

IN THE SPOTLIGHT

12th Ministerial Conference

The 12th Ministerial Conference (MC12), co-hosted by Kazakhstan, concluded successfully on 17 June 2022 in Geneva with the adoption of a series of important outcomes, including a landmark Agreement on Fisheries Subsidies, decisions on a multilateral response to the food crisis and the COVID-19 pandemic, and a multilaterally agreed outcome document.



MC12 took place in Geneva from 12 to 17 June amid a fragile recovery from the COVID-19 pandemic and against the backdrop of war in Ukraine, which was causing humanitarian suffering and serious implications for global trade and vulnerable populations around the world.

At the same time, the WTO was facing significant challenges in its core functions, notably surrounding the dispute settlement system (see page 132).

Twice postponed because of the pandemic, MC12 presented a critical opportunity for ministers to take action, accomplish what needed to be done and provide much-needed political guidance to enable the WTO to be more responsive to the challenges faced by all its members.

In her opening speech to the conference, DG Okonjo-Iweala said: “Members will have a chance to show the world that the WTO can step up to the plate.” Striking agreements in Geneva “will enhance the ability of all members to respond to people’s aspirations at home – aspirations for food, for health, for security, for better jobs, higher living standards, and a sustainable environment on land, in the oceans and in our atmosphere,” she said.

The DG noted that at a time when the multilateral system is seemingly fragile “this is the time to invest in it, not to retreat; this is the time to summon the much-needed political will to show that the WTO can be part of the solution to the multiple crises of the global commons we face.”

Initially scheduled to end on 15 June, the ministerial gathering was extended by two days to allow more time for negotiations and reaching agreements. Eventually, after round-the-clock talks among delegations, the chair of MC12, Timur Suleimenov, First Deputy Chief of Staff of the Kazakh President, brought down the gavel on 17 June on a series of important accords.

The “Geneva Package” includes a landmark agreement on fisheries subsidies, a multilateral response to COVID-19, as well as decisions on food security and WTO reform (see page 51).

In his closing remarks, the chair told members: “This week, you have all contributed to making what seemed impossible come to fruition. We have all engaged in frank and sometimes very difficult conversations. We may have not achieved everything that we set out for, but we have delivered, and this is something that all of us should be proud of.”



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MC12 Chair Timur Suleimenov





Fact box: Key elements of the “Geneva package”

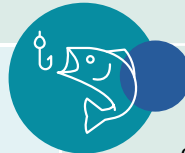


Trade and health

WTO members adopted:

- a ministerial declaration recognizing the importance of the multilateral trading system in supporting the fight against COVID-19 and future pandemics
- a ministerial decision clarifying the right of members to override patents in certain circumstances and providing greater scope to diversify production of COVID-19 vaccines.

They also committed to explore whether to extend the decision to cover the production and supply of COVID-19 diagnostics and therapeutics (see page 62).



Fisheries subsidies

The Agreement on Fisheries Subsidies commits members to eliminate the most harmful fisheries subsidies that are fuelling depletion of fish stocks and depriving fishing communities of their livelihoods. It is the first WTO agreement to put a primarily environmental objective at its core (see page 55).

For the Agreement to enter into force, two-thirds of members have to deposit their “instruments of acceptance” at the WTO. Members have also started exploring how to approach the “second wave” of negotiations to further discipline harmful fisheries subsidies.



Food security

WTO members adopted:

- a ministerial declaration confirming the vital role of trade in improving global food security and committing members to improving the functioning of global markets for food and agriculture
- a decision exempting food purchased by the UN's World Food Programme for humanitarian purposes from any export prohibitions or restrictions (see page 52).

In November 2022, members established a work programme aimed at helping to address the food security concerns of least-developed countries and net food-importing economies in line with the MC12 mandate.



E-commerce

WTO members decided to maintain a moratorium on customs duties on e-commerce and to intensify discussions on the issue. The moratorium will remain in effect until MC13, due to be held in February 2024.



WTO reform

WTO members agreed to undertake a comprehensive review of the WTO's functions to ensure the organization is capable of responding to the challenges facing the multilateral trading system. The goal is to submit possible reform proposals to MC13.

Ministers also agreed to talks on addressing concerns about the WTO's dispute settlement system, with the view to securing a fully functioning system by 2024.



Other topics

Ministers adopted a Sanitary and Phytosanitary (SPS) Declaration committing WTO members to modernize the SPS Agreement, which regulates standards on food, animal and plant products. In November 2022, members agreed on the process for undertaking this work.

Ministers adopted a decision reaffirming their commitment to addressing the particular challenges faced by small economies.

They also decided to extend until MC13 a moratorium on so-called TRIPS “non-violation and situation” complaints, which deal with situations where a WTO member may argue that it has been deprived of an expected intellectual property benefit, even if no agreement has been violated.