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KENYA

Statement by the Honourable Kipyator N.K. Biwott, Egh, MP
Minister for Trade and Industry

I would like to join previous speakers in expressing our sincere appreciation to His Highness the Emir and the people of Qatar for the warm welcome we have received since our arrival; and the excellent facilities put at our disposal.

On behalf of His Excellency President Daniel Arap Moi and the people of Kenya and indeed on my own behalf I congratulate the People's Republic of China on their accession to the WTO. Indeed their entry into the WTO will strengthen the central role of the multilateral trading system in which trading rules provide the only assurance to an equitable trading arrangement.

May I also commend the Chairman and the Director-General for the manner in which they have managed the proceedings. In addition I commend the preparations made in Geneva, which culminated in the production of the Draft Text Declaration.

There is no doubt that differences exist in positions which have not been captured in the Draft Declaration and the positions taken by the African Group, the ACP and LDC through whom our issues are harmonized. I believe that this forum should in the end succeed in arriving at acceptable compromises, which will allow the Doha Conference to succeed. We cannot afford another Seattle failure. We have faith and are fully committed to the WTO multilateral trading system, which should be fair, predictable and inclusive. We will work with the Chair and the friends of the Chair to ensure a successful conclusion of the Doha Conference.

My delegation would like to propose that this Ministerial Conference critically address the following issues:

- WTO waiver for the Cotonou partnership;
- the mandated negotiations;
- the TRIPS and public health/access to medicines; and
- other elements of the on-going work programme.

The WTO waiver is critical for the ACP countries to remain pro-actively engaged in the global trade. We reaffirm that trade preferences have a role in the development of all our States. Failure in granting the waiver will erode our faith and commitment to the WTO system. The preferences including the ACP/EU Waiver can only be meaningful with a positive and effective impact if bound in the multilateral trading system.

Trips and public health

We believe in the benefits of intellectual property protection. Such a regime should equitably cover both the owners and users of technology. In addition, intellectual property promotion should encourage innovation and technological development in a manner that is supportive of public health including the transfer of technology.

S&D

It is our view that special and differential treatment for developing countries is a core principle of the WTO and should therefore be binding and be incorporated into the architecture of future WTO agreements and rules.

New issues

On the Singapore issues, we reaffirm that ACP States are not prepared, at this time, to engage in negotiations. We call for the establishment of working groups to study these issues and have proposed language to that effect.

I hasten to add that if we are to benefit from multilateral trading system then it is necessary that one system is applicable to all with an inbuilt Special & Differential principle to cater for the vulnerable and marginalized groups such as the ACP and the LDC Members.

For the future success of the efforts of the multilateral systems and institutions, there will be need for coherence in policy formulation, pronouncement and implementation.

Development box

We continue to emphasize that the WTO should give priority to developmental trade aspects within its inbuilt agenda. For instance in agriculture negotiations the ACP States supports the establishment of a "Development box" that would provide them with enough flexibility to address non-trade concerns such as food security, sustainable development, rural livelihoods and poverty alleviation among others.

My delegation and indeed the ACP Members acknowledge the need to keep pace with the fast-growing and changing developments and economic activities in international trade. We therefore requires technical and financial assistance in order to fully integrate into the multilateral trading system; bridge the economic gap and improve our standing in the global market-place.

It is in this regard that technical assistance and capacity building in developing countries should be revamped and enhanced within the regular budget of the WTO.

In particular, assistance should be directed towards addressing our supply constraints and the stringent standards in our target markets. We wish to appreciate the efforts of the Director-General in this regard.

The concrete and specific demands that the developing countries have collectively and individually made for correcting the current imbalances of the Uruguay round should be given special attention and brought on board in the Ministerial Declaration in order to forge a strong and unified World Trade Organization.

It is therefore my hope that we will come up with a road map on how to handle those concerns by the end of this Conference.
