

WORLD TRADE ORGANIZATION

WT/MIN(11)/W/4
15 December 2011

(11-6519)

MINISTERIAL CONFERENCE
Eighth Session
Geneva, 15 - 17 December 2011

Original: Spanish

**COMMUNICATION FROM THE PLURINATIONAL STATE OF BOLIVIA,
THE REPUBLIC OF CUBA, THE REPUBLIC OF ECUADOR,
THE REPUBLIC OF NICARAGUA AND
THE BOLIVARIAN REPUBLIC OF VENEZUELA**

The following communication, dated 14 December 2011, is being circulated at the request of the delegations of the Plurinational State of Bolivia, the Republic of Cuba, the Republic of Ecuador, the Republic of Nicaragua and the Bolivarian Republic of Venezuela.

POSITION ON THE DOCUMENT "POSSIBLE ELEMENTS FOR POLITICAL GUIDANCE"

I

1. This Organization has been always characterized by poor preparation processes conducted in exclusive small group meetings, as attested by the Ministerial Conference in Seattle in 2000. As a consequence, the need to improve internal transparency and the effective participation of all Members was raised in the General Council. This was subsequently reflected in paragraph 10 of Doha Ministerial Declaration. Since then, however, decision-making procedures that significantly undermine these principles have been maintained in the day-to-day work of the Organization.
2. During the final and decisive stage of the preparatory process of this Eighth Ministerial Conference, such exclusionary and undemocratic practices have been reintroduced. It is noted that increasingly sophisticated methods are used to prevent the participation of all Members and to give the appearance of an inclusive and consensual process. Just a day before the formal meeting of the General Council of 30 November 2011, the unchangeable results of a consultation process conducted in small groups were presented; unchangeable because, according to those responsible, they reflected a delicate balance and could therefore only be made available for other Members' information.
3. In practice, the WTO has become an organization that is not led by its Members, in which decision-making based on facts is not governed by consensus, and negotiation meetings are not open to participation by all Members.
4. We reiterate that all work at the Eighth Ministerial Conference and from 2012 onwards must be open to the participation of all Members, and it cannot be assumed, in any circumstances, that one or more Members represent others. Moreover, any document resulting from consultations conducted in small groups should be considered as another contribution, subject to amendment by any of the Members.

II

5. Trade is a tool and not an end in itself. The Preamble to the Marrakesh Agreement Establishing the World Trade Organization, which lays down the general objectives of the multilateral trading system, confirms its strictly instrumental nature. Approaching it in any other way would irrevocably lead to a scenario of extreme trade liberalization among economies with large differences in productivity and competitiveness and thus to the destruction of the productive base of developing countries.

6. States have a positive role to play in stimulating economic development, which goes beyond creating the conditions for the market to function properly. All along the path to development, developed Members of this Organization have been pursuing and continue to pursue policies aimed at promoting economic restructuring and productivity growth, that is to say, explicit public interventions in the economy.

7. Therefore, in seeking to achieve prosperous, more egalitarian and stable societies, our countries, as developing countries, should have sufficient space for the application of such policies, and that space should be guaranteed in the multilateral trading system. More specifically, any regular or negotiating activity in the WTO and any interpretation of its Agreements should be carried out in the context of the wider economic and development-related needs, policies and objectives of developing Members, as well as their external environment.

III

8. The report by the Chairman of the General Council, "Elements for Political Guidance" (WT/MIN(11)/W/2), contains elements that intentionally undermine the fundamental principles of the Doha Ministerial Declaration; it deliberately fails to identify the causes of the impasse in the Round, and fails to point out the lack of political will to overcome them.

9. For our countries, paragraph 5 of the section on the "Doha Development Agenda" is particularly unacceptable, since the balance set out in paragraphs 45 and 47 of the Doha Ministerial Declaration has been altered, thus sacrificing the priority of the principle of the "Single Undertaking" and facilitating the possibility for the large industrialized economies to determine the future WTO agenda. Our countries continue steadfastly to promote compliance with the Doha Development Agenda in the work of the Organization and to uphold the validity of the "Single Undertaking" principle.

10. According to the Doha Ministerial Declaration, the conclusion of the negotiations and the entry into force of the outcome of the Round are parts of a single undertaking. This principle ensures an overall balance in the outcome of the negotiations, to the benefit of all participants.

11. Only a single exception has been considered: paragraph 47, which can only be interpreted within the framework of the Doha Declaration itself and must be understood as an instrument devoted primarily to implementation-related issues and concerns - which have been assigned the utmost importance under paragraph 12 - and to the needs and interests of developing countries, which paragraph 2 of the Ministerial mandate seeks to place "... at the heart of the Work Programme adopted ..." in Doha. Therefore, there can be no room for reinterpretations that violate the principle of the single undertaking.

12. In addition, paragraphs 4, 5 and 6 of the section on the "Doha Development Agenda" can be interpreted to reflect a bias in favour of the negotiation of plurilateral agreements, to the detriment of multilateralism, favouring the interests of developed countries in particular or the inclusion of new

topics, without having first resolved the imbalances in the international trade rules generated in previous rounds and the priorities of development.

13. Consequently, the stage is set for the progressive marginalization of development issues, leading to a new round of trade negotiations in the medium term.

IV

14. We reaffirm the crucial importance of the development dimension in all WTO work and the importance of continuing the Doha Development Round with a view to reaching a conclusion that ensures that developing countries secure a share of growth in international trade commensurate with the needs of their economic development.

15. To this end, it is essential to preserve multilateralism and the single undertaking, without the inclusion of new topics, plurilateral initiatives or reinterpretations of the mandate of the "Doha Development Agenda".

V

16. For all of the above reasons, our countries consider that the document entitled "Possible Elements for Political Guidance" (WT/MIN(11)/W/2) represents only the opinion of some Members and we therefore dissociate ourselves from the consensus, in particular with regard to paragraphs such as 4, 5 and 6 of the section on the Doha Development Agenda.

17. Finally, we consider that the document "Possible Elements for Political Guidance" (WT/MIN(11)/W/2) is void of any legally binding effect for the Members, given the fact that it has been presented under the sole responsibility of the Chairman of the General Council.
