

WORLD TRADE ORGANIZATION

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General Council

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PREPARATIONS FOR THE FOURTH SESSION OF THE MINISTERIAL CONFERENCE

Draft Ministerial Declaration dated 27 October 2001
Drafting Suggestions by India

Communication from India

The following communication, dated 2 November 2001, has been received from the Permanent Mission of India.

The Statement made by India in the General Council on 31st October¹ is supplemented by the following drafting suggestions.

Preambular Portion: There should be a reference to existing development deficit in WTO agreement and there should be acknowledgement of the need to make "Development", the main focus of WTO work.

Para 1: Delete the word "significantly" from the first sentence.

Para 2: In the last sentence replace the word "balanced" by "equitable".

In the last sentence after the phrase "equitable rules", add the phrase "provision for adequate policy flexibility".

Also introduce a new para as given below, as had existed unbracketed in the draft Seattle Ministerial Text of 3.12.99:

"We acknowledge that trade liberalisation has yet to benefit many poor people, particularly those in developing countries. We recognize that more needs to be done so that all can benefit fully and equitably from the system and from the expansion of world trade. We therefore commit ourselves to ensure that the benefits of the multilateral trading system continue to grow and are shared more broadly and in a fairer manner among our Members and our peoples. Trade must make its full contribution to the elimination of poverty. We therefore underscore the importance of the development dimension of international trade, including the need for adequate flexibility to enable developing countries to achieve the objectives of their market oriented development policies".

¹ Issued as document WT/GC/W/459.

- Para 4: Add the phrase “as envisaged in Article III.2 of the Marrakesh Agreement” after the word “liberalisation”. Replace the word “unique” by the word “important”. Also replace the word “liberalisation” by the words “trade liberalisation”. Also add the phrase “within the framework of multilateral trading system” at the end of the sentence.
- Para 6: Delete the sentence starting with the words “We recognise the right...”. Add the word “equitable” after the word “open” in the 2nd sentence.
- Para 8: Delete the whole para. (Already covered by India’s statement.)
- Para 10: Delete the phrase “and improved dialogue with public”.
- Para 11: Delete words “broad and balanced” as well as “expanded”.
- Para 12: (Already covered by India’s statement.)
- Para 16: Delete the words “high tariffs” and phrase “or as appropriate eliminate” from the first sentence and prefix “bound” before the word “tariffs”. The phrase “as well as non-tariff barriers” should be shifted immediately after the words “tariff escalation” and before the phrase “in particular...”. Delete the words “comprehensive and” from the 2nd sentence.
- Para 18&19: (Already covered by India’s statement.)
- Para 20: To be replaced by the following:
“The Working Group on the relationship between Trade and Investment shall continue its work in accordance with the mandate provided by the Singapore Ministerial Declaration. A report on this work shall be presented to the Fifth Session of the Ministerial Conference.
- Para 21: To be replaced by the following:
“The Working Group on the relationship between Trade and Competition Policy shall continue its work in accordance with the mandate provided by the Singapore Ministerial Declaration. A report on this work shall be presented to the Fifth Session of the Ministerial Conference.”
- Para 22: To be replaced by the following:
“The Working Group on Transparency in Government Procurement shall continue the study to identify the elements of transparency taking into account national policies. A report on this work shall be presented to the Fifth Session of the Ministerial Conference.”
- Para 23: To be replaced by the following:
“The Council for Trade in Goods will complete the exploratory and analytical work on the simplification of procedures and formalities relating to importation, exportation and transit of goods, based on proposals by Members, while also taking into account the work of relevant international organisations in order to assess the

scope for WTO rules in this area. A report on this work shall be presented to the Fifth Session of the Ministerial Conference.”

- Para 24: The phrase “in the light of the increasing application of these instruments by Members” is unnecessary and should be deleted. It should be borne in mind that the main reason which prompted many developed and developing countries to seek negotiations in anti-dumping and subsidies area is the growing abuse and misuse by some developed countries, of Anti-dumping and Subsidies agreement. Delete the word “and” after basic concepts and add “existing special and differential treatment provisions. The negotiations shall also fully take into account the needs of developing and least developed countries”. Also delete “taking into account the needs of developing and least developed participants”.
- Para 25: In the last sentence add the phrase “while ensuring that regional trade agreements are complementary to and consistent with WTO rules”.
- Para 27: (Already covered by India’s statement.)
- Para 28: Amend the second sentence to read as: “The work to date demonstrates that electronic commerce creates new challenges and opportunities for trade for members, in particular for developing countries and that bridging the digital divide while taking into account their economic finance and development needs is integral to improving their participation in global electronic commerce. We recognize the importance of creating and maintaining an environment which is favourable to the future development of electronic commerce.”
- Para 35: Add at the end of the fourth sentence ending with “for products originating from LDCs”, the following terms “on the basis of common but differentiated responsibility”.
- Para 39: Delete the phrase “a Trade Negotiations Committee under the authority of” and the 2nd sentence. Delete the third sentence and replace it by “The negotiations should be held through the existing relevant bodies of WTO”.
- Para 42: After the word “negotiations”, add the phrase “taking into account the existing imbalances and asymmetries”.
- Para 44: Delete the following portions (a) “and the Committee on Trade and Environment”; (b) “within their respective mandates, each”; (c) “and environmental”; (d) “in order to help achieve the objective of having sustainable development appropriately reflected”.

India reserves its right to make further suggestions, if considered necessary and appropriate.
