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AFRICAN MINISTERS OF TRADE DECLARATION ON WTO ISSUES

GENEVA, SWITZERLAND

11 June 2022

The following communication, dated 11 June 2022, is being circulated at the request of the delegation of Cameroon on behalf of the African Group.

We, the African Ministers of Trade (AMOT), meeting in Geneva, Switzerland, on 11 June 2022, to prepare for the 12th Ministerial Conference to be held in Geneva from 12 June to 15 June 2022;

Re-emphasized our profound concerns regarding the loss of lives and the devastating effects that the COVID-19 pandemic continues to have on human health, economic growth and on the national development plans of African economies;

Acknowledged with concern that vaccination of the African population remains far below WHO recommendations and that vaccine inequity continues to claim lives and constrain economic recovery;

Recalled the decision of the 34th Summit of the African Union calling for a temporary WTO waiver of certain intellectual property rights to enable the manufacture and equitable distribution of COVID-19 vaccines in Africa;

Noted with concern that the call of our leaders for an early TRIPS Waiver to boost and diversify production of vaccines, diagnostics and therapeutics has not been realized more than eighteen months since the proposal was tabled, and strongly reiterate the need for a meaningful waiver;

Recalled the 35th Ordinary Session of the African Union Assembly declaring 2022 "the Year of Nutrition" with the theme "Building Resilience in Nutrition across the African Continent in 2022" with the view to provide an opportunity to secure greater continental commitment and investment to end malnutrition in all forms;

Concerned about the recurrent food crises witnessed in recent periods, and the severity of the food security shortages affecting many African countries, especially NFIDCs and LDCs which were exacerbated by the pandemic and natural disasters, and further aggravated by current geo-political events. Currently, seven of the top ten hunger hotspots globally are in Africa and hundreds of millions of our people face food insecurity;

Further concerned about the steep rise in prices of not only food products but also key inputs such as fertilizers and fuel, which will likely constrain current as well as next year's food supplies;

Commended the progress made in achieving the objectives of the African Union Agenda 2063: "The Africa We Want", including the implementation of the African Continental Free Trade Area (AfCFTA);

We further recognize the need to build coherence by ensuring that the African Group's negotiating objectives at the WTO fully support continental objectives such as industrialization, structural transformation and integration of the continent;

Took note that, due to the unprecedented challenges facing African Countries, the existing rules based multilateral trading system is in need of a reform that addresses the structural deficiencies in the system while re-enforcing the principles of fairness, transparency and equity;

Reasserted the need to ensure that negotiating outcomes and rules at the WTO support development objectives, reinforce Special and Differential Treatment and are consistent with continental ambitions, including industrialization, structural transformation and integration;

Committed to strengthen coordination in the African Group at the WTO on our common positions and to ensure that development is an integral component of all negotiating outcomes for all African economies;

Reaffirmed support for an inclusive and transparent process in negotiations and our pledge to work constructively in multilateral negotiations to promote and defend Africa's interests in line with the African Union's Agenda 2063: The Africa We Want;

Take note of the informal processes initiated by Members, through joint Statement initiatives on Electronic Commerce, Investment Facilitation for Development, Services Domestic Regulation, and Micro, Small and Medium Enterprises, and recognizing that some Members of the African Group countries participate in these initiatives;

Re-iterate the attachment of Africa to a multilateral trading system that works for all; corrects historical imbalances and delivers on the Sustainable Development Goals;

Reaffirmed the importance of granting a Permanent Observer Status to the African Union in all WTO bodies and **call** upon all WTO members to support the African Union's efforts to secure Observer Status in the WTO;

Underscored the importance of a successful twelfth Ministerial Conference of the WTO that would contribute to enhancing the multilateral trading system in the current global economic environment;

Having taken note of the outcomes of the African Group Retreat held on 28 May 2022 in Geneva;

Agreed to:

1. **Recall and reaffirm** the importance of implementing WTO Ministerial and General Council Decisions and Declarations adopted since Doha in 2001, in a non-discriminatory manner, with development at the centre of the work program;

WTO Response to the Pandemic

2. **Recognize** the need for the WTO to develop a coordinated response to the pandemic that will enable global economic recovery and help to build resilience for future pandemics, and should in no way either constrain the policy tools and space that developing countries and LDCs need to respond to the pandemic, nor restrict tools and flexibilities available to developing countries and LDCs under the WTO agreements;
3. **Emphasize** that a coordinated response to the pandemic will contribute to an equitable global economic recovery;
4. **Underscored** the importance of a TRIPS trigger ready mechanism to obviate the need for future negotiations when faced with pandemics in future;

TRIPS Waiver

5. **Re-emphasize** that a meaningful and workable TRIPS Waiver as co-sponsored by 65 countries and supported by over 100 WTO Members should be placed at the center of

any WTO response to the pandemic and express concern at the protracted multilateral negotiations process whose meaningful outcomes are long overdue;

6. **Urge** Members to approve a targeted and time-limited TRIPS Waiver to boost and diversify production of vaccines, diagnostics and therapeutics and to build national and regional manufacturing capabilities across the world;

Agriculture

7. **Reiterate** our deep concern with the lack of progress in agricultural negotiations, including Cotton, and the persisting imbalances in the domestic support pillar and **call** for a substantial reduction of trade distorting domestic support that takes account of the development needs of developing countries and LDCs, and also preserves the flexibilities associated with low-income and resource-poor farmers;
8. **Reemphasize** the need for the formulation of adequate agricultural food security tools including through the establishment of a permanent solution on public stockholding that caters for the needs of all developing and least developed countries and through adopting a meaningful Special Safeguard Mechanism that protects vulnerable farmers and caters for the needs of developing countries, particularly in Africa;
9. **Support** the Ministerial Declaration on SPS and **call** on Members to adopt the said Declaration at MC12;

Food Security

10. **Reiterate** that long term resilience to future food crises and sustainable food security lies in unlocking the agricultural productive capacity of African economies through addressing longstanding asymmetries and imbalances in the Agreement on Agriculture, and levelling of the playing field in international agricultural trade;
11. **Emphasize** the need for a MC12 outcome that responds to the immediate and urgent challenges of food insecurity and loss of livelihoods. The outcomes should provide policy space needed for developing countries to enhance the productive capacity of, and economic opportunities for Africa farmers, especially small-scale farmers;
12. **Recognize** the special need of LDCs and Net Food Importing Developing Countries (NFIDs) for further flexibilities to address their food security challenges that are exacerbated by climate change and further compounded by the COVID 19 Pandemic and current geopolitical developments. In this regard we support the draft Ministerial Decision on Food Insecurity in NFIDs and LDCs and call upon all WTO Members to adopt this decision at MC12;
13. **Call on** WTO Members to commit to increase support for the provision of technical and financial assistance to developing country Members including through international and regional financial institutions with a view to improving their agricultural productive capacity, infrastructure and access to agricultural inputs;

Economic recovery

14. **Acknowledge** the need for trade rules that promote economic recovery and fostering greater resilience through more diversified production across the world. We re-affirm our support for the G90 Agreement specific proposals, which among others aim to achieve these objectives.
15. **Underscore** the important role of the WTO to promote the transfer of technology and know-how in order to diversify the production across the world and to enable rapid scaling of new health innovations to advance global health and drive economic development in a manner that is sustainable for the broader innovation ecosystem.

Development and LDC Issues

16. **Reaffirm** that Special and Differential Treatment (S&DT) is a treaty embedded right available to all developing countries including LDCs and must remain an integral part of all WTO Agreements and future instruments;
17. **Note** with concern the lack of progress in S&DT negotiations and **reiterate** our commitment to seek meaningful outcomes on S&DT, in line with paragraph 44 of the Doha Declaration;
18. **Stress** the need to ensure that S&DT is strengthened in all WTO Agreements to provide the necessary flexibilities and policy space that African countries need to achieve their economic development objectives;
19. **Commit** to work with all parties to ensure S&DT provisions are precise, operational and effective and enable developing countries, particularly LDCs in Africa, to respond effectively to their development needs, in line with the priorities of industrial development, structural transformation and diversification as entailed in Agenda 2063;
20. **Encourage** WTO Members to support LDCs in their economic development endeavors and ensure a smooth transition from LDC to developing countries;

Fisheries

21. **Reaffirm** the need for a balanced outcome that delivers on the mandate as captured in SDG 14.6 and WTO Ministerial mandates;
22. **Underline** the importance of Common but Differentiated Responsibility in the negotiations and their outcomes, and the need for S&DT for developing countries in order to ensure food security, protect the livelihoods of coastal communities and provide policy space to strengthen their fisheries industries and capacities for economic and social development as mandated;
23. **Underscore** the importance of an appropriate *de minimis* threshold and sufficient transitional periods to accommodate the development objectives of African countries, and call for an outcome that exempts artisanal and small scale fisheries from commitments and from certain provisions of the Agreement;
24. **Stress** that the disciplines must be applicable to large scale fishing, and target harmful subsidies that contribute immensely to overfishing and overcapacity;
25. **Emphasize** that an outcome on the fisheries subsidies negotiations must not undermine the right of coastal states and fully respect their territorial integrity and sovereignty;
26. **Acknowledge** the need for trade rules that promote economic recovery and fostering greater resilience through more diversified production across the world. We re-affirm our support for the G90 Agreement specific proposals, which among others aim to achieve these objectives;
27. **Underscore** the important role of the WTO to promote the transfer of technology and know-how in order to diversify the production across the world and to enable rapid scaling of new health innovations to advance global health and drive economic development in a manner that is sustainable for the broader innovation ecosystem;

Aid for Trade and Enhanced Integrated Framework

28. **Urge** Members to strengthen and improve the Aid-for-Trade initiative and ensure that it contributes towards achieving its trade-related capacity-building objectives, removing supply-side constraints, developing infrastructure and facilitating the integration of developing economies, particularly LDCs, in regional and global trade;
29. **Acknowledge** the contribution of the Enhanced Integrated Framework (EIF) Program to LDCs initiatives and efforts to build capacity on the export supply side;

WTO Reform and Appellate Body

30. **Reaffirm** that WTO reform must take into account the long-standing concerns of developing countries contained in the Doha Development Agenda, strengthen the multilateral trading system and improve the functioning of the WTO, and should safeguard its core principles as enshrined in the Marrakesh Agreement;
31. **Underscore** that WTO reform must adopt a development-oriented approach and must promote development and inclusivity and deliver on outcomes that support the integration of Africa into the global economy;
32. **Stress** that the process towards WTO reform must be open, transparent and inclusive and must include re-establishing the nexus between trade and industrial development and re-balance trade rules to support structural transformation, economic diversification and provide policy space for African countries to industrialize. This is critical in building resilient economies;
33. **Emphasize** that the discussions on transparency must take into account the capacity constraints of African countries, and must not add new obligations to Members that are not within the scope of the existing agreements;
34. **Further emphasize** that work towards necessary reform of the WTO must take place under the purview of the General Council in dedicated sessions and that any recommendations from the process be agreed upon by consensus;
35. **Call** for the reinstatement of a fully-functional dispute settlement mechanism, including the Appellate Body, in order to re-establish trust, security and predictability in the WTO;

Accessions

36. **Pledge** support to African countries in the process of WTO accession and urge Members to desist from making unreasonable requests on African acceding countries to extend any commitments made as a result of their membership to the AfCFTA or that are inconsistent with their levels of development;
37. **Call** on Members to fully implement the 2012 General Council Decision on LDC accession "Streamlining and Operationalization of the 2002 LDC Accession Guidelines", in particular, benchmarks set for average tariff bindings on goods and market access for services.

Geneva on 11 June 2022
