

**MULTILATERAL TRADE
NEGOTIATIONS
THE URUGUAY ROUND**

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Trade Negotiations Committee

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COMMUNICATION FROM NIGERIA

In a communication dated 16 August 1991, the delegation of Nigeria has requested that the following "Declaration of the Heads of State and Government of the Organization of African Unity on the Uruguay Round of Multilateral Trade Negotiations" be brought to the attention of the Uruguay Round participants.

Declaration of the Heads of State and
Government of the Organization of African Unity
on the Uruguay Round of Multilateral
Trade Negotiations

1. We, the Heads of State and Government of the Organization of African Unity (OAU) meeting in our Twenty-seventh Ordinary Session in Abuja, the Federal Republic of Nigeria, from 3 to 5 June 1991, we recall our resolution on the participation of Africa in international negotiations, which we adopted in Lagos, the Federal Republic of Nigeria during our Second Extraordinary Session held from 28 to 29 April 1980 alongside the Lagos Plan of Action for the economic development of Africa (LPA) and the Final Act of Lagos (FAL).
2. The unprecedented collapse of the prices of Africa's commodities and the consequential deterioration in its terms of trade as well as the mounting protectionist measures in the markets of the developed countries against exports from Africa and restrictive business practices are among the major external causes of Africa's external debt. We have reiterated this fact in the African Common Position on Africa's External Debt Crisis, which we had adopted in our Third Extraordinary Session held in Addis Ababa from 30 November to 1 December 1987.
3. We have been following closely the trend of the Uruguay Round negotiations since 1986 consistent with our commitments to the objectives and general principles governing the negotiations, as stipulated in the Punta del Este Declaration. We note with concern the difficulties facing African negotiators in the Round as have been amply brought to our

attention in the report of the Eleventh Session of the Conference of African Ministers of Trade and hereby declare as follows:

4. In the course of the Uruguay Round, African participants have made submissions through statements and specific proposals expressing their common concerns on various issues under negotiations. They have joined other developing countries at various stages of the negotiations to raise specific matters of interest and concerns to them. Despite all these efforts, these concerns have not been met. Prominent among them are issues related to improved market access conditions for products of interest to African countries and the inadequate treatment of the development dimension in the new areas of trade-related aspects of intellectual property rights (TRIP's), trade-related investment measures (TRIM's) and trade in services.

5. On the other hand, demands being made on African countries for reciprocity on a number of negotiating issues have become a common feature in the negotiations contrary to the general principles and objectives for the negotiations that have been stipulated in the Punta del Este Declaration, in particular special and differential treatment for developing countries. What is worse, the ability of African countries to influence the course of the negotiations has further been impaired by the lack of adequate transparency in the negotiating process despite their unrelenting efforts at participation in the Round.

6. At this very critical and decisive phase of the Round, we cannot but view with great concern the insensitivity of our major trading partners to these legitimate concerns. We have anxiety over the manner of conducting the negotiations and the profiles of the emerging results. We stress that all participants must be given equal opportunity to shape the final outcome of the Round if that outcome is to be balanced and acceptable to all.

7. We reiterate that with respect to the final results, the concerns of Africa have to be taken on board, and we should not be presented with a situation of "fait accompli" and be made to accept a ready-made package agreed among major trading partners, as a way of salvaging the Uruguay Round on their own interest. Indeed in the new area, therefore, we seek clear and unambiguous recognition of our development policy objectives and that any new multilateral rules and disciplines in those areas must promote rather than hinder the achievement of such objectives. They should, in particular, ensure the unimpeded transfer of technology and provide for national capacity building in all sectors of critical importance to our development process.

8. The credibility of the trading system rests upon the reduction of barriers to trade and allows for the integration of the marginalized small trading nations such as ours into the international trading system. However, the durability of the system depends, on the other hand, on its ability to provide benefits to all trading partners. Thus, it is of the utmost importance that attention be paid by all participants in the Round to the concerns and problems of African countries. The final stage of the Uruguay Round negotiations provides the last and a unique opportunity for responding appropriately and adequately to these concerns.

9. In participating in the Round, African countries were inspired by four major perceptions:

Firstly, greater trade liberalization which takes into account the special needs of developing countries would result in their increased participation in world trade, offering them the best possible means to grow out of the marginalization to which they have been subjected by an asymmetrical world economic and trading system.

Secondly, the strengthening of an open multilateral trading system based on equitable, transparent and predictable rules and disciplines would be in the interest of African countries, the weakest member of the world trading community.

Thirdly, the unprecedented complexity and scope of the negotiations would have a far-reaching impact on the international economic and trade relations for all countries, particularly, those in Africa whose integration into the world economy would be taking place at a time of rapid structural change.

Fourthly, in a world fast evolving into regional trading blocks, no continent needs the multilateral system more than Africa, as the only guarantee for maintaining an open trading system.

10. In the light of these perceptions, African countries attach the greatest importance to the successful outcome of the Round. The outcome we seek, however, has to be compatible with these perceptions. Such outcome must include, inter alia:

- improved market access conditions in all products of interest to African countries;
- more vigorous application of the principles of special and differential treatment for African countries in all areas because of their particular vulnerability and structural handicaps;
- adequate flexibility in all the various agreements to ensure the unhindered pursuit of development policy objectives and provide for specific commitments by developed countries in those agreements aimed at facilitating the achievement of such objectives;
- no additional obligations on African countries without additional offsetting rights to safeguard the existing balance in GATT rights and obligations;
- provisions for free and unrestricted access to markets for goods and services from African Least-Developed Countries, without demanding reciprocity.

11. Proposals for a multilateral trade organization must be studied thoroughly, at the appropriate time, in co-operation with the other bodies of the United Nations System, and in accordance with the Havana Charter, of which some provisions of interest for African countries have remained neglected over the last forty years.

12. Finally, we undertake to do the utmost in the remaining period of the negotiations in order to secure the success of the Uruguay Round on the basis of a balance between rights and obligations of all trading partners. In order to do this, we seek maximum transparency in the negotiations at all levels during the final and decisive phase of the Round.