

## **ACP Statement for informal Meeting of the TNC**

**18 November 2021**

Thank you, Chair.

The ACP Group thanks you for your report. We also thank the Chairs of the WTO negotiating groups for their reports.

Chair, we are one week away from MC12 and there remains a considerable amount of work to be done to realize concrete outcomes agreeable to all.

### **Fisheries Subsidies**

Chair,

As it relates to fisheries subsidies, the ACP Group renews its commitment to an outcome. We must show the world that the WTO can play its part in contributing to global efforts to address the scourge of IUU fishing and overfishing and overcapacity. We have made a number of concessions in the negotiations. We thank the Chair for his revised text. A lot of work remains to be done on IUU fishing, as we have to preserve the rights of coastal states under customary international law. We cosponsored ALT2 of Article 3.3 of the Chair's text with the United States and working on other textual ideas on the IUU pillar. We call for the de minimis exemption in Article 5 to stay a standalone provision with no onerous requirements for its use, and with a threshold of 1.2% of global catch. We also call for notification provisions to be manageable for developing countries and LDCs. We believe that the interests of developing countries and LDCs should be accommodated in an outcome. In this regard, we welcome the many proposals and ideas from members such as India, and we stand ready to continue working with members going forward. We take note of the Chair's hectic schedule and we will try our best to support him his endeavours.

## **Agriculture**

On agriculture, the ACP Group participated constructively in the Room D process established by the Chair. We continue to believe that the WTO should address imbalances between developed and developing countries in the AoA. We understand that there is no time to negotiate modalities for MC12 but the principles or work programmes to be put to Ministers should accommodate our concerns. We, therefore, remain consistent in our call for the removal of Article 6.2 from reduction commitments, tightening of green box disciplines to prevent box-shifting, as well as S&DT for developing countries, LDCs, SVEs and NFIDCs. Agreements on SSM, PSH and Cotton are fundamental to our interests. We call for a stand alone decision on the World Food Programme which takes into account concerns from our members.

## **Services**

The ACP Group has continued to express the importance of including services and the effects incurred by the pandemic in the MC12 outcome document. It is for this reason that the Group made its submission for the consideration of members. The Group is also of the view that such inclusion on services in the outcome document should be underpinned by the economic importance of services trade to the economies of our members. The ACP Group is, therefore, keen on having an outcome that is succinct and takes on board the interests of the Group and continue to support the ongoing work in the CTS-SS to deliver an outcome that is amenable to all WTO members.

## **Ecommerce**

On ecommerce, we agree that there is a need for us to clarify issues surrounding the moratorium and the digital divide. Our focus remains with the invigorating of the Work Programme given our specific interest on the development aspects and challenges of this longstanding area of work in the multilateral framework of the WTO. The Group is conscious of the limited time remain before MC12 and, therefore, encourage members to continue engaging constructively so as to be able to provide a decision for the Ministers consideration.

### **Development**

Special and differential treatment is a fundamental pillar of the WTO and should never be dispensed with in current nor future agreements. An outcome document must address the issue of S&DT. We believe that an outcome for MC12 should take into account the central role of the CTD-SS and the objectives of the G90 proposals. We are engaging with members on this issue and will be constructive in our approaches. An outcome on S&DT would assist our national efforts to stabilize our trade imbalances, including those arising from the COVID-19 pandemic, build back better and successfully integrate into the global economy and global trading system.

### **Intellectual Property**

Chair

The WTO can play a role in facilitating swift, timely, affordable and equitable access to the vaccines and therapeutics to combat the pandemic. We have consistently supported the objectives of the TRIPS Waiver proposal. A mutually agreeable outcome on these discussions must form part of Ministers' outcome at MC12.

### **WTO's response to COVID19**

We support the Facilitator process on the WTO's response to the pandemic. The process must be inclusive and transparent. We believe that the process should not create new rules nor alter the rights and obligations of members, should take into account the interests and ideas of all members and not just a few, and should make a tangible impact. We welcome efforts to integrate the ideas of all members and we urge patience as this process unfolds. Importantly, the outcome must include the IP discussions in the TRIPS Council on the health dimension of the WTO's response.

### **WTO Reform**

**On Reform**, the ACP Group still believes that the process should be under-girded by the principles of inclusivity, fairness, transparency and equity, and must strike the right balance in respect of Members' rights and obligations. It must advance the interests of developing countries and LDCs through the application of differential and more favourable treatment, including the retention and enhancement of S&DT. The agenda for reform should not be predefined, the process should be member-driven, and all members' views must be on the table and be treated with equitably. We value a two-tier dispute settlement system as envisaged by the DSU and we hope ministers can use MC12 to launch the Appellate Body selection process.

I thank you, Chair.