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Committee on Trade and Development Sixth Special Session

NOTE ON THE MEETINGS OF 17 AND 24 JULY 2002

Chairman: H.E. Mr. Ransford Smith (Jamaica)

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A. ADOPTION OF THE DRAFT AGENDA

1. The Chairman indicated that the draft agenda for the meeting was contained in airgram WTO/AIR/1885/Rev.1 of 12 July 2002. The agenda was accordingly adopted.

B. REPORT TO THE GENERAL COUNCIL¹

2. The Chairman said that since the Fifth Special Session on 2 July 2002, open-ended informal consultations had been held on Agreement-specific issues, Institutional issues, Cross-cutting/Systemic issues, and on the "Way Forward". There had also been a number of open-ended consultations on the draft Report to the General Council, contained in TN/CTD/W/12 and TN/CTD/W/12/Rev.1. Comments and suggestions made by Members had been taken into account in preparing the draft document TN/CTD/W/12/Rev.2 which was before Members for consideration.

3. The representative of the European Communities indicated that even if a deadline of 31 December 2002 as was contained in the draft report was accepted it would mean that Members would have to consider a proposal a day, which would not be practical. His delegation was of the view that one way was to give the Special Session some intermediate deadlines to accommodate those delegations which thought that a longer deadline was an excuse not to make progress quickly. His delegation believed that the Special Session should not set itself up for another disappointment and should give itself sufficient time for an in-depth debate. He was not sure how feasible the proposals by a number of delegations were, with respect to clustering issues and separating those which needed an in-depth debate from those which could be addressed more easily. However, he believed that the proposal in paragraph 14 of document TN/CTD/W/12 for a timeline for responses to the proposals could be used, whereby in the responses by delegations they could indicate whether they thought the

¹ As requested by some Members this section includes interventions made by them, in informal consultations, on the issue of the new reporting deadline during the period 10 - 24 July 2002.

issue needed cross-cutting illumination or whether the issue was simply a technical one and they had enough information with respect to utilization and other issues to be able to make a decision. Alternatively, interim reports to the forthcoming General Council meetings could also ensure that regular progress was made. In any event the Special Session needed more than four or five months if there was to be a comprehensive solution.

4. The representative of Egypt said his delegation was of the view that the work relating to the mandate of the Special Session should be concluded by the end of November 2002. Members should before this new deadline, be allowed the opportunity to request open-ended meetings to which all Members would be encouraged to participate effectively to discuss the issue with a view to it being resolved by the proposed date.

5. The representative of Kenya indicated that a number of suggestions had been made with respect to the additional time-period and his delegation supported the proposal by the representative of Egypt to conclude the work by November 2002. That was due to the fact that when Ministers had given Members the task they were confident that the work would be accomplished within the time-period given. The Special Session, however, had disappointed the Ministers by not completing the work by July 2002, and his delegation was of the view that extending the deadline to December 2002 would further disappoint the Ministers. He proposed that the Special Session seriously consider the proposal by the representative of Egypt, in order to finalise its work in that respect. Some delegations had stated that the subjects being addressed by the Special Session were technical and therefore they wanted instructions from their capital. However, his delegation was of the view that most of the proposals that had been submitted were not technical and responses to them could be provided fairly quickly.

6. The representative of the United States said that she did not agree that the Special Session had not made any progress. With respect to the deadline, her delegation could not accept November 2002. As far as her delegation was concerned, if the Special Session was to find a manageable way to address the Agreement-specific proposals, including through the holding of back-to-back meetings, the proposed date was not realistic. She said that even when the July 2002 date had been selected, a number of delegations including developing countries, had recognised that that deadline was probably too ambitious. Her delegation therefore strongly urged for the new deadlines to be decided in a realistic manner, so that Members could proceed in a business-like manner and address each of the concerns raised in the work programme.

7. The representative of Switzerland said that his delegation felt that the Fifth Ministerial Conference would be the appropriate deadline for the completion of the work of the Special Session. Any deadline should be realistic and based on the amount of work to be accomplished and on the complexity of issues. His delegation was ready to engage in such a discussion and invest the necessary resources in order to give meaningful responses to the requests and proposals put forward by developing countries. The reason why the mandate could not be met and the work completed by the end of July 2002, was because the issues at stake were complex, required the involvement of technical expertise, and had far-reaching systemic and political implications. The date of the next Ministerial meeting was therefore more realistic than other proposed dates. Any earlier deadline would be ambitious and could turn out to be a "recipe for disaster". A short deadline would sacrifice quality for time, and that was not in any delegation's interest. His delegation had a similar view to the one expressed by the representative of the European Communities that it would be impractical to respond to all the specific proposals that had been made in that time, since they were so many of them. A deadline of the next Ministerial meeting would be more realistic as that would allow the Special Session to devote more time to the issues and develop more concrete responses to the proposals, including with respect to cross-cutting issues. However, his delegation was ready to look for possible compromises on that issue.

8. The representative of Hungary indicated that his delegation also wanted a realistic timeframe, and noted that the definition of what was realistic differed between Members. His delegation could have accepted the representative of Switzerland's proposal for the deadline to be the Fifth Ministerial. They could also accept 31 March 2003, even though his delegation agreed with the delegation of Switzerland that any date before 31 March 2003 could be a "recipe for disaster". He indicated, however, that his delegation would not stand in the way of an earlier date.

9. The representative of Australia supported the proposed 31 March 2003 date as the deadline for continued work as it was a more realistic timeframe. Developing countries would not benefit from a cursory review of special and differential (S&D) treatment provisions and that date would give delegations sufficient time to address the issues raised in the review. Proposals to change S&D treatment provisions required an analysis of both the short and long term effects and therefore required adequate time. A deadline of 31 March 2003 would also allow for the possibility of real outcomes from the study of Agreement-specific proposals rather than a preliminary or incomplete discussion, which was what might be achieved if the Special Session agreed to the December 2002 timeframe.

10. The representative of Colombia stated that her delegation was of the view that 31 March 2003 was the most appropriate date. It was realistic and would allow WTO subsidiary bodies and the Special Session to analyse the proposals thoroughly.

11. The representative of New Zealand stated that her delegation had done an analysis of the alternative dates that had been proposed and had tried to examine what that meant strategically, as Members approached the reporting deadlines for other areas of the Doha Agenda. Her delegation had decided to look at the issue from a practical perspective in an effort to find a date that ensured a realistic amount of time for the work that lay ahead. As a result of that analysis, it was felt that the March 2003 deadline was the more realistic one.

12. The representative of Sri Lanka stated that some Members had said that there should be a realistic timeframe within which to finalise the work of the Special Session. Since the Special Session would not be able to fulfil the mandate given by the Ministers at the Doha Ministerial Conference, there would be spill-over effects to other negotiations that Members were involved in. Her delegation was of the view that some of the deadlines that had been proposed were not realistic. However, her delegation felt that the deadline of 31 December 2002 was both appropriate and realistic.

13. The representative of Korea indicated that his delegation was flexible with respect to the deadline but believed that the new deadline should be set in the context of the amount of work to be done. Given the fact that there were more than 80 Agreement-specific proposals and there were the cross-cutting issues, his delegation was of the view that a few more months were not enough to have an in-depth discussion on the issues.

14. The representative of Indonesia was concerned with the slow pace of the discussion on the decision to strengthen S&D treatment provisions. His delegation reluctantly acknowledged that it was impossible to meet the 31 July 2002 deadline, and the Special Session therefore had no choice but to extend the deadline. However, the extension should not be for later than 31 December 2002.

15. The representative of Turkey indicated that the deadline to be fixed for the conclusion of the work of the Special Session was important. A deadline that was acceptable and realistic for all Members needed to be found; his delegation was open to the options which had been suggested in the text.

16. The representative of Cuba indicated that his delegation was disappointed with the lack of progress on the subject of S&D treatment for developing countries, as it was not in consonance with

the spirit of the Doha Ministerial Declaration. The Special Session needed to make progress on the subject as it would have favorable a positive effect on the other aspects of the post-Doha negotiations.

17. The representative of Brazil said that with respect to the deadline, the Special Session needed to make an effort to fulfil the mandate as soon as possible, in line with the Doha Ministerial Declaration, which called for priority attention for outstanding implementation issue and Paragraph 12(b) of the Doha Ministerial Declaration was of relevance in that respect. An extension of the deadline beyond 2002 would not be in line with the spirit of the mandate.

18. The representative of Mexico said that his delegation had earlier proposed that the Special Session should not have a specific deadline for reaching decisions, and that it should spend adequate time reflecting on the specific issues, but following further consultations with his capital, his delegation could support the deadline of 31 December 2002.

19. The representative of Uruguay stated that his delegation could support a deadline of 31 December 2002, as the date by which the Special Session would submit a report to the General Council with clear recommendations for the adoption of a decision.

20. The representative of the European Communities stated that his delegation still had a problem with the deadline. His delegation still believed that the Special Session was setting itself an impossible deadline of the end of December 2002. His delegation was looking to possible compromises and had been trying hard to accommodate the views of other delegations, in particular on paragraph 16 of TN/CTD/W/12/Rev.2 for which his delegation felt that there should be a clear link to paragraph 15 of the same document. The agreement of the whole text was a package, and it was impractical to set a deadline of December 2002 given the ambitious approach and wish to make progress.

21. The representative of Argentina indicated that the mid-point of the timeframe from Doha to Cancun, was 15 October 2002. That date marked the end of the post-Doha period and the beginning of the pre-Cancun period. That was why the 31 December 2002 deadline, from the perspective of the Doha Ministerial Declaration was already an enormous concession as far as deadlines went. He understood the concerns of the delegation of the European Communities, but still wished that the work undertaken since the Doha Ministerial Conference be taken into account. He said that there was still a lot of work to be done. The December 2002 deadline was also difficult for his delegation, but it preferred that deadline for the reasons he had outlined.

22. The representative of India stated that when Members missed one deadline in the Doha Ministerial Declaration, it was only logical that they went to the next available deadline; which in that case was 31 December 2002. Another factor to be taken into account was that many of the implementation issues also related to S&D treatment, and since the deadline for those was 31 December 2002, it was logical that that same deadline be adopted for the S&D treatment work. As the representative of Argentina had stated, the mid-point between the Doha Ministerial Conference and the Cancun Ministerial Meeting was 15 October 2002, and the acceptance of the 31 December 2002 deadline was therefore a concession. At the Doha Ministerial Conference, the Ministers had decided on a sequence of work which involved certain activities being completed first, which would then allow more focus to be given to other activities. The whole sequence of events which Ministers had calculated would lead to the final conclusion of the negotiations by 1 January 2005. That deadline could be disrupted if the first set of activities (which were to be completed by 31 July 2002) spilled-over into 31 December 2002, and then further into early 2003. His delegation would therefore be uncomfortable with an extension of the deadline beyond 31 December 2002. His delegation hoped that by 31 December 2002, the Special Session would have effectively completed the work so that full attention could be paid to other important issues, and progress made as fast as possible. For instance, modalities in agriculture were expected to be finalized early in 2003; and those in market access were

also to be addressed. He therefore proposed that as part of the decision, the Special Session work out a detailed programme as to how they would proceed monthly in order to achieve the goal of 31 December 2002.

23. The representative of Pakistan stated that as a result of the Doha Ministerial there was a package that included sequencing of deadlines. Some delegations were of the view that the Special Session had made progress. His delegation, however, was of the view that the Special Session had not been able to do much work and was not able to meet the deadline set for its work. His delegation was willing to make efforts to meet any new deadline that was set. However, his delegation could not agree to the suggestion that the deadline for completing the work of the Special Session should be extended beyond December 2002, as that could have serious repercussions for the whole Doha Work Programme and the deadlines contained in the Doha Ministerial Declaration. With respect to the proposed deadline of 31 October 2002 for delegations to respond to the proposals which had been tabled, he stated that it was important to note that the specific proposals by the proponents were tabled relatively early during the process, with perhaps the last of the proposals having been submitted in mid-April 2002. The period of April to 31 October 2002 gave delegations seven months to react, which should have been a sufficient amount of time, and was therefore not an ambitious proposal since the issues were known to all Members. Most of the issues were not before Members for the first time, since most of them had been raised in the pre-Seattle process. Those issues had been raised under the rubric of implementation, and the Doha Ministerial mandate included a deadline of 31 December 2002 for the resolution of implementation issues. It would therefore be logical and appropriate if the new deadline for S&D treatment issues be related to the implementation deadline. With respect to the representative of Switzerland's comment about quality versus time, he indicated that the timing issue would only be considered if he was assured substantive quality responses for the proposals raised.

24. The representative of Thailand indicated that her delegation was flexible with respect to the deadline, and stated that whatever deadline was agreed to, the specific work programme was very important. Her delegation supported the proposal by the representative of India that the Special Session should start considering a detailed weekly work programme, as necessary.

25. The representative of the Philippines was of the view that the 31 December 2002 deadline gave the right challenge to enable Members to make decisions. Members should be able to reach a reasonable outcome by 31 December 2002. There had always been deadlines which Members had either adhered to or extended. There could be problems if in the report to be submitted to the General Council on 31 December 2002, S&D treatment which formed part of the basket of implementation issues and concerns, was left out. He implored flexibility from the delegations of the European Communities, Switzerland and others who had raised concerns on the issue, and requested them to join the compromise.

26. The representative of Kenya indicated that progress in the Special Session was really what determined whether the Doha mandate translated into a "development agenda" or whether the negotiations launched at the Doha Ministerial Conference were translated into a "development round". If the Doha mandate was to be completed on time, then the S&D treatment work needed to be completed expeditiously. The more the work was postponed, the more the Special Session would encounter problems. Accordingly, his delegation would consider the deadline of 31 December 2002 as the right compromise. A number of proposals had been submitted and discussed and if the same momentum and commitment exhibited in the course of preparing the report could be sustained when the Committee's work resumed in September 2002, then Members would be able to complete their work by 31 December 2002.

27. The representative of Norway said that it came as no surprise that the only remaining issue was the question of the deadline. Deadlines served different purposes, allowing for substantive work

and also for other more symbolic and bargaining purposes. Members owed it to themselves to conclude the work by any new agreed deadline. He added that his delegation preferred a March 2003 deadline as compared to a December 2002 deadline, but since the Chairman had asked for creative thinking, adding the two dates that had been expressed by Members and dividing that time in half, gave the date of 15 February 2003. He therefore proposed that date as a compromise to Members.

28. The representative of Singapore stated that the scope and complexity of issues had prevented the Special Session from fulfilling its mandate in time and making clear recommendations to the General Council by July 2002. As Members discussed the new deadlines, it was necessary to structure the work, in order not to be in a similar position later on, and to ensure that some progress was made. As some other delegations had stated, that might involve some amount of prioritisation in the course of fulfilling it. As the Special Session deliberated on the new deadline, it was important for delegations to consider whether the deadline was a realistic one as there were more than 80 different proposals, which required action in the Special Session.

29. The representative of the United States said that her delegation had been flexible in following the Chairman's guidance on the issue and had heard some of the concerns that had been raised, such as those by the representative of India. Her delegation had seen some logic in what the representative of India had said and was prepared to look favourably at 31 December 2002 as the deadline date. However, her delegation also recognised the concerns that had been raised by the delegation of the European Communities and others and hoped that Members could expeditiously find a solution that could be satisfactory to everyone and help to produce the type of progress and results that Members were seeking. In that light, while her delegation could have accepted the December 2002 date, it felt that some more consultations were required for Members to be able to agree on a new deadline that would preserve the different concerns that delegations had expressed. She reiterated that while her delegation understood the political practicality of the December 2002 deadline, it was still concerned about the substantive practicality of it. Her delegation would use all its resources to try and give responses on all the proposals, most of which had been tabled in June 2002 and some in May 2002. It was important not to lose sight of some of those facts. Notwithstanding her delegation's flexibility about the 31 December 2002 deadline, Members should recognise that this deadline was not a realistic date for her delegation.

30. The representative of Uganda said that the only aspect that remained was that of the deadline, for which some delegations had suggested one or two creative solutions. The delegation of Norway's creative solution for another date had convinced him that 31 December 2002 was the most reasonable deadline. When one considered the 15 February 2003 deadline, it would be after the Christmas break and in Geneva there was not much activity in January, so the 15 days in February 2002 would not usually make much of a difference to the work of the Special Session. Members needed to consider what the perception of the public would be. S&D treatment in terms of the development agenda was an important signal and the more it was postponed, the more it would send out a wrong signal that there was really no emphasis on the "development agenda". The deadline of 31 December 2002 was reasonable and Members needed to try and reach a decision by then. He was not persuaded that Members needed more time. A lot could be accomplished in that time and that was what was needed to be addressed, rather than sending out a message to the world that there were too many linkages with respect to progress on S&D treatment. The delegation of the European Communities had been helpful with regard to the Least-Developed Countries (LDCs) and he was sure that it could find some solutions to proffer even on S&D treatment issues before 31 December 2002.

31. The representative of Zambia indicated that what the representative of Uganda had said was also reflective of the overall LDC position on the issue of the deadline. The LDC Group also supported a new reporting deadline of 31 December 2002.

32. The representative of Canada recalled that her delegation had earlier been in favour of a new reporting deadline of the Fifth Ministerial Meeting and had also expressed its willingness to consider a deadline of 31 March 2003. Her delegation had made some significant compromises in being willing to agree to parts of the report, such as the agreement on a 31 October 2002 deadline for providing detailed responses, which gave her delegation only two months after the Special Session resumed to provide those responses. It was almost guaranteed that once those detailed responses were given, each one would involve a lot of discussion. There would only be a short time-period available between that and the end of December 2002 to undertake that discussion. Bearing in mind what had been said by the representative of Uganda that there would be a break in December, she proposed that Members should add fifteen days to the representative of Norway's proposal of 15 February 2003 and consider the end of February 2003 as a possible date. A number of proposals had been tabled in April 2002. Afterwards there were two sets of proposals in May, one on 14 May and one on 24 May 2002. However, the substantive bulk of proposals were received on 24 June 2002 from the African Group (TN/CTD/W/3/Rev.1), which included 64 proposals. Up until that point her government had been able to deal with the tabled proposals and work actively, but after the latter set of proposals her capital was quite overwhelmed. Members needed to be realistic about how they were going to deal with such a large agenda.

33. The representative of Saint Lucia said that her delegation was not going to reiterate its position which was in line with that expressed by other developing countries. Deadlines were not definite - Ministers had given the 31 July 2002 deadline and Members were debating extending it. 31 December 2002 was an additional five months, and five months from 31 March 2003 was the Ministerial Conference. Targets were there to give a sense of urgency and as had been said by the representative of Uganda, Members needed to try and meet those targets. Members operated on the basis of consensus and so it was clear that nothing would happen by 31 December 2002 unless all Members agreed to it. All of the deadlines that had been agreed to in the post-Doha work programme had been difficult for her delegation, but it had gone along with the consensus. She said that those delegations that were having difficulties with the 31 December 2002 deadline might see it as an indication of the prioritisation of the work to be undertaken and therefore could perhaps show some flexibility in that regard.

34. The representative of Japan said that his delegation was pleased to note that even though the positions of delegations on the deadline were different, one thing that Members had expressed in common was that there should not be any compromise in the quality and effort put into the work. The difference in Members' positions on the deadline seemed to be based on the question of whether or not it was practical. He said that even if five full days of meetings of the Special Session were devoted to Agreement-specific proposals, it would still give only twenty minutes for each proposal to be considered. He was not sure whether that amount of time was adequate enough to resolve each proposal, given the nature of the proposals that had been tabled. He requested Members to reflect on that while considering the new deadline.

35. The representative of Malaysia thanked Members for the flexibility that they had shown and suggested that the Chairman could make a statement that would take into consideration the different views of delegations. His delegation understood the concerns expressed by several delegations on the issue of the deadline and it appreciated the delegation of Canada's retraction of some of their earlier suggestions relating to language. His delegation also extended its appreciation to those delegations who were initially not happy with a 31 December 2002 deadline but had shown flexibility and said they would not stand in the path of consensus. Surprisingly some delegations which his delegation had thought would not have a problem with that deadline had now expressed their inability to agree to a 31 December 2002 date. The 31 July 2002 deadline had been agreed at the Doha Ministerial Conference because those very delegations had seen it as part of a bigger picture; there were Singapore issues that needed to be agreed upon and a July 2002 deadline for the S&D treatment work was something that those delegations were willing to accept at that time. Now, since there was an

agreed language on the Singapore issues and things were moving, some delegations were having a problem with the proposed new deadline of December 2002. Like some delegations had said, it was important for political purposes to agree on as early a deadline as possible. When the first milestone was missed then the measures should be rectified and Members should try to get the process back on track. The 31 December 2002 deadline was also linked to the date of implementation-related issues and that was why his delegation felt that it was a date that Members should strive for.

36. The representative of the European Communities said that his delegation was involved in a serious exercise, which included the issue of the new deadline. He had carefully noted the interventions that had been made. With reference to what had been said by the representative of Uganda regarding a wrong impression being created about the Development Agenda, that was precisely what his delegation did not want to happen and that was why it was pressing for a more realistic timeframe for the new reporting deadline. He requested the Chairman for a small break in the meeting so that his delegation could explore with other Members where the possible common ground lay.

37. Reconvening the meeting after a short break the Chairman said that he hoped that the interlude had helped in facilitating consensus on the question of the deadline that was contained in paragraph 14 of TN/CTD/W/12/Rev.2 and that Members had found a solution that was acceptable to all.

38. The representative of the European Communities said that though his delegation's views had not changed, its flexibility had increased a little. He had tried to consult the largest possible number of delegations in the break and apologised for not having been able to discuss the issue with all delegations. He indicated that his delegation had two points to make. Firstly, with respect to paragraph 14 of TN/CTD/W/12/Rev.2 which read "It is therefore recommended that the General Council instruct the Special Session of the CTD to proceed expeditiously to fulfil its mandate, as contained in Paragraph 44 of the Doha Ministerial Declaration and Paragraph 12 of the Decision on Implementation-Related Issues and Concerns, and complete its work so as to be able to report back to the General Council", he suggested that the words "and complete its work" be deleted. That would not change the deadline but would clarify that not all of the mandate contained in Paragraph 44 of the Doha Ministerial Declaration and that contained in Paragraph 12 of the Decision on Implementation-Related Issues and Concerns, which in fact had three pillars, was supposed to be completed by the end of December 2002. He thought that the substance of what delegations were seeking was to extend the deadlines of Paragraph 12(i) and 12(ii) of the Implementation-Decision, and by deleting those words that would be made more clear and precise. The other point he wished to make was that the problems and difficulty that his delegation had expressed about completing the work by December 2002, could be clearly reflected in the Chairman's comments when the decision was adopted. He said that with those two provisos his delegation would be able to go along with the consensus of 31 December 2002 as the new reporting deadline, in order to be able to continue their work.

39. The representative of the Malaysia while thanking the representative of the European Communities for the flexibility it had shown, enquired why the delegation of the European Communities wanted the words "and complete its work" deleted from paragraph 14 of TN/CTD/W/12/Rev.2.

40. The representative of Saint Lucia stated that from the beginning of the work of the Special Session, the Committee had only been pursuing the work arising from the mandate in the initial paragraphs of Paragraph 12 of the Decision on Implementation-Related Issues and Concerns, and the Members had always held that there was more work to be done. Therefore, with respect to the completion of the work of the Special Session, her delegation agreed that that the Doha Ministerial mandate was broader than the review of all of the proposals and issues raised. She pointed to Paragraph 12.1 (iii) of the Implementation-Decision in particular, which was quoted in paragraph 1 of

TN/CTD/W/12/Rev.2, and stated that this was broader and referred to the architecture of WTO rules. In addition, Paragraph 12 of the Implementation-Decision stated that the General Council would be reported to with clear recommendations, and what she understood from the proposal by the representative of the European Communities was that the Special Session would therefore be repeating what was in Paragraph 12 of the Implementation-Decision.

41. The Chairman indicated that from the beginning of the work of the Special Session he had indicated that Members needed to address those aspects of its work such as Paragraph 12.1 (iii) of the Implementation-Decision which referred to the architecture, subsequent to the consideration of those time-bound aspects of its work for July 2002 (Paragraphs 12 (i) and (ii) of the Decision on Implementation-Related Issues and Concerns). He was of the view that this was what was captured in the proposal made by the delegation of the European Communities, and that it was a fair reflection of what was contained in the mandate and timeframes set at the Doha Ministerial Conference, and the extension being sought.

42. The representative of Malaysia indicated that he would yield to the explanation and advice of the other delegations. He had also heard the explanation of the Chairman that the idea was to fulfil the mandate of Paragraph 44 of the Doha Ministerial Declaration and Paragraph 12.1 of the Decision on Implementation-Related Issues and Concerns. He asked the Chairman whether the meaning of the proposal by the representative of the European Communities was that there could be further issues, which were not time-bound, and could be taken up later, while those issues which were time-bound should be resolved by 31 December 2002. If that was so, then his delegation could go along with the emerging consensus.

43. The Chairman indicated that the representative of Malaysia's understanding was correct. The Special Session was bound to report back to the General Council on the issues which were time-bound by 31 July 2002, a deadline that was now intended to be extended to 31 December 2002 if Members agreed to it.

44. The representative of Egypt thanked the delegation of the European Communities for showing such flexibility with respect to the new deadline. His delegation could go along with the consensus on a new reporting deadline of 31 December 2002, even though they still strongly supported their initial position, which was to conclude the work by November 2002. He added that that flexibility was a concession that his delegation was prepared to make.

45. The Chairman thanked Members for showing the compromise and goodwill that was critical to reach an agreement on the Report. He said that it had not been an easy exercise nor task and Members needed to bear in mind that much difficult work remained to be done, as their work was far from complete. Nevertheless, it was important that Members had been able to agree on the recommendations that were reflected in the "Way Forward". That suggested that with hard work and goodwill the Special Session should be able to move forward after the summer break to meet the deadline set. He clarified that at that meeting, Members were only making recommendations and not taking decisions. The General Council would need to consider and take action on the Special Session's Report on 31 July 2002. There were two issues that had been specially difficult when preparing and agreeing to the Report. One was the relationship between the work to be carried out under paragraph 15 of TN/CTD/W/12/Rev.2 on Agreement-specific proposals and under paragraph 16 of the report on cross-cutting issues. He was of the view, that the manner in which those paragraphs appeared preserved the various positions expressed by Members on that relationship. It also preserved the opportunity for Members who so wished to make cross linkages between the two areas of work and to make inputs from one to the other as they considered appropriate. The second issue was the issue raised by the delegation of the European Communities in the informal, and to which he had indicated he would refer to. In relation to the deadline in paragraph 14 of TN/CTD/W/12/Rev.2, he recognised that some delegations strongly felt that the new deadline at the

end of the year was impossible to meet. He realised that it was only in the spirit of achieving the necessary consensus, in order to continue the Special Session's work, that those Members had gone along with the December 2002 deadline. Those Members had also expressed the view that they believed that the results achievable by the end of 2002, had to be assessed in light of those views on the deadline. He continued by saying that other delegations had expressed their disappointment that the July 2002 deadline was not adhered to, given the importance they attached to it in the overall process agreed at the Doha Ministerial Conference. However, he understood that the same delegations were willing to agree to a new deadline of 31 December 2002 as they saw it as an appropriate and reasonable extension. He concluded by saying that while Members had agreed on the Way Forward it was necessary for them to agree on a detailed work plan, in which Members needed to structure their work in a manner that was faithful to their mandate and to the elements that had been agreed to in the Way Forward. A detailed work plan would allow Members to organise their work in an optimal way bearing in mind the deadline of 31 December 2002. He felt that Members should turn their attention to that as a matter of priority immediately after the summer break. He asked whether the draft report TN/CTD/W/12/Rev.2 along with the indicated amendments and modifications was now acceptable to Members and indicated that the amended Report, once adopted, would be circulated to members as document TN/CTD/3 as soon as possible.

46. The draft report TN/CTD/W/12/Rev.2 with its proposed amendments was accepted.

C. OTHER BUSINESS

47. The Chairman stated that he did not have any issues to raise under that agenda item. As no other delegation had any issues to raise, he took the opportunity to once again thank all the delegations for their hard work and flexibility so that a decision could be reached for the report of the Special Session of the CTD to the General Council. The meeting was closed.
