

**Statement by Honorable Joshua Setipa, Minister of
Trade and Industry of the Kingdom of Lesotho,
Chair of the Africa Group at the occasion of the
Plenary Session of the 10th WTO Ministerial
Conference 16 December 2015**

Madam Chair Amina Mohamed, Cabinet Secretary for the Ministry of Foreign Affairs and International Trade of Kenya, thank you for giving me this opportunity to deliver this intervention on behalf of the Africa Group.

At the outset the Africa Group pays tribute to the Government and people of Kenya for hosting this first ever WTO Ministerial Conference held on African soil.

This conference is also a momentous one as we also celebrate the 20th Anniversary of the WTO. We therefore commend the Government of Kenya for the excellent and warm reception given to us since we arrived. For that we say ASANTE SANA.

That the WTO is an important organization goes without saying. This is evidenced by a number of accolades accumulated in the past 20 years in the form of successful negotiated outcomes, monitoring, as well as litigation mandates. Here in Nairobi we hope to build on these successes by adopting a declaration.

The Africa Group welcomes all newly acceded Members since our last session. Amongst others, the accession of

the Republic of Seychelles deserves special mention, particularly because it represents Africa's continued openness to the deepening of global trade rules on the Continent. This is pleasantly confirmed by the accession of the Republic of Liberia. At the general level, the advancement in accessions to date brings our organization closer to full global membership. That said, the Africa Group once again reiterates the need to ensure that the accession process does not derail acceding countries from their trajectory towards economic development.

Madam Chair,

Today we stand at the brink of an opportunity to build on the edifice of Members' commitments to reform the multilateral trading system. At the heart of this reform of the multilateral trading system lies the needs of the most marginalized Members of the WTO majority of which are African. As Members we therefore cannot suppress our conscience from responding to the clarion call of our commitments to reform the WTO's body of rules.

We equally cannot turn a blind eye to our commitments to redress imbalances codified in outcomes of the Uruguay Round of negotiations as well as decisions we collectively signed off on under the auspices of the Doha

Ministerial Declaration and attendant Mandates. In this context, Madam Chair, the Africa Group is aware of the stalemate overshadowing WTO's negotiations function as represented by a bracketed draft declaration from Geneva negotiators. The choices are clear: reaffirm the Doha Work Program, or condemn it. For Africa, turning away from the Doha Work Program and the broader Doha negotiations' architecture, on African soil, is a highly unacceptable proposition. In fact a proposition of this nature devastates trust in the sphere of relations among states and calls into question the credibility of Members' commitments within the WTO system.

Madam Chair, the proposition put to Members to do away with Doha Work Program is one with neither requisite justifications nor clearly articulated alternatives for Members consideration. Undoubtedly we cannot succumb to a narrative that condemns our organization to being in existential crisis in the absence of well thought out, convincing and credible arguments.

What is clear though is that there are attempts to renegotiate the key provision of the founding Marrakesh Agreement establishing the WTO, including changing the negotiation approaches, thereby formalizing the plurilateralisation of the WTO decision-making process as well as doing away with decision-making by consensus in the WTO system. This is indeed

a systemic concern. Further, this Conference is being asked by some Members to overrule and disrespect decisions by our Heads of States and Government.

Madam Chair,

You will recall that our Presidents and Prime Minister in September 2015 adopted the Sustainable Development Goals, specifically Goal 17.10 which focuses on the role of the WTO and the conclusion of the Doha Round negotiations. Thus, to turn away from this clear directive would be counter to what was adopted at the UN General Assembly.

Madam Chair, Ministers have an up-hill task to dispense with the brackets in various texts. During the next few days we must all sieve through a number of alternatives at our disposal with a view to charting the way forward for the WTO negotiations function. As I noted, for the Africa Group, Nairobi cannot and must not be a burial ground for the Doha Work Program.

That said, **Madam Chair,** the Africa Group welcomes decisions adopted by the General Council for noting by this conference. Decisions in favour of LDCs ranging from services waiver to TRIPS related decisions are warmly welcome. On all other texts forwarded to this Conference the Africa Group will engage constructively with a view to making this conference a success. This

however, should not be at the expense of Africa's development objectives. This Conference must not go down into history as being one that served to dictate its outcomes based on domestic regimes of some Members.

The WTO cannot be a truly global organization if its main objective is to internationalize domestic laws of a few affluent Members. It is the hope of the Africa Group that in the few days we have in Nairobi, real political calls will be made for the benefit of the poorest people in developing countries. In this regard, outcomes without tangible deliverables in the Area of Agriculture including cotton will be a betrayal of hopes and dreams of many farmers in Africa hoping for the WTO to serve and address their needs. It is also the view of the Africa

Group that there is an outcome on Special and Differential Treatment. Moreover, the development dimension should also be preserved in both horizontal and vertical outcomes of this conference.

I THANK YOU.

**Statement by Hon. Joshua Setipa at the Occasion of the 10th
WTO Ministerial Conference, Nairobi Kenya 16th December
2015.**

At this juncture Madam Chair, I beg your indulgence for me to turn to the Kingdom of Lesotho's intervention.

Madam Chair, the multilateral Trading System is of utmost importance to small countries such as Lesotho. Lesotho joined the WTO in pursuit of a promise that the multilateral trading system will integrate our nascent economy into the system. Twenty years on, we are still chasing the promise.

Regrettably, all indications point to disintegration of African LDCs from the system and less so integration into the system. The WTO 2015 Report clearly illustrates this disintegration, with the greatest share of African Countries in international

trade dictated by growth in regional trade. Whereas trade growth may be perceived as positive the concern is that there is no commensurate level of growth in the direction of value added trade with global trading partners. This story line is quite simple. It will take reforms of the Uruguay Round outcomes as well as realization of disciplines foreseen by DDA negotiation mandates, to truly integrate LDCs into global trade. It is for this reason that Lesotho firmly believes that commitments made by Members, in as far as the architecture of the DDA is concerned, must be honored.

Madam Chair, trust is of utmost importance. We must be in a position to trust each other and be accountable for our commitments. Turning away from our commitments will certainly cast doubt over seriousness of any new commitment by Members. While we strongly believe in the need for reaffirmation of Doha Work Program by this Conference,

particularly the DDA architecture, in the same vein we question whether any supposed architecture will not similarly be abandoned if it does not serve interests of some Members over time. Lesotho is therefore deeply concerned by the precedent WTO will set if DDA architecture is abandoned. In our view, Members have to go back to the drawing board and focus on specific problems belying the current impasse as opposed to blaming the lack of progress on the architecture of the DDA. Clearly the change in the architecture will, in itself, neither clear the outstanding issues nor solve problems of engagement. In the absence of clear proposals the impasse will only be intensified and protracted. This is not the MTS we are hoping for.

On a positive note, Lesotho welcomes all WTO decisions and measures aimed at improving the prospects for LDCs to realize trade as a true engine for development. Amongst others, we

welcome preferences notified by Members under the remit of Services Waiver Decision, as well as LDC related decisions in the area of TRIPs. Lesotho further welcomes the recently adopted waiver on AGOA. It is initiatives such as AGOA, as well as other preferences, that provide requisite incentives to truly integrate LDCs into the multilateral trading system. Capacity building measures such as found in the EIF, as well as the aid for trade programs, coupled with the WTO training and the resource center platform are also to be commended. Sturdy results, in the battle against supply side constraints, are beginning to be manifest in Lesotho.

Chair, while a lot remains to be done at this 20th anniversary of the WTO, the Kingdom of Lesotho lauds the organization for its achievements for the benefit of LDCs. It is in this spirit that I wish to announce that Lesotho has deposited her instrument of

*acceptance with respect to Trade Facilitation Agreement, as well
as under TRIPs and Public Health.*

I thank you.