

THE NEW DOHA DEVELOPMENT AGENDA

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On November 14, 2001 in Doha, Qatar, the Members of the World Trade Organization (WTO) agreed on a new work program that includes comprehensive multilateral trade negotiations, which will take place over the next three years. Future WTO work will cover a variety of areas affecting international business and commerce, including industrial tariff and non-tariff barriers, agriculture, services and trade rules. The members will take up additional areas of negotiation, such as investment rules and competition, after the Fifth Ministerial meeting, which will take place during the second half of 2003. At the end of the negotiations, American exporters of industrial and agricultural goods and services should find that they have improved access to overseas markets.

This article will cover some, but not all, of the major aspects of the future WTO work plan agreed to at Doha. Complete details can be obtained online at www.ustr.gov.

INDUSTRIAL PRODUCTS

At Doha, Ministers agreed on a broad negotiating mandate for industrial

goods, covering almost all goods in Chapters 25 - 97 of the Harmonized Tariff Schedule. The negotiations will focus on lowering or eliminating tariffs and non-tariff barriers affecting these products. This will reduce overhead costs, allowing U.S. exports to be more competitive in foreign markets. The negotiating mandate will allow the United States to pursue a variety of approaches to tariff liberalization, including the expansion of existing initiatives such as the Information Technology Agreement. Our negotiators will also be free to explore different negotiating methods to determine which approach or approaches will yield the best result.

AGRICULTURAL PRODUCTS

Negotiations on agricultural product liberalization began in 2000 under the mandate set forth in the Uruguay Round Agreement on Agriculture. However, the Fourth Ministerial provided the opportunity for the United States to advance a number of its negotiating objectives on the future agriculture agenda. In particular, the negotiations will focus on improvements in market access, reductions in, with a view to phasing out, export subsidies and reduction in trade-distorting domestic support. WTO Members also agreed to a timetable for moving the negotiations forward.

TRADE FACILITATION

Trade facilitation negotiations aimed at improving the transparency and efficiency of border procedures will begin after the Fifth Ministerial. In the meantime, the Council on Trade in Goods will review existing GATT articles that address trade facilitation issues and will, as appropriate, clarify and improve them. At the Fifth Ministerial, negotiations will be launched on WTO rules for expediting the movement and clearance of goods crossing borders.

SERVICES

Like agriculture, services negotiations began last year. In Doha, Ministers agreed to a rigorous timetable that requires initial requests for commitments to be tabled by June 30, 2002 and initial offers to be submitted by March 31, 2003. Our goal is to ensure a progressively higher level of liberalization in worldwide services trade. One of the key negotiating priorities will be to encourage countries to make additional commitments in new sectors and to eliminate restrictions in existing commitments.

WTO RULES - ANTIDUMPING AND COUNTERVAILING MEASURES

The antidumping and countervailing measures laws of the United States are

essential elements in ensuring a level playing field for U.S. industry at home. At the same time, U.S. exporters are increasingly subject to antidumping and countervailing measure actions brought by foreign governments. Under the agreement on these issues reached at Doha, the United States will be able to put forward an agenda to improve transparency and due process procedures in these actions and address underlying unfair trade practices that give rise to the use of antidumping and countervailing measures. WTO Members also reaffirmed at Doha that unfair trade laws are legitimate tools for addressing unfair trade practices that might cause injury to U.S. industry.

INTELLECTUAL PROPERTY

The Ministerial adopted a separate political declaration highlighting intellectual property rules that provide Members with the flexibility to address public health emergencies, such as epidemics of HIV/AIDS, tuberculosis and malaria. In order to address the concerns of developing countries, Ministers agreed to a U.S. proposal to extend until January 1, 2016, the time by which least-developed WTO Members must implement intellectual property rules on protecting patent rights for pharmaceutical products. In addition, Ministers agreed to complete work on a multilateral register for geographical indications for wines and spirits by the Fifth Ministerial.

INVESTMENT AND COMPETITION

WTO Members agreed to two-stage negotiations on both investment and competition issues as they affect trade. Work on both issues will first focus on identifying and clarifying the key topics that need to be addressed. For investment, this will include transparency, non-discrimination, how countries would make commitments and take exceptions and government-to-government dispute settlement. On competition policy, this will include

transparency, non-discrimination and procedural fairness. At the Fifth Ministerial, a decision will be taken on the timing and specific content of each negotiation.

TRANSPARENCY IN GOVERNMENT PROCUREMENT

Because governments are often significant purchasers of goods and services in a country, WTO Members have also embarked on a focused program that will lead to greater transparency in government purchasing procedures. This will contribute to combating corruption. Negotiations will begin at the Fifth Ministerial and build on progress made to date. The negotiations are limited to transparency meaning Members' preferential procurement programs for domestic suppliers will not be involved.

ENVIRONMENT

The Doha Declaration highlights the WTO's commitment to sustainable development and to simultaneously advancing trade, environment and development interests. U.S. negotiators will be able to focus on the reduction or elimination of environmentally harmful fisheries subsidies as well as agricultural export subsidies. Negotiators will also be able to pursue improved market access for environmental goods and services.

Additionally, Members agreed to enhance the mutual supportiveness of multilateral environmental agreements (MEAs) and WTO rules by enhancing cooperation between the WTO and MEA secretariats and further exploring the relationship between the WTO rules and specific trade obligations in MEAs.

IMPLEMENTATION OF EXISTING OBLIGATIONS

Ministers adopted a Decision on a number of issues related to the

implementation of existing WTO commitments. The focus was on finding appropriate flexibility in existing WTO agreements so as to respond to the concerns of developing countries.

A small number of developing countries will be allowed additional time to come into compliance with aspects of the agreements on trade-related investment measures, customs valuation, subsidies and intellectual property rights. Throughout the Declaration, Ministers reiterated their commitment to provide technical assistance and capacity building to developing countries to better enable those countries to fulfill their WTO obligations and participate in the negotiations.

ACCESSIONS

WTO Ministers approved the accession of two new Members to the WTO — China and Taiwan. Articles in this issue provide further details on these important accessions.

The Doha Ministerial set the stage for WTO Members to take an important step forward toward significant new multilateral trade liberalization. Difficult work lies ahead but the rewards — lower tariffs, more choices for consumers and the further integration of developing countries into the world trading system — are sure to be worth the effort. ■