

**GENERAL COUNCIL
MEETING OF 20 OCTOBER 2009**

The following matters were considered by the General Council:

1. **Report by the Chairman of the Trade Negotiations Committee:** The Director-General made a report (circulated in JOB(09)/143) on the activities of the TNC since his last report in July, saying *inter alia* that a comprehensive and structured work programme had been devised which included participation of Senior Officials and, in this respect, engagement was needed at all levels, multilaterally, plurilaterally as well as bilaterally. Political commitment to conclude the Doha Round had not yet translated into concrete action: an acceleration of the pace was needed to see real negotiations emerge and this process needed to be inclusive and transparent. On the issue of monitoring of trade and trade-related measures adopted by Members in the context of the financial crisis, the next report to the TPRB, in the context of the Annual Overview of Developments in the Trading System, would be circulated ahead of the Ministerial Conference. He provided an update on the consultations held on the specific issues of GI extension and the relationship between the TRIPS Agreement and the CBD - for which a mandate had been given at the Hong Kong Ministerial - and noted that differences still remained on the substance. The upcoming Ministerial Conference would be conducted on a separate track from the Doha Round negotiations and would address a few key themes regarding the WTO and the multilateral trading system as a whole. However, this did not mean that Ministers could not address issues related to the on-going negotiations as the Ministerial meeting was an important platform for Ministers to send a strong signal of commitment to concluding the Round. Several Members expressed concerns about the lack of progress in the negotiations and, in particular, about the current process of consultations, which they said lacked transparency and inclusiveness. Bangladesh drew the General Council's attention to the Declaration of the Sixth LDC Trade Ministers' Meeting, held in Tanzania on 14-16 October 2009 (WT/MIN(09)/2).

2. **Work Programme on Small Economies:** The Chair of the Dedicated Session of the CTD, reporting on developments in this area since the July Council, said the Dedicated Session had met on 12 October and had agreed to further update the Secretariat compilation document (WT/COMTD/SE/W/22). As mandated by Ministers in Hong Kong, it had also adopted its Second Report to the General Council (WT/COMTD/SE/6) for its subsequent transmission by the Council to the upcoming Ministerial Conference. Barbados, on behalf of the SVEs, said that the Small Economies Work Programme could not progress unless the Doha Round moved forward, and encouraged Members to make the necessary compromises to bring the Round to a conclusion next year.

3. **Non-recognition of Rights under Article XXIV:6 and Article XXVIII of the GATT 1994:** The Chairman, reporting on his consultations on this matter on 19 October, said that while there had been little substantive development overall since the July Council, the consultations had proved useful in clarifying both the current state-of-play and its ramifications, as well as the steps intended to be taken in the coming weeks towards a resolution to the concerns of the delegations involved. Following statements by Honduras, Guatemala, Ecuador, Argentina, Costa Rica, Cameroon and the EC, the Council agreed to revert to this matter at its next meeting.

4. **The financial and economic crisis and the role of the WTO:** Argentina introduced its joint communication with Ecuador (WT/GC/W/609) on measures taken in response to the economic crisis, such as stimulus packages, and proposed that the Secretariat analyze the impact of such measures on international trade. The proposal also envisaged a process of consultations, under the auspices of the General Council, on the methodology applied in the analytical work. While some Members supported the proposal, which they considered timely and favouring transparency, others said that the existing mechanism in the TPRB was the appropriate venue to discuss these measures, not the General

Council. Following statements by Argentina, Ecuador, Bolivia, India, China, European Communities, Cuba, United States, Australia, Turkey, Brazil, South Africa, Venezuela, Chile, Dominica Republic, Nicaragua, Norway and Paraguay, the General Council agreed to revert to this matter at its next meeting.

5. **Accession of developing countries:** Gabon, on behalf of the Informal Group of Developing Countries, introduced the Group's communication in WT/GC/W/611 which proposed to improve the existing institutional mechanism of accession with the objective of providing developing countries with the possibility to make their views on the process known, and that progress reports be sent to the General Council. Several Members stressed that the accession process should be clearer and more transparent, and should not place excessive demands on acceding developing countries and LDCs. Other Members, while agreeing that improvements were possible, believed that there was no fundamental flaw in the system and that acceding countries had ample opportunities to discuss within the context of the Working Parties.

6. **Seventh Session of the Ministerial Conference**

- (a) Statement by the Chairman (Job(09)/144)
- (b) Election of Officers
- (c) Attendance of observers from governments and international intergovernmental organizations

The Chair recalled the agreed principles which would apply both to the Ministerial Conference and to its preparations, and the structure of the Conference, where two Working Sessions would be running in parallel to the Plenary Session. The Chair also reported on his consultations on organizational aspects of the Conference, where wide convergence had been shown. The General Council agreed to elect H.E. Mr. Andrés Velasco (Chile) as the Chairperson of the Conference, and H.E. Mrs. Doris Leuthard (Switzerland), H.E. Dr. Mari Elka Pangestu (Indonesia) and H.E. Mr. Rachid Rachid (Egypt) as Vice-Chairs. The General Council also agreed to follow past practice and to invite Observers at the Hong Kong Ministerial (WT/MIN(05)/INF/7/Rev.3), both Governments and IGOs, to the Seventh Ministerial Conference. On the substance of the Ministerial, TRIPS non-violation complaints and E-Commerce would be placed on the Agenda of the Conference. In addition, India introduced its proposal, co-sponsored by 17 other Members, on "Strengthening the WTO", contained in WT/MIN(09)/W/1 on which several delegations commented, expressing appreciation for India's initiative. Some delegations indicated that, while interesting, the proposal needed further examination and refining.

- (d) Trust fund to facilitate the participation of LDCs

The Council approved the Budget Committee's recommendation in paragraph 25 of its report (WT/BFA/112) and urged interested donors to indicated to the Secretariat the level of financial support to facilitate the participation of LDCs they were prepared to provide.

7. **WTO Pension Plan:** the Council took note of the Annual report of the Management Board for 2008 (WT/L/771), and elected a member and an alternate to the Management Board (WT/GC/W/608).

8. **Committee on Budget, Finance and Administration:** Following the Budget Committee Chair's introduction of the Committee's report and recommendation following its meeting of October 2009 (WT/BFA/112), the Council approved the Committee's specific recommendation in paragraph 15 and adopted the report.

The following matters were considered under "Other Business":

9. On the **accession of developing countries**, Cambodia noted that, as a result of a Round Table on Accession of Least Developed Countries held in Phnom Penh on 28-29 September, and upon request of Cambodia and Tanzania, the Statement on Least Developed Countries Accession had been circulated as a document for the Ministerial Conference (WT/MIN(09)/1), the General Council (WT/L/769) and the Sub-Committee for Least Developed Countries (WT/COMTD/LDC/16). He requested that a process be established by the Chairman, the General Council and the Director-General to consider and act on the proposals contained in the Statement. Zambia and Yemen associated themselves with Cambodia.

10. **Administrative Measures for Members in Arrears:** As required under the revised Administrative Measures approved by the General Council in May 2006, the Chair of the Budget Committee informed the Council of the Members that were under Administrative Measures in Categories II – IV. Also as required under the revised Administrative Measures, the General Council Chair requested Members in Categories III and IV of the Measures to inform him, before the next meeting of the Council, as to when their payment of arrears might be expected. In keeping with the Administrative Measures, the Chairman will report on Members' responses to the next Council.
