

The long and winding road
A review of the TFA's negotiating history



02 June 2017

Nora Neufeld



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mid-1990s


WORLD TRADE
ORGANIZATION


First steps



Why?

What?



How?

When?

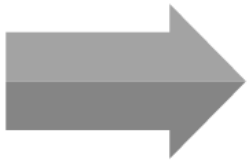




Singapore Ministerial 1996


WORLD TRADE ORGANIZATION
MINISTERIAL CONFERENCE
9-13 DEC 1996
SINGAPORE
ORGANISATION MONDIALE DU COMMERCE
ORGANIZACIÓN MUNDIAL DEL COMERCIO
MINISTERIAL CONFERENCE
9-13 DEC'96
SINGAPORE

First work mandate



limited scope

Singapore Ministerial Declaration WT/MIN(96)/DEC, para 21

"We further agree to (...)
direct the Council for Trade in Goods to undertake exploratory and analytical work, drawing on the work of other relevant international organizations, on the simplification of trade procedures in order to assess the scope for WTO rules in this area."

2 steps forward...



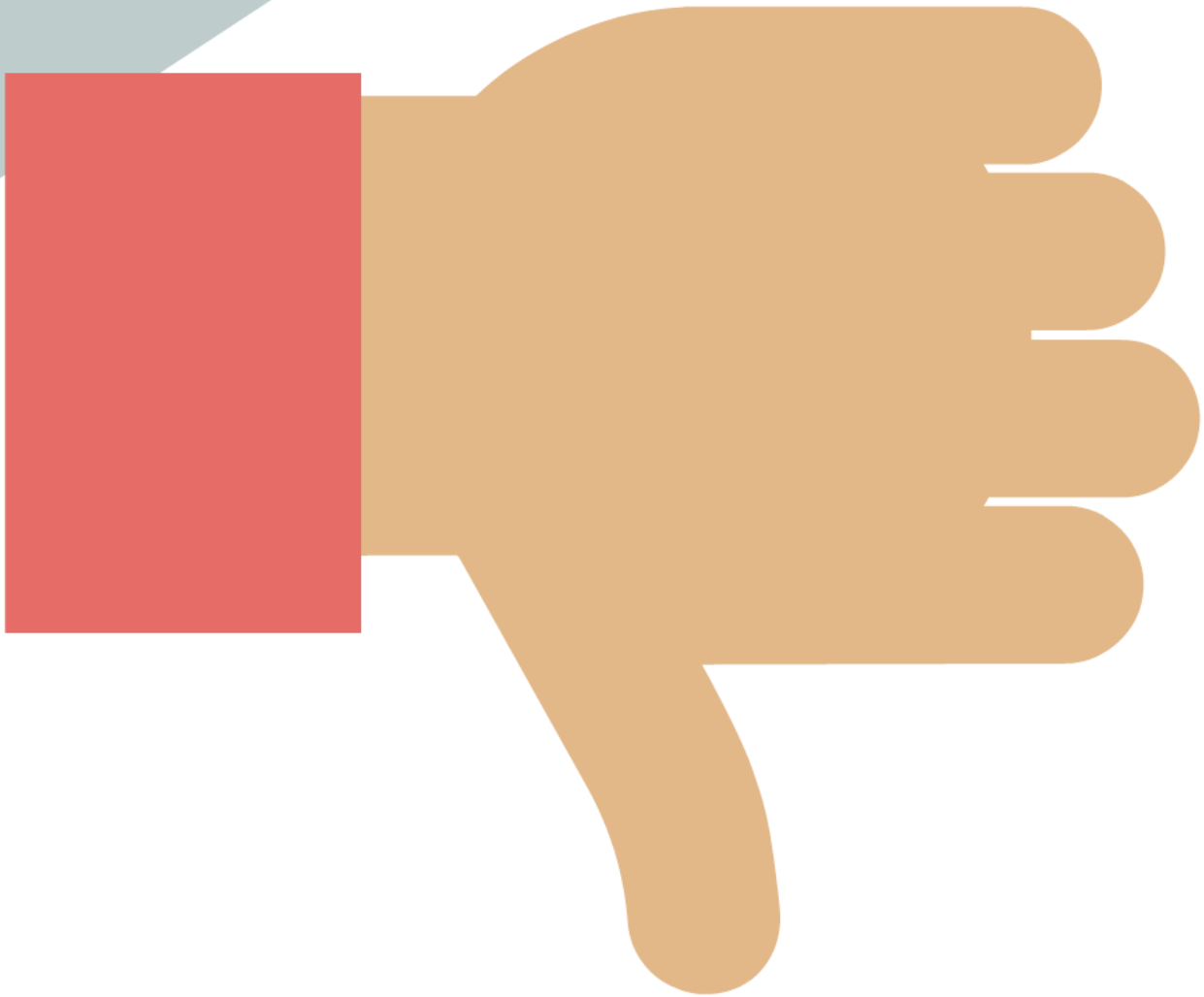
... 1 step back

First attempt to launch negotiations



Seattle Ministerial 1999


THIRD
MINISTERIAL
CONFERENCE
SEATTLE
WTO
WORLD TRADE ORGANIZATION
ORGANISATION MONDIALE DU COMMERCE
ORGANIZACIÓN MUNDIAL DEL COMERCIO
SECRETARY



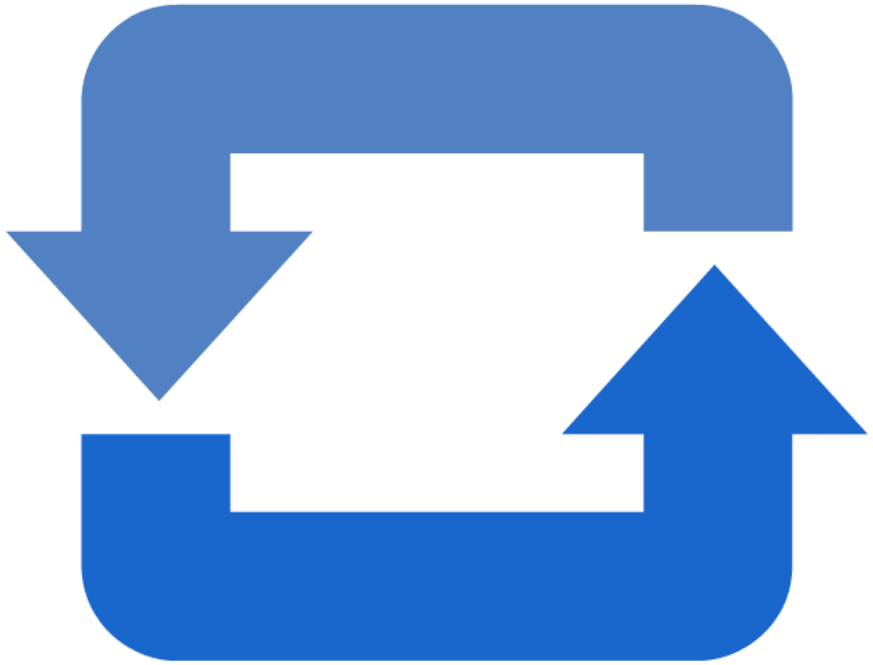

TRABAJOS CON JUSTICIA
JUSTICE
NO to the WTO

Second attempt to launch negotiations



Doha Ministerial 2001

Conditional negotiating mandate

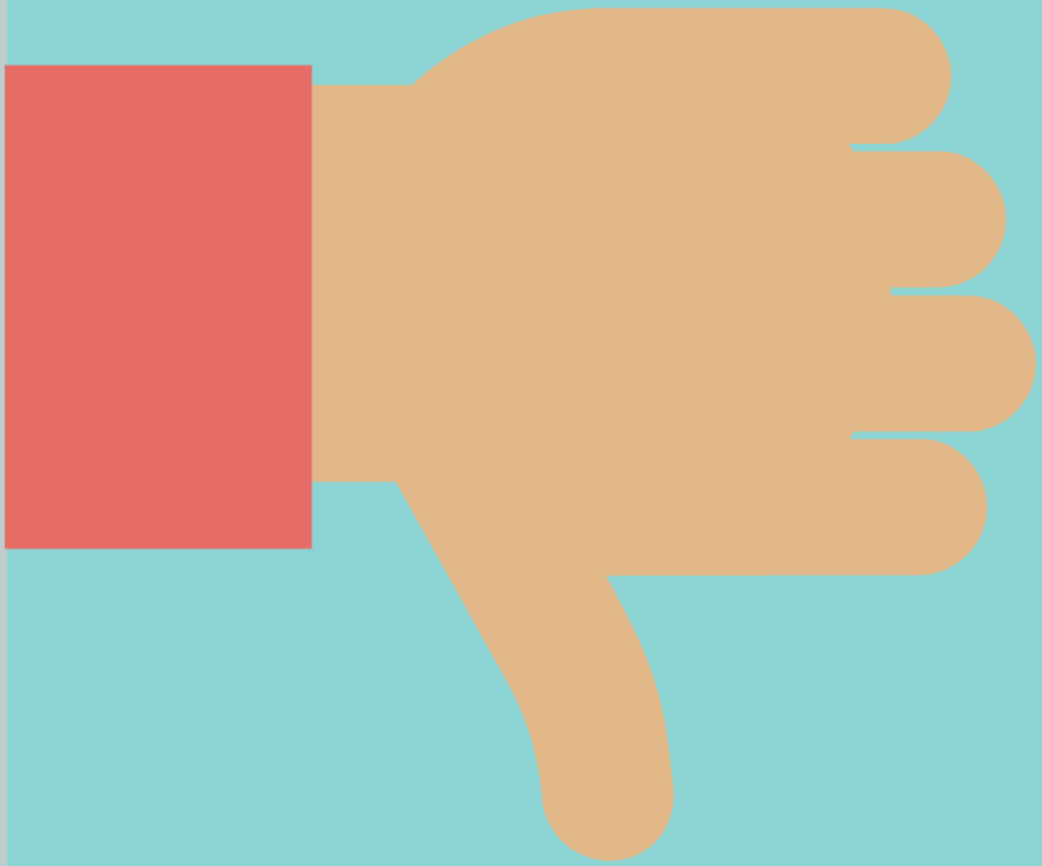


"(...) we agree that negotiations will ake place after the 5th Session of the Ministerial Conference on the basis of a decision to be taken, by explicit consensus (...) on modalities of negotiations." WT/MIN(01)/Dec/1, paragraph 27


المؤتمر الوزاري الرابع لمنظمة التجارة العالمية
4TH MINISTERIAL CONFERENCE 2001
WTO
WTO DOHA
WORLD TRADE
ORGANIZATION
OMC



Cancún Ministerial 2003

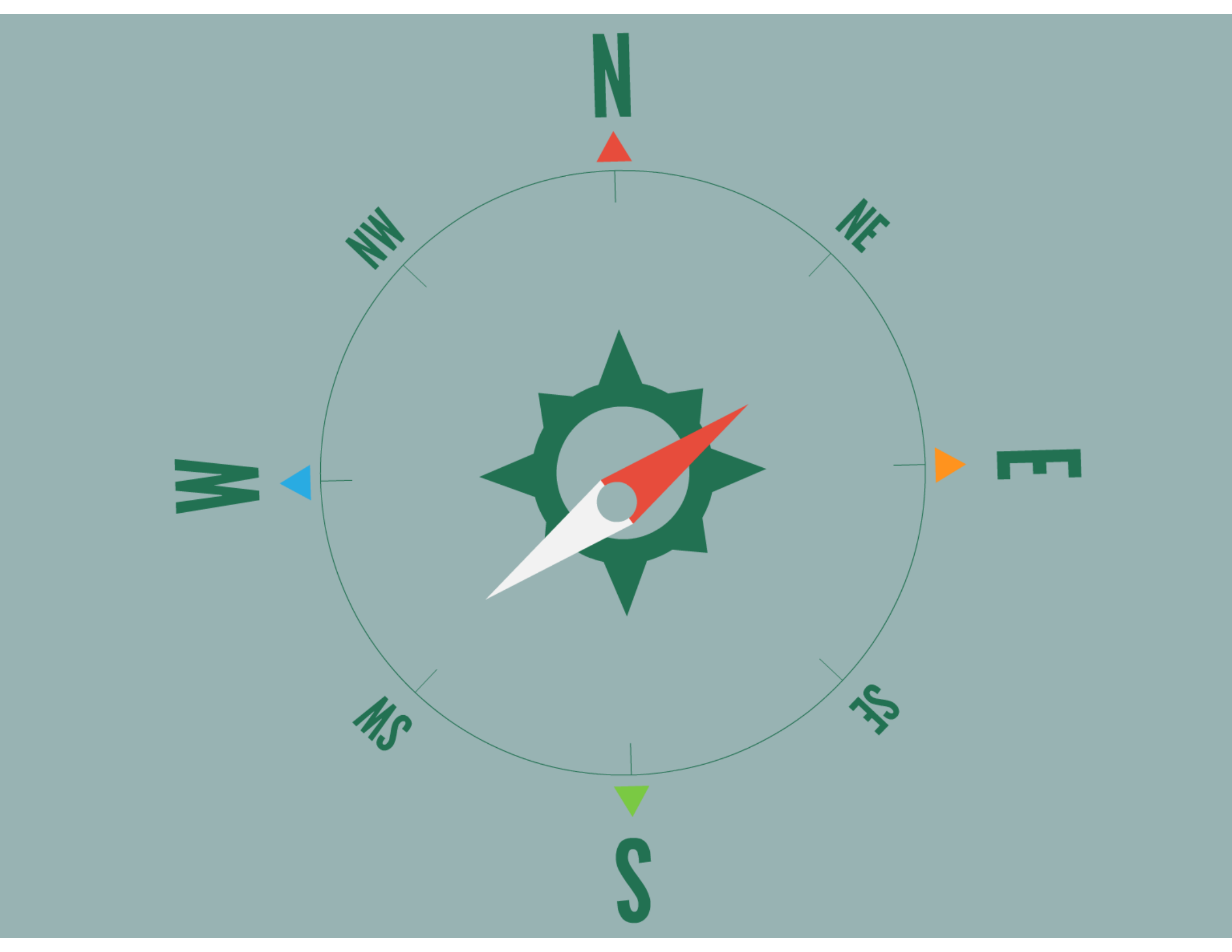



FOOD SOVEREIGNTY
W.T.O.
NO NEW ISSUES IN THE WTO
STOP
WTO
KIL
NO NEW ISSUES !
Our world is not for sale (OWINFS) network

Work program for interim period

"In the period until the Fifth Session, the Council for Trade in Goods shall review and as appropriate, clarify and improve relevant aspects of Articles V, VIII and X of the GATT 1994 and identify the trade facilitation needs and priorities of members, in particular developing and least-developed countries."




N
NE
E
SE
S
SW
W
NW


PIZZA

Finally ...



Agreement to launch negotiations in the framework of 2004 "July package"

(General Council decision, WT/L/579, Annex D)

Overall parameters

- Part of the Doha Round
- Subject to Single Undertaking



stablishment of Negotiating Group

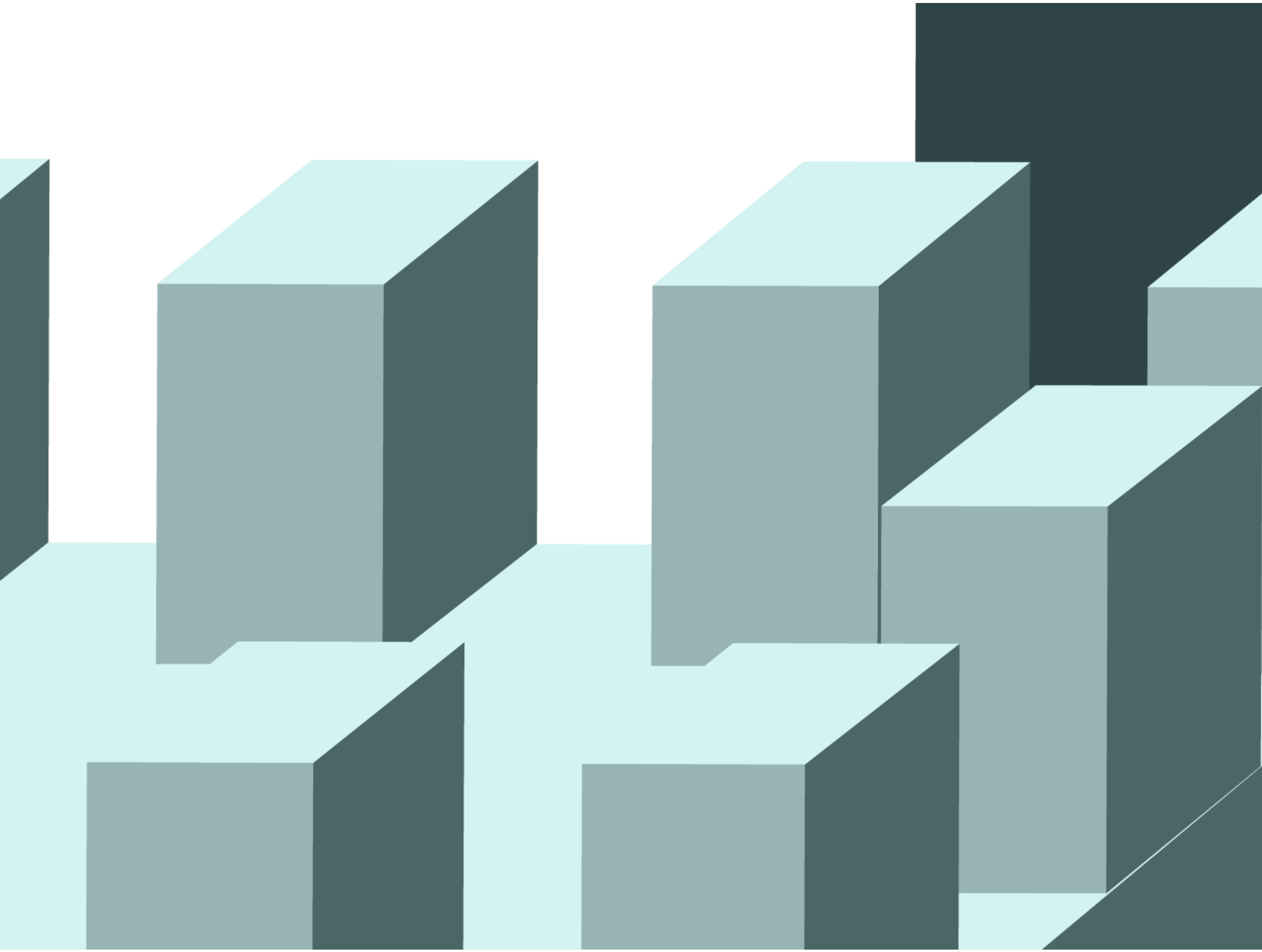
12 October 2004

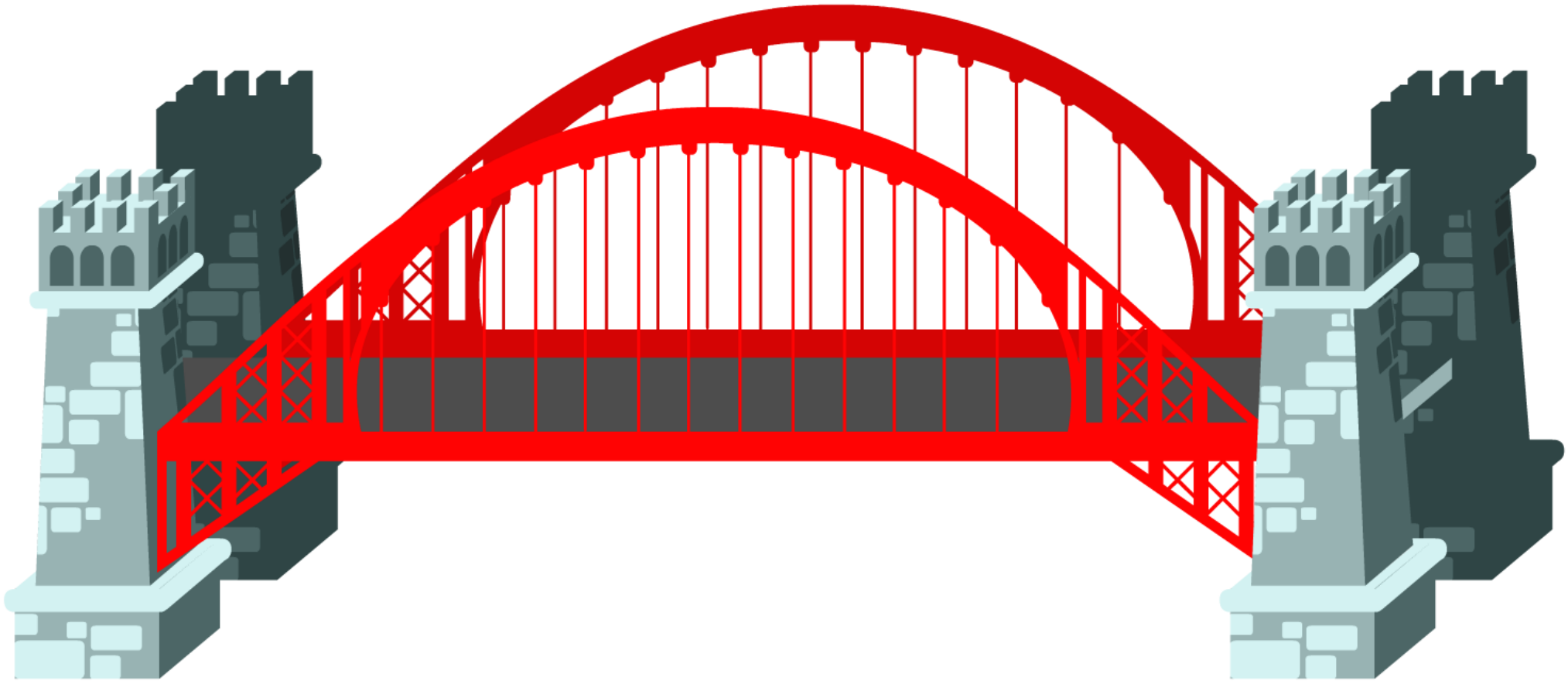
Amb. Noor elected as first chair

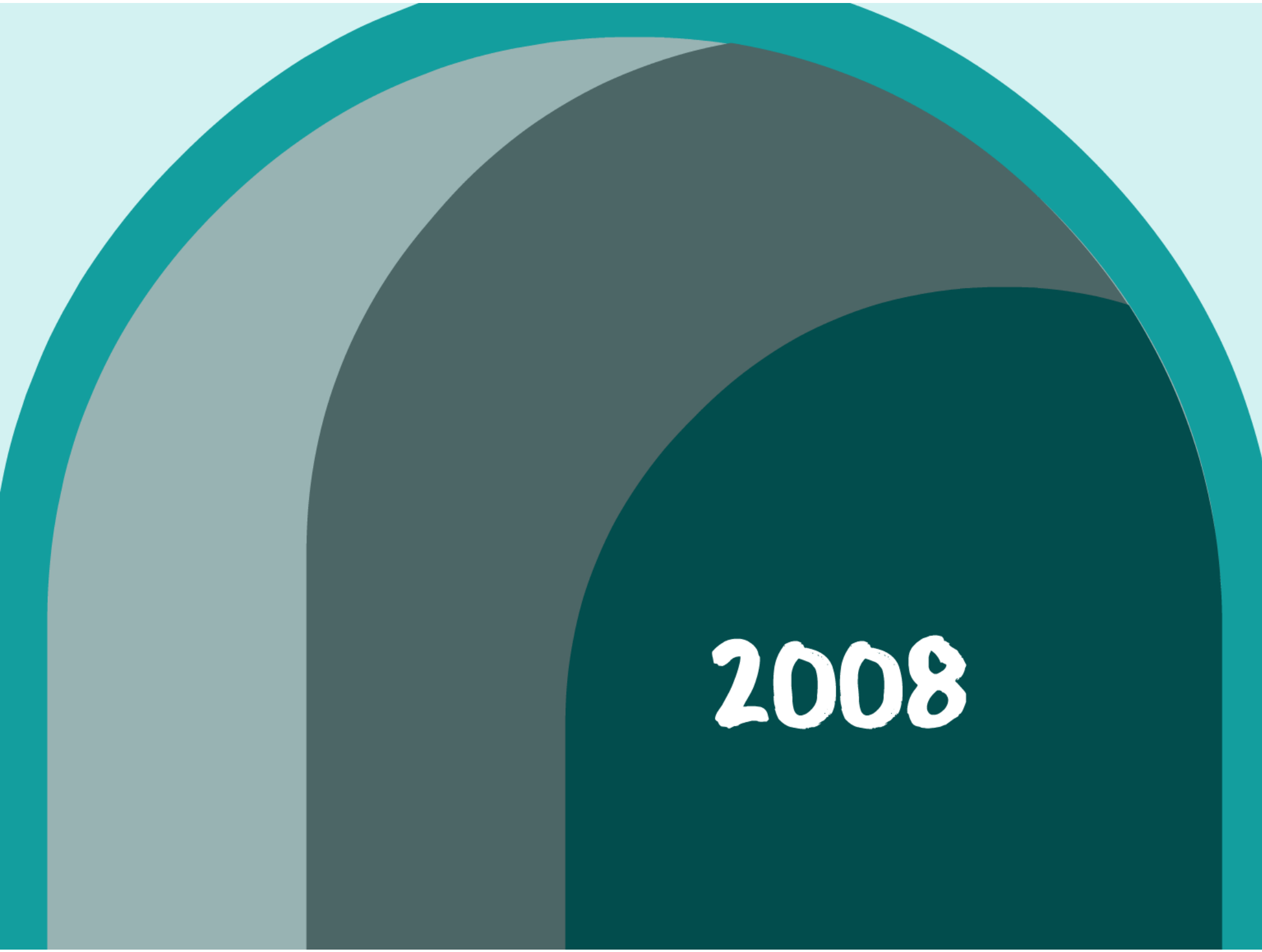
Negotiating Group first meets

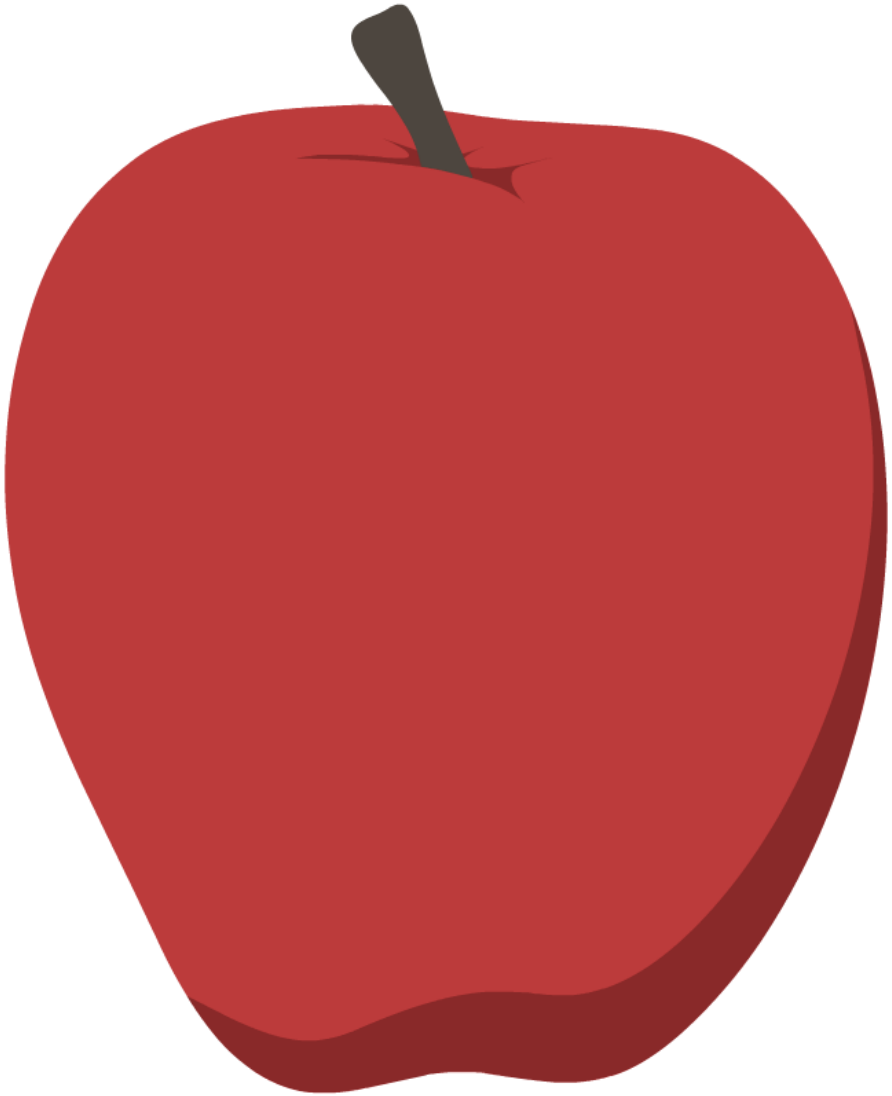
15 November 2004

- Adoption of Work Program and schedule of meetings






2008





Circulation of first draft Agreement in December 2009


Followed by what seemed
like a step back....

Bracket explosion





New obstacles

Introduction of additional modes and fora

- Facilitators
- Friends of the Chair





Furhter intensification of work in October 2013

→ Begin of DG-led process



Different configurations

- "Room W"
- Bilaterals
- small groups

* 26 November 2013

- ✓ Issuing of draft Trade Facilitation Agreement
  - Still contained around 70 sets of brackets


WTO OMC
WORLD TRADE ORGANIZATION
DEL COMERCIO
ORGANISATION MONDIALE DU COM
DEPUTY DIRECTOR GENERAL
DEPUTY DIRECTOR GENERAL
DEPUTY DIRECTOR GENERAL
DIRECTOR-GENERAL
CHAIRPERSON
SECRETARY
CHINA
CHILE
COLOMBIA
COTE D' IVOIRE

Bali



- Concluded negotiations
- Set out implementation steps
- Mandated preparatory work


MINISTERIAL CONF
3-6 DECEMBER 2013
DIRECTOR-GENERAL
CHAIRMAN

Establishment of Preparatory Committee

31 January 2014

Tasks

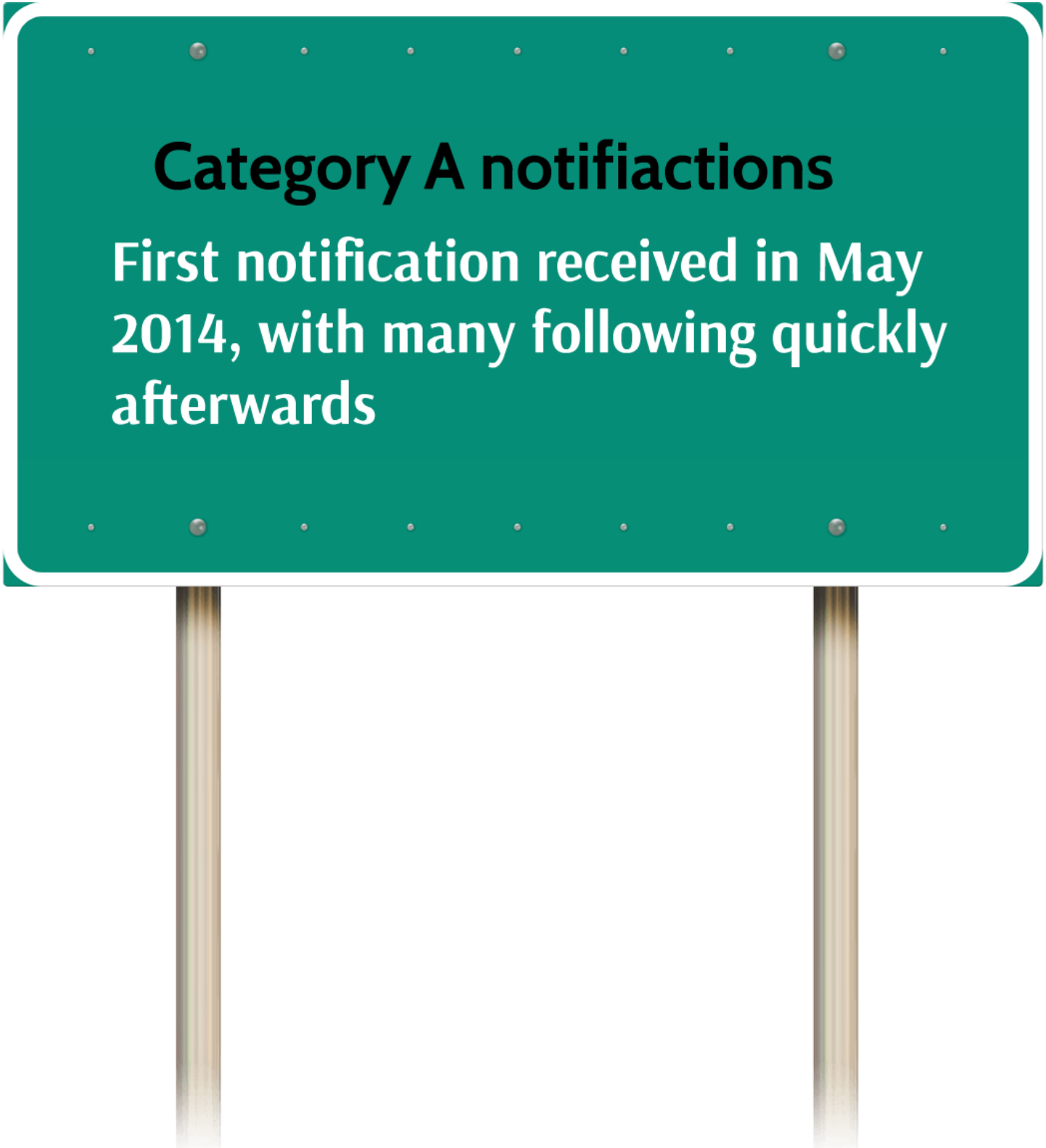
Specific

- Conduct legal review
- Receive category A notifications
- Prepare protocol of amendment

Broad

- Ensure expeditious entry into force of the TFA and prepare for its efficient operation

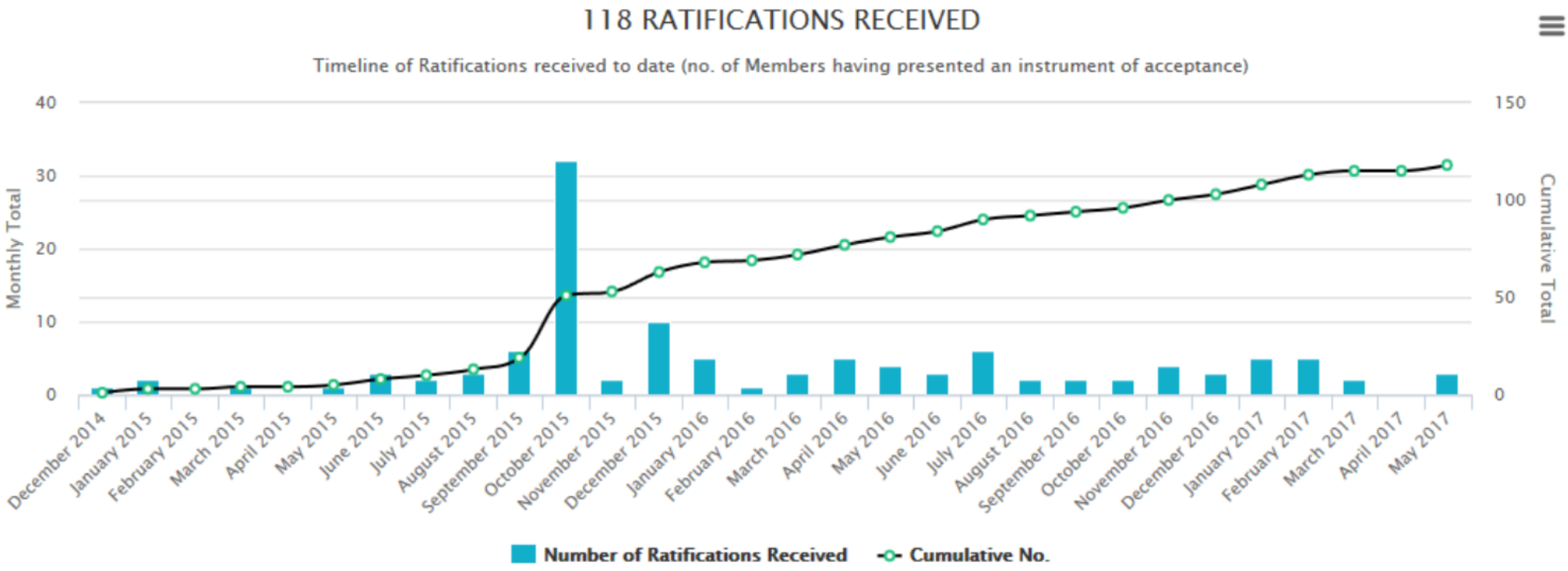

Legal Review
Completed in Apr/Jul 2014
• Minor adjustments to the Bali text
• Final text issued in WT/L/931


Category A notifiactions
First notification received in May 2014, with many following quickly afterwards


Protocol adopted in November 2014


OMC
CHAIRMAN
GENERAL COUNCIL




118 RATIFICATIONS RECEIVED
Timeline of Ratifications received to date (no. of Members having presented an instrument of acceptance)
Monthly Total
Cumulative Total
40
30
20
10
0
150
100
50
0
December 2014
January 2015
February 2015
March 2015
April 2015
May 2015
June 2015
July 2015
August 2015
September 2015
October 2015
November 2015
December 2015
January 2016
February 2016
March 2016
April 2016
May 2016
June 2016
July 2016
August 2016
September 2016
October 2016
November 2016
December 2016
January 2017
February 2017
March 2017
April 2017
May 2017
Number of Ratifications Received
Cumulative No.

Ratifications | Category A Notifications | Category B Notifications | Category C Notifications



JS map by amCharts

118 ratifications received - the TFA has entered into force!

Select a Member

22 February 2017

Agreement enters into force


WTO OMC
WORLD TRADE ORGANIZATION
Amb. HARALD NEPLE (Norway)
CHAIR, WTO GENERAL COUNCIL
ROBERTO AZEVÊDO
WTO DIRECTOR-GENERAL

Trade Facilitation Committee holds first meeting on 16 May

- elects Ambassador Blockert as its first Chair


WTO OMC
OMC WTO
WORLD TRADE ORGANIZATION
PERSON



Staff Working Paper ERSD-2014-06

Date: April 7, 2014

World Trade Organization

Economic Research and Statistics Division

THE LONG AND WINDING ROAD: HOW WTO MEMBERS FINALLY REACHED A TRADE FACILITATION AGREEMENT

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