facilitator's text on the work done to date on this issue. It is important that the WTO's response puts development at the centre of its focus, including the issue of trade debt and finance, especially for our MSMEs, as they are the most impacted by this pandemic. MSMEs is undeniably key to salvage unemployment and address poverty. The WTO's response to the pandemic should also provide an opportunity for members to have a blueprint to deal with future events with COVID-19-like impact. We will contribute to the Facilitator's work with a view to having a decision for Minister's approval at MC12.

WTO Reform

On Reform, the ACP Group reiterates that the process should be undergirded by the principles of inclusivity, fairness, transparency and equity, and must strike the right balance in respect of Members' rights and obligations. It must advance the interests of developing countries and LDCs through the application of differential and more favourable treatment, including the retention of S&DT. It should also seek to ensure trade functions, at all times, as an instrument for raising standards of living and employment, and for promoting sustainable development in line with the principles of the Marrakesh Agreement. Looking towards MC12, the ACP Group continues to prioritize the restoration of the proper functioning of the two-tier Dispute Settlement System. Ministers should also be presented with a Reform Work Programme consistent with the principles that we have outlined.

In closing, Chair, we look forward to these development issues encapsulated by an outcome package for MC 12. We will engage positively and do so in a solution-seeking mode. We

would like to point out that the integrity of the process(es) undertaken towards MC12 outcomes will matter as much as the substance. The crafting of an MC12 package should, thus be done in a transparent, fair, balanced and development-oriented manner. Resolving these issues by MC12 is critical to our stabilization and rebuilding efforts in light of the COVID-19 impact on our trade capacity and development goals.

I thank you, Chair.