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Page: 1/3

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AFRICA AND DEVELOPMENT

COMMUNICATION FROM THE AFRICAN GROUP

The following communication, dated 9 June 2022, is being circulated at the request of the delegation of Cameroon, on behalf of the African Group.

1 INTRODUCTION

In pursuing our development agenda, our objectives are informed by the African Union's Agenda 2063: The Africa We Want. It places at the centre of our development agenda, the eradication of poverty through social and economic transformation of the continent. We aspire, through the structural transformation, economic diversification and industrialisation of Africa, to create shared growth, decent jobs and economic opportunities for all our people.

The outcomes of WTO negotiations must translate into positive results in developing and least developed countries' trade and trade balance, improvement in production and supply capacity, prospects for industrial development, livelihood security, rural development and increased employment, as well as incomes and standards of living of our people.

We commit to engage in multilateral trade discussions and negotiations and agree to outcomes aimed at supporting our regional and continental development objectives, including the conclusion and implementation of the African Continental Free Trade Area.

2 DEVELOPMENT

The principle and operationalisation of Special and Differential Treatment (S&DT) is of particular importance for all African Members in existing and future WTO rules, in order for them to participate in the multilateral trading system in a beneficial way. We therefore reaffirm the provisions of S&DT as an integral part of the WTO and its multilateral trade agreements.

The formulation of S&DT provisions in new multilateral rules or agreements shall be precise, effective and operational, and shall not be traded off with other elements. Such provisions should be designed to provide the requisite policy tools for African Members to achieve their sustainable development needs.

We commit to participate in multilateral trade negotiations in accordance with Articles II.3 and III.1 of the Marrakesh Agreement by advancing positions towards multilateral outcomes that are balanced, preserve the necessary policy space for industrial development of African Members and in a manner that is consistent and commensurate with our respective needs and concerns, and take into account our different levels of economic development.

We reaffirm our commitment to the Doha Development Agenda, and we resolve to intensify negotiations on the systemic and historic imbalances inherited from the GATT/WTO Agreements, and urge all WTO Members to work towards substantial outcomes by MC13 on:

- a. Strengthening S&DT provisions in the WTO Agreements to make them 'precise, effective and operational' (para 44 of Doha Declaration).
- b. Operationalising the S&DT elements in each negotiating area including in agriculture, services and TRIPS.
- c. Achieving effective outcomes in the implementation-related issues as mandated (para 12 of Doha Declaration).
- d. LDC issues – these include but are not limited to the issues in Bali where legally binding outcomes could not be achieved and where Ministers instructed prioritisation (para 1.11, Bali Declaration).
- e. Reforming agricultural trade disciplines by establishing rules that level the playing field, with a development dimension at the centre. This issue is of central importance to most developing countries. As such, fulfilling the mandate in the area of domestic support is critical. Without domestic support disciplines that level the playing field, efforts in the market access pillar in many cases are unlikely to bring real market openings, since developed country markets will continue to remain unduly protected.
- f. Intensify technical assistance and capacity building programs that enhance participation of African Members (*in negotiations and implementation of existing trade rules*).

3 TRANSFER OF TECHNOLOGY

We reaffirm the relevance of the Working Group on Trade and Transfer of Technology as being of critical importance to African Members. We commit to undertake a detailed examination of the different provisions on technology transfer contained in the various WTO agreements that hinder technology transfer, with a view to making these provisions operational and meaningful for developing countries, including least developed countries. We commit to work towards substantial outcomes by MC13.

4 PROCESS

We reiterate that, the core principles of full participation, inclusiveness and transparency (FIT) must be respected. All WTO Members, irrespective of their size and level of development, must have the opportunity to participate in negotiating the rules and agreements of the WTO and in the decision-making processes. This will ensure that the collective views of all Members are taken into account. The legitimacy of the WTO rests on whether this principle is adhered to.

We also impress upon all Chairpersons designated to serve all WTO Members, to act in accordance with the rules of procedure and reflect the positions and interests of all Members, without any prejudice or bias. This is crucial in ensuring balanced negotiating outcomes in the WTO.

5 WTO REFORM

We note the challenges facing the WTO and reiterate our commitment towards developing a common understanding, through multilateral engagement of the reforms Members are interested in pursuing. We underscore that the WTO reforms must consider measures to facilitate the effective, full, and inclusive participation of developing countries including least developed countries in the multilateral trading system and its decision-making processes, and rebalance the inequitable trade rules from the Uruguay Round.

The fundamental importance of preserving Article IX.1 of the Marrakesh Agreement on consensus-based decision-making cannot be overemphasized. We reiterate that any changes in the institutional mechanisms for decision-making in the WTO must not be made at the expense of the

sovereign and equal right of Members to fully participate in the consensus-based decision-making processes of the WTO.

The outcome of any WTO reform processes shall safeguard the necessary policy space needed by developing countries for their structural transformation, industrialisation and economic recovery. The reforms shall take place in the General Council and be guided by the principles and objectives of the Marrakesh Agreement and its multilateral trade agreements. The modalities of the reform processes should be based on contributions by Members.
