

Reflections from the Frontline – Developing Countries Negotiators in the WTO

A CUTS Initiative

Summary Report of Writers' Workshop

CUTS Geneva Resource Centre Conference Room, 14 September 2010

CUTS GRC organized a Writers' Workshop in Geneva, Switzerland on 14 September 2010 under its project to prepare and publish a book containing substantive experiences of developing country negotiators in the WTO. The project aims to collect and preserve the experience of developing country negotiators in the WTO which will be an invaluable resource for their peers and successors and is being undertaken with funding support from the Ministry of Foreign Affairs, Sweden. The Workshop was organized with support from the Friedrich Ebert Stiftung (FES) Geneva Office for inviting participants from outside Geneva. It was attended by twelve of the identified authors (list of participants is at Annex 1). Five of the identified authors (list at Annex 2) could not attend due to other preoccupations, but have agreed to contribute the chapters.

A background note on the project and the purpose of the Workshop was circulated. Main objectives of the Workshop included:

- Exchange of views among all chapter contributors and senior CUTS staff regarding various substantive aspects of this book
- Discussion and finalization of chapter outlines, and
- Finalization of the work plan for the timely completion and publication of the book

Director of CUTS Geneva Resource Centre in his welcoming remarks gave a brief overview of CUTS and the origin and importance of this initiative. He thanked the contributors for their interest and support and invited their comments and suggestions to ensure that the project achieves its objectives.

The ensuing discussion was substantive and covered all aspects of the proposed publication. Following are the main points and decisions:

Objectives, Primary Audience and Focus

Several comments were made regarding the objectives, primary audience and focus of the publication. Participants felt that agreement on these will ensure a uniform approach by all chapter writers. The broad objective of the publication is to present an account of the WTO negotiations from a developing country perspective and as experienced by developing country

WTO negotiators. It was agreed that the primary audience includes all those who may be involved/interested in the WTO negotiations. This particularly includes current and future developing country WTO negotiators. The publication will also be of interest to others, such as the private sector, academics and CSOs working on WTO issues. Hence, the chapter writers should use the WTO technical jargon sparingly and provide a politico-economic history of the issue in their respective chapters rather than a comprehensive economic or legal analysis. The depth of analysis will depend on the issue being discussed in each chapter but generally it should be an insider's story.

However, this being a living history based on personal experiences, caution should be exercised by authors to separate personal knowledge from personal biases. Similarly, there will be need to minimise national biases in the chapters. This can be achieved by providing cross-references in the chapters as well as by cross-reading of drafts by other writers as peer reviewers.

Chapter Outlines and Publication Coverage

Participants felt that the draft outlines provided by CUTS staff were a good basis to start the work. There were some specific suggestions in respect of some draft chapter outlines. These included:

- Given the systemic importance of the gambling dispute case between the US and Antigua and Barbuda, it will be useful to have a box on this in either the chapter on dispute settlement negotiations or in the chapter on the small and vulnerable economies.
- History of distortions in agriculture is quite important and hence should be covered in the chapter on G-20 or Agriculture negotiations. The chapter on G-20 should also cover political economy of G-20 as well as its relationship with the larger group of developing countries (the G-110).
- Since the negotiations are on-going, not all the futuristic strategies being adopted, e.g. by G-33 can be disclosed.
- LDC concerns are cross-cutting and hence should be addressed in all substantive chapters.

It was pointed out that the draft chapter outlines had been developed only to facilitate the process and to provide a certain level of consistency of treatment across chapters. These can be further refined and developed in consultation with chapter writers through e-communications.

A view was also expressed that the publication should include a chapter/part on issues related to the general WTO negotiating process and the WTO institutional aspects. It was pointed out in

response that in addition to the substantive and alliance focused chapters there will also be a synthesis chapter that will give an overview of the WTO negotiating process.

Publication Title, Publishing and Dissemination

Many participants felt that the proposed working title “The World Trade Organization Negotiations as Viewed by Developing Country Negotiators - A Negotiators’ Handbook” was inadequate and in fact diminishes the value and importance of the publication as it was much more than a manual on the negotiations. After some discussion it was agreed to change the working title to “Reflections from the Frontline – Developing Countries Negotiators in the WTO”.

Several participants suggested that the publication should be brought out in collaboration with an international publishing house to ensure wide reach and dissemination. It was pointed out that while this will have certain advantages, it will also lead to a priced publication which will not be available to all concerned. This is against the objectives of CUTS that is an advocacy organization and always places its outputs in the public domain. Some of the authors offered to provide suggestions regarding publishers which can address this concern. After some discussion, it was agreed to develop a dissemination strategy for the publication and discuss this issue later.

Communication among Chapter Writers

It was recognized that several chapters are inter-related, for example, chapters on agriculture, G-20, G-33 and Cotton-4, and chapters on NAMA negotiations and NAMA-11. While communications among all chapter writers are encouraged, regular communication among writers of these linked chapters is needed. The point was well taken by the chapter writers concerned and it was agreed to maintain close communications.

Way Forward and Timeline

The timeline was agreed as follows:

- Submission of first drafts by chapter writers by 7 December 2010
- Peer review of draft chapters and preparation of draft synthesis chapter by early Spring 2011
- Editing and publishing by end Summer 2011
- Launch of the publication in September 2011 to coincide with the annual WTO Public Forum

It was suggested to hold another Writers' Workshop in early spring 2011 to discuss the draft chapters and the synthesis chapter. CUTS agreed that it was a good proposal and promised to explore the possibility of the organization of this second Writers' Workshop based on the availability of funding.

Conclusion

Director CUTS GRC and representative of FES Geneva Office thanked the participants for their very useful comments and suggestions and for several decisions reached in the Workshop.

Annex 1

List of Participating Authors

- Manuel Teehankee, Ambassador of The Philippines to the WTO
- Ronald Saborio Soto, Ambassador of Costa Rica to the WTO
- Faizel Ismail, Head of the South African Delegation to the WTO
- Ujal Singh Bhatia, former Ambassador of India to the WTO, accompanied by Amit Yadav, Counsellor, Mission of India to the WTO
- Debapriya Bhattacharya, former Ambassador of Bangladesh to the WTO
- Guillermo Valles Galmes, former Ambassador of Uruguay to the WTO
- Ronald Sanders, former Ambassador of Antigua and Barbuda to the WTO
- Guilherme Patriota, Diplomatic Adviser to the President of Brazil and former Minister at Brazil Mission to the WTO
- Guillermo Malpica Soto, Director General of Services Negotiations, Ministry of Economy, Mexico
- Deny Wachyudi Kurnia, Counsellor, Mission of Indonesia, representing Dian Triansyah Djani, Ambassador of Indonesia to the WTO
- Braz Baracuhy, First Secretary, Brazilian Mission, representing Roberto Azevêdo, Ambassador of Brazil to the WTO
- Nelson Ndirangu, former Counsellor in the Mission of Kenya to the WTO

Annex 2

List of other Authors

- Matern Y.C. Lumbanga, Ambassador of Tanzania to the WTO
- Samuel Amehou, former Ambassador of Benin to the WTO
- Manzoor Ahmad, former Ambassador of Pakistan to the WTO
- Gomi Senadhira, former Ambassador of Sri Lanka to the WTO
- Arsene M. Balihuta, former Ambassador of Uganda to the WTO