Memories of a beautiful multilateral epic



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When preparations for the Punta Del Este Ministerial Meeting began, the Kingdom of Morocco had barely begun its accession process. It was therefore as an observer that it became involved in the November 1982 ministerial meeting in Geneva, particularly at the African Group level and in the Punta Del Este Ministerial. Later, it would become the host for the closing of the Uruguay Round in Marrakech.

Upon its official accession to the GATT on 12 June 1987, it immediately began work within the established negotiating groups. The speed of the accession negotiations and the quality of the Kingdom's dossier allowed it to be co-opted, almost immediately, by all the Contracting Parties.

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The work invested in this accession, the experience accumulated as an observer, and the structural reforms implemented, particularly for the bold opening of its foreign trade, gave Morocco a special status. It was sought after in virtually every negotiating group. This status meant that it participated in most of the "Green Room" meetings, where representatives from the South could be counted on the fingers of one hand and where most of the consensus had been reached by the participating Contracting Parties.

Among the reasons for this unique treatment are:

- The scope of the reforms implemented, as a pioneer in the South, to adjust the economy and its trade.
- These reforms are such that Morocco has moved somewhat away from the dogma of "special and differential treatment" and moved closer to a system similar to the reciprocal exchange of tariff or non-tariff concessions.
- Its extremely active participation in agricultural negotiations and its contribution to the econometric formulation of the measurement of support mechanisms were respected. As a result, and given the strength of our agricultural structure, which ticks all the boxes (import, export and subsistence),

Morocco has not aligned itself with the Cairns Group, nor with the group of net food-importing countries, and even less so with the Quad. This stance allowed us to play a discreet role as moderator and facilitator, like a handful of other countries.

- The theme of "Trade, Money, Finance" coherence was primarily championed by Morocco. Its monetary stability dimensions to curb the unfair use of the exchange rate to alter comparative advantage and its necessary financing of the development of countries in the South, called upon to make the same concessions as those in the North, were among the arguments that fueled the negotiations on the "Dispute Settlement Mechanism" and the "Trade Policy Review Mechanism".

Anecdotally, the TPRM was designed and finalized in Montreal during the mid-term review. It was late at night on Wednesday 7 December 1988 in a meeting with the late Arthur Dunkel that I proposed, with a view to dispelling the climate of failure weighing on the ministerial, the adoption of a proposal for a "trade policy review mechanism" inspired by Article 4 of the IMF to be adopted by the meeting.

I argued this proposal with the few colleagues present, emphasizing that it is difficult for a Contracting Party to evade the principle of transparency and peer review. These principles, clearly specified in Paragraph B of the Punta Del Este Declaration, could even be applied, notwithstanding the "single undertaking" principle, before the conclusion of the negotiations under the "standstill and rollback" rule.

The following day, the "Green Room" meeting had accepted the principle of adopting the mechanism. This midterm meeting made no progress on any major issues other than the improvement of the DSM (Dispute Settlement Mechanism) and tariff concessions on tropical products.

In a meeting with the late Arthur Dunkel, I proposed the adoption of a proposal for a "trade policy review mechanism".

The Trade Negotiations Committee (TNC) formally adopted the mechanism at its April 1989 meeting and decided on its provisional implementation prior to its inclusion in the Marrakesh Agreements (Annex III).

To put the Contracting Parties at ease, particularly developing countries, and in agreement with the Director-General, Morocco offered to be the guinea pig for the first review. This was indeed done on 13 December 1989.

To ensure this initiative had strong political significance, Arthur Dunkel successfully convinced Australia and the United States to submit to the same review on 12 and 14 December. To make this experiment a success, close coordination was maintained between the three countries and the Secretariat, with the discreet support of IMF experts.

Another highlight of the Uruguay Round negotiations were the preparations for the closing ministerial meeting of the Round in Brussels, at the Heysel stadium in December 1990. At that time, I chaired the Textiles and Clothing Group, along with Anita Gradin (Sweden) for agriculture, Domingo Cavallo (Argentina) for services, etc.

The day before the meeting, a small "wind of optimism" was blowing through the Heysel stadium. The coordination meeting, chaired by Arthur Dunkel with the chairs of the various thematic groups, in the presence of Carla Hills and Sir Leon Brittan, did not really indicate that failure was in the air, despite the ambiguity skillfully distilled by the European Commissioner.

On the morning of 19 December, Louis Mermaz, French Minister of Agriculture, freshly landed from Paris, had requested an urgent meeting with Arthur Dunkel before the conference began. This turned out to be a crushing blow following the announcement that France was unable to accept the consensus reached in the agricultural sector.

This sovereign decision signalled the failure of the closing ministerial meeting in accordance with the "single undertaking" principle agreed upon in Punta Del Este.

Meeting under the authority of the Director-General, the thematic negotiating leaders, along with certain key ministers, assessed the situation and decided what to do next. After lengthy discussions, it was decided to ask Louis Mermaz to keep France's decision confidential, with Sir Leon Brittan taking charge of a final attempt to save the Round by convincing France to join the consensus.

It was also agreed to begin work at the ministerial conference while waiting to see how things would move, or not, forward.

In the Textiles and Clothing Group, the Agreement had been virtually finalized during consultations that lasted almost the entire year, representing a considerable investment of time and energy. It should be remembered that this was nothing less than dismantling the Multifibre Arrangement and introducing rules and disciplines in a sector vital to developing countries.

I had tried, as much as possible, to intelligently use the time allocated to the meeting to further explain the agreed provisions, clarify the interpretations of certain clauses, and above all, ensure at all costs that negotiations were not reopened. It was particularly important to contain pressure from countries like Pakistan, Bangladesh and Turkey, which continued to consider the dismantling periods for importing countries' quantitative protections as too long.

The committee chair ultimately succeeded in saving the agreement reached by setting it in stone, pending the next ministerial meeting.

It had to be acknowledged: France's inflexibility was irrevocable.

Arthur Dunkel, in a plenary session that remains in our memories, announced the failure of the ministerial meeting with an emotional voice mingled with frustration and disappointment.

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A painful meeting of what I will call the negotiations' "steering committee" followed. It ended with a single decision: to find an alternative venue to Brussels as soon as possible for the new attempt to close the Uruguay Round. This place must be mobilizable at short notice.

As I walked with Arthur Dunkel to the residence of the American Embassy to the EU, where Carla Hills (USTR) was hosting the final working dinner, I asked him the following question: What would you think if I suggested Marrakech for the next venue?

He looked at me, a little taken aback, and asked me a few questions about the technical and logistical feasibility of the proposal. I presented him some arguments that ultimately

convinced him that the idea was not far-fetched.

We therefore agreed on a scenario for presenting the proposal during dinner. A few guests were in on the secret and did not hide their relative scepticism.

The scenario unfolded as planned, and a debate ensued, along with a series of questions that queried the feasibility of the proposal more than the relevance of the choice. Ultimately, there was unanimity on Marrakech.

Although I had no doubt about the highest Moroccan authorities welcoming the idea of hosting the closing of the Uruguay Round in Marrakech, it was necessary to take into account the context and the prevailing atmosphere at the time and to display all possible caution. I therefore asked my colleagues, after thanking them for their trust, that we keep this decision absolutely secret.

It took months before rumours about Marrakech, the next and final stage of the Round, began to circulate.

Before leaving the GATT, after revealing his final draft Agreement in December 1991, Arthur Dunkel had the choice of Marrakech approved without any difficulty. Although there were many apprehensions about the Dunkel Final Draft - I mention in particular the reservations aired by India - this choice somewhat calmed the inclinations of some members who saw themselves being sacrificed in favour of the Northern countries.

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Upon his arrival at the GATT in July 1993, one of Peter Sutherland's first concerns was to ensure that the choice of Marrakech was safe and viable. As soon as he made his mark in Geneva, he came to visit the site, accompanied by his wife. I had the privilege, along with other eminent colleagues, of serving as his guide. His visit was attended by the late His Majesty Hassan II. The reconnaissance, detailed surveys and the state of preparedness demonstrated by the city authorities did not at any time affect his Irish composure or trigger the Mediterranean passion of his wife.

It was not until the following Sunday, at breakfast, that the ultimate, albeit accidental,

test occurred that would trigger enthusiasm. During the discussion, Mrs. Sutherland regretted having to miss mass, a situation which only happens to her exceptionally. She was unaware that the Church of Marrakech still celebrated the Catholic faith. Once informed, the logistics were organized immediately so that she could join the religious service. When she returned, moved by the occasion, with her husband, she was full of praise for the priest and the spirit of tolerance that Morocco had demonstrated. A delighted and reassured Sutherland returned to Geneva.

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A similar episode would take place at the closing ceremony of the Round in April 1994, at the Royal Palace in Marrakech. The late His Majesty Hassan II had begun delivering his speech, under the blue sky that inspired painters and writers (including Winston Churchill!), where seagulls soared majestically, when suddenly the Muezzin began his call to prayer with a crystal-clear voice. His Majesty stopped his speech, and a religious silence enveloped the esplanade of the Palace, punctuated by the seagulls' raucous cries. This clear and spiritual atmosphere has left a deep mark on memories: I can still see Peter Sutherland, Vice President Al Gore and many others moved to tears in this magic place.

Many other episodes could be cited to demonstrate the depth and complexity of this Round. It will likely remain the most important economic and trade negotiation of all time for a long time to come.

It is difficult for me to conclude without mentioning the pillars of wisdom who enabled this Round to conclude positively: Julio Lacarte, Tran Van Tinh, Celso Amorim, Tony Hill, Rufus Yerxa, S.P. Shukla, Munir Akram, Alejandro Jara, Felipe Jaramillo, Munir Asran and many others.

The spirit of Geneva owes them a great deal.

It is with great regret and concern that I note that this spirit is being erased by increasingly exacerbated protectionist tendencies and the hegemony of power over the rule of law, the cardinal value of our multilateral system.

The Uruguay Round will likely remain the most important economic and trade negotiation of all time for a long time to come.

We have an urgent need, without any spirit of retaliation, to return to the path of negotiation to convince those who have neglected the lessons of history that still fill our memories. More than ever, the WTO has a burning obligation, with patience, pedagogy and a sense of persuasion, to restore the spirit of Geneva that enabled the world to make that fabulous leap without which humanity would never have been able to lift hundreds of millions of men and women out of poverty and exclusion.

The mission is not yet complete so let us ensure that we do not lose its precious achievements.