

Negotiating Group on Trade Facilitation

MINUTES OF THE MEETING

Held in the Centre William Rappard
from 26 – 30 September 2011

Chairman: H.E. Mr. Eduardo Ernesto Sperisen-Yurt (Guatemala)

1. The Chairman welcomed Members to the meeting of the Negotiating Group. He hoped that delegations had had a nice break and that they had been able to recharge their batteries. Thanks to the generous funding from Norway and the EU, he was able to extend his welcome to capital-based experts from LDC and ACP countries which were present this week.
2. The agenda for the session had been circulated in WTO/AIR/3797. As Members would have noticed from the airgram, the meeting sought to advance the negotiations on all elements of the Draft Consolidated Text. While the broader landscape might look somewhat different from the situation Members had faced during the first half this year, he sensed a continued willingness to advance the important mission of this Group - and hoped to see this commitment translate into fruitful work.
3. The week's negotiations started with plenary discussions on S&D. Members then took up the other areas of the Draft Consolidated Negotiating Text, addressing its provisions in reverse sequential order. Time was also accorded to Members' bilateral, plurilateral and open-ended activities. The afternoons of the first four days had been reserved to this end. Delegations wishing to organize such initiatives had been invited to report on their results in Friday's closing plenary. On Friday, Members also had the opportunity to discuss the next steps and to give their views on how they felt work should proceed.
4. The agenda was adopted.
- A. REPORTS BY THE FACILITATORS, CONSIDERATION OF REVISED TEXTS FOR INCLUSION INTO THE DRAFT CONSOLIDATED NEGOTIATING TEXT AND REVIEW OF NEXT STEPS
5. This part of the meeting was conducted in informal mode.
6. The Negotiating Group took note of the statements made.
- B. AD HOC ATTENDANCE OF RELEVANT INTERNATIONAL ORGANIZATIONS, INCLUDING THE IMF, OECD, UNCTAD, WCO AND THE WORLD BANK, AT THE NEXT MEETING OF THE NEGOTIATING GROUP
7. The Chairman suggested inviting relevant international organizations, including the IMF, OECD, UNCTAD, WCO and the World Bank to attend the next formal meeting of the Negotiating Group on an ad hoc basis, as provided for in the Work Plan.
8. It was so agreed.

C. OTHER BUSINESS

9. The Chairman addressed the issue of the dates for the Negotiating Group's next meeting. He recalled that this had already been dealt with earlier. He was aware that some delegations faced difficulties with regard to those dates and apologised for not being able to suggest alternatives. For the reasons that had already been mentioned, the session had been planned to take place from 7-11 November. The scheduling would allow delegations to also attend the symposium which was going to take place during part of that week. He therefore sought Members' understanding and asked whether they could approve those dates for the next meeting. He thanked Members and recorded that it was so agreed.

10. The representative of India asked to be informed about the concrete progress made in the different negotiating areas so that there would not be any surprises. He was not sure about the precise changes Members had agreed on. He said that it would be useful if the Secretariat could give a brief summary of what had been decided.

11. The Chairman said that he would invite the Secretariat to provide such a summary, but that he had recognized Egypt's flag and wanted to give them the floor first.

12. The representative of Egypt sought clarification on the question of whether the proposal by Senegal, Saudi Arabia and Egypt concerning the time for the next round was going to be considered or not. How would it be dealt with?

13. The Chairman informed that, as he had already mentioned earlier, it was practically impossible to move the dates, given that hotel and flight arrangements had already been made for the delegations coming from capital and that it was also the week of the symposium. The availability of facilities such as meeting rooms and the like had to be taken into account as well. It really was not possible to organize the meeting during any dates other than the ones Members had already agreed upon.

14. The representative of India asked whether the dates had already been announced.

15. The Chairman confirmed that this had indeed been the case and recalled that dates were the days from 7-11 November. He then asked the Secretariat to give a summary of the changes Members had agreed on during the week.

16. The Secretariat informed that the number of textual changes Members had been able to agree on was rather limited. There had basically been no change in the area of S&D other than a correction of the cross-reference currently found in footnote 38 dealing with an issue related to heading 9 ("Provision of technical assistance [,financial assistance] and capacity building.") As suggested by Mauritius, the footnote should refer to paragraphs 9.2 and 4.5 instead of 9.2 and 5.3 as currently listed. It was nothing but a correction without amounting to a change in substance.

17. No change had also been made to Article 15 ("Preamble/Cross-cutting Matters").

18. In the area of Article 14, dealing with the National Committee of Trade Facilitation, Members had been able to adopt the new language that had emerged from the week's negotiations conducted by Guatemala, Honduras, El Salvador and Panama. The text that had been circulated to delegations previously and that had also been circulated that morning would therefore be the new basis of further work.

19. With respect to Article 13, it had not yet been possible to agree on the new language proposed by Chinese Taipei on the grounds of there not having been a translation into French. It therefore remained a pending issue that would have to be revisited at the next meeting.
 20. The largest number of changes had been agreed upon in the area of Article 12 - Customs Co-operation. Here, Members had decided to delete the brackets around the word "strictly" in paragraph 8. In paragraph 12, they had agreed to remove the comma after the words "request" in the second line of the English version as suggested by India.
 21. In paragraph 16, Members agreed to stop the sentence after "requesting Member". The subsequent part of the sentence would be removed.
 22. In the next paragraph, paragraph 17, delegations agreed to remove the brackets around the word "notifying" and to rephrase the rest of the sentence for it to read: "... the requested Member of the measures referred to in sub-paragraphs (a) and (b)."
 23. Finally, in paragraph 19, in the first line, Members agreed to replace the word "proposal" by "Article".
 24. In the area of transit, delegations agreed on two changes. The first related to paragraph 3 (b) of Article 11. Members had agreed to the deletion of the word "policy" together with the surrounding brackets in the first line as proposed by Ecuador. Furthermore, as a result of the text proposed by Carlos from Mexico, Members had equally agreed to remove the outer brackets surrounding paragraph 15.
 25. On Article 10, there had been no opposition to a proposal by Singapore which was basically just a correction in the sense of a renumbering of paragraph 10.2.4.4. Singapore had made the point that this should actually be listed as an independent sub-paragraph and renumbered as 10.2.5. It did not amount to a change in language but merely represented a renumbering.
 26. Finally, on Article 6.2 - Penalty Provisions, Members had agreed on the new language proposed by the US with the small change that had been discussed this morning.
 27. The Negotiating Group took note of the statements made.
 28. The meeting was adjourned.
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