

# WORLD TRADE ORGANIZATION

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## Committee on Trade and Development Seventeenth Special Session

### NOTE ON THE MEETING OF 28 OCTOBER 2004

*Chairman: Mr. Faizel Ismail (South Africa)*

A.	ADOPTION OF THE DRAFT AGENDA .....	1
B.	DISCUSSION OF AGREEMENT-SPECIFIC PROPOSALS .....	1
C.	OTHER BUSINESS .....	16

#### A. ADOPTION OF THE DRAFT AGENDA

1. Opening the meeting, the Chairman said that the draft agenda was contained in Airgram WTO/AIR/2407 of 15 October 2004. He said that he hoped that Members would continue their work in the same spirit of building consensus as they had shown when discussing the July Package.

2. The agenda was adopted.

#### B. DISCUSSION OF AGREEMENT-SPECIFIC PROPOSALS

3. The Chairman said that agenda item B related to the discussion of the Agreement-specific proposals. He said that as Members were aware, the development section of the July Decision contained six themes, one of which related to special and differential treatment (S&D). Furthermore, the paragraphs on S&D, apart from reaffirming that S&D was an integral part of the WTO Agreements, encompassed a number of deadlines and stipulated a number of elements as integral to the future work on S&D. The Special Session had been directed to expeditiously complete the review of all the outstanding Agreement-specific proposals and report to the General Council, with clear recommendations for a decision, by July 2005. The Committee had also been instructed, within the parameters of the Doha mandate, to address all other outstanding work which, *inter alia*, included the cross-cutting issues, the Monitoring Mechanism and the incorporation of S&D into the architecture of WTO rules. The Special Session had been directed to then report on that work, as appropriate, to the General Council. With respect to the Category II proposals, he said that the General Council had instructed that the bodies to which those proposals had been referred, complete the consideration of those proposals expeditiously and report to the General Council, with clear recommendations for a decision no later than July 2005. Additionally, in an attempt to address developing country Members capacity constraints, those bodies had been instructed to ensure that, as far as possible, their meetings did not overlap so as to enable full and effective participation of developing countries in those discussions. He said that it was important that progress was made in those bodies and that Members remained committed to fulfilling the mandate and showing the necessary flexibility and political will to move the work of the Special Session forward. He believed that with respect to the Category II proposals it would be useful to request the bodies to which those proposals had been referred, to provide the Committee with an update on the progress that had been made and the current status of the proposals. In that context, he would write to the Chairpersons of those bodies, indicating his intention to meet with them and discuss the status of the proposals so as to ensure that the proposals were dealt with expeditiously, keeping in mind the July 2005 deadline.

4. Moving onto the substantive agenda items, the Chairman said that as was clear from the airgram, he intended to begin by taking up the remaining Agreement-specific proposals and then proceed to deal with the cross-cutting issues. Under agenda item B, he said that he intended to only address the remaining Agreement-specific proposals in Category I, and later perhaps the proposals in Category III. He said that S&D remained an important instrument in facilitating the integration of developing countries into the multilateral trading system. He therefore could not stress enough the importance of approaching the work on S&D with the flexibility and political will which might be required to enable Members to fulfil the mandate contained in the July Decision. He urged Members to remain open and engage in the discussions in a constructive manner so as to deliver on the commitments made at the Doha Ministerial Conference.

5. The representative of Canada said that the agenda for the meeting called for a review of the outstanding S&D proposals and to address the cross-cutting issues. She said that though her delegation was prepared to work along those lines, it wished to first discuss how Members were going to ensure that they did not go down the path previously undertaken. On a more general note, she said that her delegation continued to have objections to proposals that sought automatic self-granting extensions, open-ended financial obligations and changes in the text where no problems had been demonstrated. In her view, the remaining Agreement-specific proposals appeared to fit into those categories. Her delegation was nevertheless prepared, as it had demonstrated, to engage in the discussions in order to understand the underlying problems faced by developing countries and to genuinely attempt to address them. Such an approach had also been taken within some of the other WTO bodies as Members attempted to address the S&D proposals. She cited her delegation's proposal made in the Sanitary and Phytosanitary (SPS) Committee entitled "Enhancing Transparency of S&D Treatment within the SPS Agreement", which built upon a previous proposal made by the delegation of Egypt. Many discussions had taken place in the SPS Committee to clarify that proposal and it had been adopted in principle subject to elaboration by the Secretariat. Her delegation had continued to work closely with Members to resolve concerns that they had. The processes were clarified in a further submission made by her delegation, dated 5 October 2004, titled "Elaboration of the Proposal to Enhance Transparency of S&D Treatment in Favour of Developing Country Members" which was adopted by the SPS Committee on 27 October 2004. That, she said, was a concrete example of the efforts made by Members in the different negotiating committees and working groups to address concerns relating to the implementation of S&D provisions.

6. She went on to say that it was important that the Special Session engaged the Chairpersons of the bodies to which the Category II proposals had been sent to ensure that they were being addressed with similar vigour and attention. The Chairpersons could be asked to report to the Special Session on progress. She recalled that those bodies had already once done so in November 2002. Her delegation felt that a number of responses showed that the experts in those committees had not really felt that a problem existed, and had felt "Why fix something that had not been broken". She said that an elaboration of the other proposals, where there was a clear elaboration of the concern involved, but where the underlying issue or problem had not been clearly articulated, needed to be subjected to further elaboration and analysis. Those proposals would then take the shape of a committee-driven S&D proposal and could be sent to the General Council with a clear recommendation for action as per the instructions in the July Decision. She said that other recommendations to strengthen S&D provisions had been made in previous submissions to the Special Session. One recommendation made by her delegation in document TN/CTD/W/21 warranted a closer look. That recommendation stated that "many S&D treatment provisions are of a 'best endeavour' nature or involve other multilateral agencies. We cannot assume that because we do not have any information from Members as to how they have tried to implement these, that nothing has occurred. The Special Session might consider recommending to the General Council that the Committees and Working Groups responsible for the relevant WTO Agreements have a more thorough, coherent and regular reporting process on S&D treatment. This could be a vital task of the monitoring mechanism proposed by the Africa Group." The Monitoring Mechanism, could and should, in her delegation's view, be resuscitated and become a means to provide Members with much needed information. She said that Job(02)/138

contained many good ideas, including on issues where Members had been quite close to an agreement on a balanced and manageable process.

7. She concluded by saying that there was the question of the principles and objectives of S&D and the organisation of the work ahead. Many delegations had presented their ideas on those issues but those had not yet been fully discussed. Her delegation had proposed strengthening S&D on the basis of four overarching ideas: transparency, Member-specific flexibility, co-operation and efficiency, and effectiveness in document TN/CTD/W/21 which, in her delegation's view, also provided some useful concepts to take the work further. She said that a thorough, organized discussion would help Members to make progress in S&D throughout the negotiations.

8. The representative of Kenya recalled that work on S&D as mandated in the Doha Ministerial Declaration remained outstanding even though more than two years had passed since the deadline set out in the Doha Ministerial Declaration. In spite of the time spent in trying to reach agreement on various proposals, there was a continued sense of frustration among some Members over the lack of progress. His delegation was pleased to note that the General Council Decision of 1 August 2004 had managed to put the Doha Development Agenda (DDA) back on track. The Decision reconfirmed the centrality of development concerns and had placed the needs of developing and least-developed countries at the heart of the Doha Work Programme. It had also reaffirmed that S&D provisions were an integral part of the WTO Agreements. His delegation welcomed Members' commitment in the July Decision to complete the remaining work on S&D issues expeditiously. He said that his delegation hoped that that renewed commitment from Members would ensure positive results within the timeframe set out in the July Decision. He said that the African Group was ready and willing to support the Chairman's efforts in that regard.

9. He emphasised that the point of reference that should continue to guide Members' work on S&D was paragraph 44 of the Doha Ministerial Declaration and paragraph 12.1 of the Doha Decision on Implementation-Related Issues and Concerns. He said that his delegation had listened carefully to the Chairman's remarks and in terms of moving forward wished to suggest a number of ways to proceed. First, with respect to the outstanding Agreement-specific proposals which had been circulated for the meeting, that was the remaining Category I and Category III proposals, his delegation felt that the Chairman should begin intensive informal consultations in an attempt to reach agreement on those proposals before Christmas. There were a number of Category I proposals where Members were close to agreement. At the same time, those proposals in Category III which required some redrafting could be taken up after the Christmas break. Second, with respect to the Category II proposals, his delegation believed that the Special Session should maintain a supervisory role over those proposals. His delegation concurred with the Chair's suggestion of writing to the Chairpersons of the relevant bodies to ensure that the Special Session was kept abreast of the developments that were taking place in those various bodies. The Special Session should receive a report after each meeting of the bodies in which those proposals were taken up, updating Members on what took place at the meeting. As part of this supervisory role, the Special Session should also ensure that there was no overlap of the meetings, something which had been captured in the July Decision. He further suggested that if progress was not forthcoming in the bodies addressing the Category II proposals, the Special Session should itself take up those proposals for expeditious resolution within the time-frame set out in the July Decision.

10. The representative of Switzerland said that in order to expedite the work in the Special Session, her delegation believed that Members needed to consider an efficient way of addressing the Agreement-specific proposals. It was her delegation's expectation that it would be possible to address the cross-cutting issues in parallel and that time should be given to discuss the cross-cutting issues. She said that in some instances it might be fruitful to consider the Agreement-specific proposals and the cross-cutting issues at the same time. She suggested that in order to avoid dealing with all the proposals at once or dealing with a never ending list of one proposal at a time, Members might wish to deal with a limited number of Agreement-specific proposals that addressed similar concerns or that

proposed similar solutions of how to tackle particular problems and make those provisions more precise, effective and operational. Her delegation had not attempted to put together proposals dealing with similar concerns but that was where the Chair could assist through his own wisdom and as a result of consultations he would hold with Members. Her delegation did not wish to get into discussions on why some of the S&D provisions had not been utilised in the past, but would be happy to look at the underlying reasons and circumstances that had led to the proposals being made and the specific problems that those proposals were looking to address. With respect to the Category II proposals she said that it was important that the Special Session be kept informed about the current status of the proposals.

11. The Chairman said that Members seemed to support the notion of getting the bodies to which the Category II proposals had been referred to report to the Special Session. He added that although there were some reservations about getting into detailed discussions on the Agreement-specific proposals, Members seemed to be willing to at least begin to tackle the Category I proposals before the Christmas break. In this context, he referred to the suggestion made by the representative of Switzerland that the proposals be organised into thematic clusters.

12. The representative of the United States said that the success of Members' work under the Chairman's guidance in producing a consensus on the development section of the July Decision should be continued. Her delegation felt that during the discussions on the July Decision a broader range of views had been aired on many of the issues that related to S&D. Her delegation hoped that as work moved forward, a way could be found of ensuring that the different S&D issues were examined from a broad perspective so that Members were not faced with the polarity that they had experienced over the past two years. Her delegation would strive to maintain the positive atmosphere that had been created. She said that the Chairman's efforts in reaching out to delegations in the informal consultations held in July had been helpful. He had been able to ascertain where differences existed and where Members might be able to make progress. His energy and willingness to seek out fresh ideas from a wide range of Members was a model that her delegation hoped the Chairman would follow even when continuing work on S&D. She said that during discussions on the July Decision Members had begun to explore ideas on what kind of an approach would help move them beyond the polarisation that had existed in the past. Her delegation shared the view that seeking out some of the underlying issues behind the proposals would enable Members to consider them thematically. This would help in making the provisions more precise and operational. A thematic framework could also serve to focus Members' attention on the connection between real problems and effective solutions. She gave the example of the various tirets that focussed on trade-related technical assistance. As the representative of Canada had shared, the mandatory nature of some of the proposals was a problem for her delegation and Members were all aware of the boundaries therein. Her delegation believed that there was a more productive direction that the Special Session could work on with the Chairman of the CTD in Regular Session to help target the assistance already being provided. In addition to being focused, she said that Members needed to be practical in their work ahead. Seeking practical solutions would increase the possibility of all Members benefiting from a successful Round. She noted that it was apparent from the broad scope of negotiations, that Members were finding it much easier to deal with S&D in the context of the respective market access issues, than in the area of rules. There were underlying reasons for this and that was perhaps why there had been an in-principle agreement reached on the 28 Agreement-specific proposals which tended to be of a more practical and pragmatic nature than those proposals which had not yet been agreed upon.

13. With respect to the Category III proposals, she said that she did not believe that Members could move further on them. There was a wide and unyielding divergence of views on the fundamental points behind the Category III proposals and Members could either choose to let that concrete wall stop them or they could choose to go around it and find some other productive ways of moving forward. Sometimes Members needed to accept the fact that they had different views and take the lessons learned about why they differed to search for new approaches and ideas that could be more productive and result in real benefit for all Members. With respect to the Category II proposals,

she said that her delegation agreed that the Special Session should maintain a supervisory role and was pleased that the Chairman had intended to meet the Chairpersons of those bodies to which the proposals had been referred. Her delegation had, over the past week, been interacting with colleagues who dealt with those bodies. From the feedback received, it appeared that, in some cases, there had been serious efforts to engage in discussions on those proposals; in other cases, there had been opportunities to engage on the proposals but discussions had not taken place partly because the proponents had not been present, which was something that Members had addressed in the July Decision. The Special Session needed to ensure that Category II proposals were given priority in those Committees. She said she did not quite understand the delegation of Kenya's suggestion that some of the Category II proposals might need to be brought back into the Special Session if they were not addressed in the various bodies. In her view, the Special Session needed to ensure that those proposals were addressed in those bodies, which had a responsibility to address them and report to the General Council with recommendations. Members, however, needed to be mindful that the solutions may not be exactly what the initial proposals had proposed. For this reason too, it was important that Members take a step back and consider what could be done to address the fundamental issues behind the proposals. She said that her delegation supported the Chairman's approach but felt that it would not be productive to take the proposals in Category I one by one because that approach had already been adopted, without too much success. However, considering the underlying issues that the proposals were attempting to address would probably, in her delegation's view, be more productive.

14. The Chairman noted that Members were moving towards a possible convergence. A suggestion had been made that Members begin to consider the Agreement-specific proposals in thematic clusters and that although some Members had reservations about addressing the Agreement-specific proposals as had been in the past, Members seemed willing to attempt to understand and address the underlying issues that the proposals had raised.

15. The representative of Australia said that the document that had been circulated in the meeting listing out the remaining Category I and Category III proposals had reminded Members of where they were with regard to some of the various Agreement-specific proposals and had also helped to remind them that a lot of work had been carried out on the Agreement-specific proposals in the lead up to the Cancún Ministerial Conference. He said that Members should not lose sight of the fact that significant progress had been made. It was of course disappointing that Members had not been able to harvest the 28 proposals, but his delegation's view had always been that it made no sense to push for that when there appeared to have been some reluctance from the proponents to take that course of action. He said that his delegation was pleased, like other delegations, that the July framework had provided some further guidance on S&D. Clearly Members needed to decide how best to approach the work on the Agreement-specific proposals so as to meet the July 2005 deadline. The Special Session had also been tasked to consider the cross-cutting issues, the Monitoring Mechanism and the incorporation of S&D into the architecture of WTO rules. All that work was important and needed to be advanced in unison, especially since in his delegation's view, it would be difficult to make progress in any one area of the work on S&D in isolation. His delegation also welcomed the reference in the July Decision to the Category II proposals and the direction that those proposals be discussed expeditiously in the various bodies. That was a reaffirmation of his delegation's long held view that it was important to discuss issues where the relevant technical expertise lay, and that was in the negotiating groups and the other relevant WTO bodies. His delegation agreed with the Chairman and others that there was value in the Special Session being kept apprised of that work and it supported the Chairman's efforts in that regard. He said a regular reporting mechanism would be useful, though Members did not need to be too prescriptive in that regard.

16. He went on to say that there had been some interesting suggestions on how to handle the discussion on the Agreement-specific proposals. It went without saying that his delegation was looking to the Chairman on how to take the work forward. If Members wished to address the proposals one by one to refresh themselves on where things stood then that was not a problem for his delegation. His delegation had previously made its views known on the proposals and those views

still stood. However, his delegation would nevertheless be prepared to repeat them if that would help the process. He did, however, wish to register a number of points if Members were going to pursue their work on that track. He said that Members needed to be realistic about what would be possible through such a process given the history of the discussions. His delegation's sense was that going through the proposals one by one was unlikely to lead to any breakthrough. If there was room to move on those proposals, in the process that Members had earlier pursued, it had not been obvious to his delegation. In the past, his delegation had pointed out that it had had trouble understanding some suggestions that permeated many of the proposals, such as seeking permanent exemptions from existing agreements and did not think that was the best way to proceed. His delegation had trouble seeing how that would be in the interest of any WTO Member whether developed or developing. For his delegation, the Agreement-specific proposals had been useful in highlighting some of the underlying issues that Members needed to address in their discussions. Taking a step back and looking at those issues might be one way to make progress. It might also lead to a more focused discussion on the underlying systemic issues. Whether those were termed cross-cutting issues or not, the key point was the need for a holistic discussion if Members were genuine in their attempts to find a way forward. His delegation believed that the July Decision has set the basis for a productive discussion on all of those issues, rather than just reverting to the process followed in the past which had not made any demonstrable progress. Members needed to take a step back and think of alternative approaches on the best way forward until July 2005. He said that some of the ideas put forward, such as that of clustering, was a useful way to proceed if the aim was to identify the underlying themes of some of the proposals as that would enable Members to address the issues in a more holistic manner. His delegation wished to reflect further to ensure that such an approach would lead Members out of the type of discussions they had been involved in the past. His delegation realized the importance of S&D to the overall progress in the negotiations and would remain fully engaged in the work on S&D.

17. The Chairman said that the delegation of Australia had raised the issue of the 28 Agreement-specific proposals that Members had agreed to in principle, and though he had no intention of discussing them, he hoped that as December drew near, Members could consider, in the interest of making progress, when and how to harvest those proposals.

18. The representative of Colombia said that the Chairman's efforts during the discussions on the development section of the July Decision had enabled Members to reach a positive outcome. The July Decision had launched a new phase in the discussions relating to paragraph 44 of the Doha Ministerial Declaration. Her delegation would continue to participate constructively in that new phase of discussions in an attempt to fulfil, in a satisfactory manner and within the set time-limit, the mandate agreed to by Ministers in the Doha Ministerial Declaration. She said that the various interventions made by delegations showed that it would be possible to revitalise work on S&D. As far as her delegation was concerned, the principle of S&D was an element of fundamental importance, designed to allow developing countries to benefit from the multilateral trading system. Her delegation therefore valued the efforts being made in the Special Session to review the existing S&D provisions with the objective of making them more precise, effective and operational. In that regard, the section on S&D in the July Decision reflected the elements contained in paragraph 44 of the Doha Ministerial Declaration and maintained that as the frame of reference that should guide the discussions in the future.

19. She went on to say that with respect to the Agreement-specific proposals, it was important to build on the results of the discussions held over the past two years and avoid repetition in order to make optimum use of the limited time and resources available to Members. She therefore suggested that the proponents review their proposals in light of the analysis and observations that had been made in the Special Session. That would allow Members to carry out an in-depth analysis of the remaining Agreement-specific proposals, which with some amendments, could be added to those proposals already approved. Her delegation believed that Members should begin by moving forward on the Agreement-specific proposals, after which depending on the progress made, Members could consider

how to structure their discussions on the cross-cutting issues. Her delegation was willing to engage in the discussions on S&D in a more interactive way, but it would be appropriate to reflect on whether to devise an alternate format for the discussions. She gave the example of holding informal discussions among smaller groups as was done in other negotiating bodies so as to facilitate greater interaction in the discussions. She said that her delegation supported the suggestion that the various bodies to which the Category II proposals had been referred, inform the Special Session about the status of work on those proposals as this would provide a better monitoring of the progress on those proposals.

20. The Chairman said that it would be helpful if in the intervening period, Members began to discuss those issues among themselves. It was clear that the debate was not only between developed and developing countries, it was also between developing countries. He said that he believed that at least on some of the proposals progress could be made if developing countries could find a way of narrowing down the differences that existed among them.

21. The representative of Peru said that his delegation stood ready to work constructively on the Agreement-specific proposals and in that regard wished to put forward four guidelines on which it believed Members should base their work. First, was to reaffirm that S&D was an integral part of the various rules and disciplines of the WTO and was a mechanism that aimed to help developing countries benefit from the multilateral trading system. As Members could see in the July Decision, S&D had two sides; first there was the "defensive" side, relating to flexibility in the application of certain rules and disciplines; and second, there was an "offensive" side, relating to better market access conditions for products and sectors of interest to developing countries. Both those elements needed to be taken into account in Members deliberations. Second, he said that Members needed to maintain the parameters of the Doha Mandate, which was essentially to review the existing S&D provisions with the objective of strengthening them and making them more precise, effective and operational. Third, it was important to draw upon what had already been achieved. With respect to the Category I proposals, progress had been made and the discussions had led to new texts which needed to form the basis upon which Members should continue their work so as to avoid repetition. His delegation agreed with the suggested approach of dealing with the proposals in thematic clusters in informal consultations. He commented that it should be possible to agree to a possible package by the Christmas break if Members concentrated on the last language considered. Lastly, he said that as had been mentioned by the delegation of Colombia, Members should first address the Agreement-specific proposals after which Members could address the cross-cutting issues, involving the principles and objectives of S&D. With respect to the Category II proposals, his delegation recognised the need to strengthen, in a practical manner, the way in which the Special Session monitored the work of the subsidiary bodies. With respect to the Category III proposals, his delegation was flexible as to how those proposals should be addressed. However, Members needed to remain realistic as to where progress could or could not be made on those proposals.

22. The representative of Egypt said that Members were demonstrating a positive and constructive attitude towards continuing work on S&D. His delegation hoped that this spirit would continue to be evident in future discussions. He said that there was a need for Members to reflect upon their experience on the work carried out on S&D since Ministers had agreed to the work programme on S&D at the Doha Ministerial Conference. That meant that Members should consider the negative elements of those discussions and keep them in mind as the work on S&D moved forward. He agreed with the representative of the United States that Members needed to remain focused and practical. With respect to procedure, he said that Members needed to pursue their work differently than what they had done in the past. In this context, he agreed with the idea of placing the Agreement-specific proposals into thematic clusters. The deliberations should be first carried out in an informal mode and then decisions taken in formal mode. He said that having participated in the work of the Special Session over the past year, he had witnessed a conflict of prioritisation about whether to address the Agreement-specific proposals first or the cross-cutting issues. In his view, what was needed was a confidence-building exercise. The July Decision had instructed the Special Session to expeditiously complete the review of all the outstanding Agreement-specific proposals and

had further instructed the Special Session to address all other outstanding work, which included the cross-cutting issues. He said that Members could discuss both issues in parallel. However, there needed to be a demonstrable movement on the Agreement-specific proposals. His delegation was concerned that addressing the cross-cutting issues would be time consuming and could be at the expense of making progress on the Agreement-specific proposals. He agreed that Members' views on some of the proposals were quite far apart but that did not mean that those proposals should be sidelined. Instead, Members needed to find new ways of addressing those proposals.

23. The representative of the European Communities said that he wished to make four points on possible ways to move the work on S&D forward. He said that his delegation believed that it would only be possible to make progress on the outstanding Agreement-specific proposals if Members addressed the cross-cutting issues in parallel. There was a positive relationship between the two. A clear understanding on some of the cross-cutting issues would help solve some of the problems that had arisen in the past during discussion on the Agreement-specific proposals. Like other delegations, he said that he was pleased with the positivity in interventions and his delegation was willing to work towards a possible package by the Christmas break. In line with the need to make simultaneous progress on the Agreement-specific proposals and the cross-cutting issues, he felt that it would be important to build on the proposals that had already been agreed to at the Cancún Ministerial Conference, while at the same time addressing the cross-cutting issues, which could then serve to help Members address the remaining Agreement-specific proposals. His delegation was also hoping that Members could agree on operationalising the Monitoring Mechanism. With respect to how to deal with the Agreement-specific proposals, he said that other delegations had referred to the need to avoid revisiting the discussions that had been held before the Cancún Ministerial Conference. His delegation agreed and though it was open to constructively discussing the outstanding proposals, it felt that progress would be limited if this work was done in isolation of the cross-cutting issues. He said that as had been alluded to by other delegations, it would be beneficial for the proponents to consider redrafting some of their proposals in light of previous discussions. With respect to the Category II proposals, he said that his delegation did not see any value in bringing the proposals back to the Special Session and that this was not an approach that was foreseen in the July Decision. The scope for making progress on those proposals remained greater in the other bodies. However, there was a need for those bodies to provide information on how the work was being pursued as well as for keeping pressure on those bodies to deliver and fulfil the mandate contained in the July Decision. As regards the cross-cutting issues, he said that his delegation had submitted its ideas in three separate communications submitted in the Special Session in 2002. These had not been fully discussed and it would be useful to revisit them since they contained useful and important issues which could be a basis for discussion.

24. The representative of India said that his delegation had listened carefully to how other delegations felt Members should address the S&D issues in the future. For his delegation, work was an important and integral part of the DDA. He said that Members had not met since the July Decision and his delegation was pleased that work on S&D had resumed. His delegation believed that the July Decision provided guidance on how Members should proceed and provided a time line that needed to be kept in mind as Members continued their work in the Special Session. He went on to say that Members had made progress on some of the proposals but a lot of work still remained to be done and it was in that context that the General Council had instructed the Special Session to expeditiously complete the review of all outstanding Agreement-specific proposals and to report with clear recommendations by July 2005. He was certain that the positive engagement shown by Members in the meeting would result in concrete results on S&D. He said that there had been a suggestion that the Category I proposals be dealt with in thematic clusters, and although his delegation was not really clear about that proposal, it stood ready to constructively engage with Members on the different suggestions that had been made. He agreed with the representative of Kenya that the guiding principle of work should be the mandate contained in paragraph 44 of the Doha Ministerial Declaration, which had been reaffirmed in the July Decision, and which stated that the proposals be reviewed with a view of making them more precise, effective and operational. The July Decision was



clear on the treatment of the Category II proposals and his delegation supported the Chairman's suggestion that the Special Session maintain a supervisory role of the work on those proposals. After all, the Special Session had been set up by the Trade Negotiations Committee to address work on S&D and in that light it was important for the Special Session to play a monitoring role. With respect to the Category III proposals, he said that in April 2003 when the then General Council Chairman had come up with the categorisation of the proposals, he had made it clear that one of the parameters was that all S&D proposals should be addressed. He said that his delegation was flexible and willing to take a cue from the Chairman as to how to proceed on those proposals. What was important was for Members to build on the positive atmosphere to see whether progress could be made on the Agreement-specific proposals.

25. The representative of Brazil said that the mandate contained in the July Decision was clear that the Special Session should expeditiously complete the review of all outstanding Agreement-specific proposals which included the Category I and III proposals and where some Members might have difficulties with the Category II proposals those too would have to be addressed by July 2005. The July Decision had also instructed the Special Session to address all outstanding work, including the cross-cutting issues. His delegation would leave it to the Chairman to decide whether that work should be carried out in parallel. He said that the Chairman was the best person to organise the work of the Special Session so as to maximise the benefit from the discussions. Like others, his delegation was flexible on how to address the proposals. However, what was important was that no room be left for anyone to argue that not enough time had been available for the Committee to consider all the issues. He said that the Special Session could benefit from the alternative approaches that had been suggested. His delegation preferred the discussions to take place in an informal mode. With respect to the Category II proposals, he said that his delegation agreed that the Chairpersons of the other bodies be contacted to obtain a feedback on how work on those proposals had progressed. However, it was important that Members ensured that their colleagues handling those issues in other bodies addressed those proposals as a matter of priority so that there was a coherent approach in the work. He said that it was also important that there was no overlap of meetings, a problem which had become serious and constituted a difficulty for some Members. It was therefore important that the Chairman wrote to the Chairpersons and the Secretaries of those bodies to ensure that there was no overlap.

26. The Chairman said that he agreed that the discussions should take place in informal mode after which the Special Session could resort to formal mode in which progress made could be taken into account.

27. The representative of Malaysia said that her delegation welcomed the July Decision as a means of giving new impetus to the mandate contained in paragraph 44 of the Doha Ministerial Declaration. Her delegation believed that the mandate was clear and specific. She noted that Members had made some progress prior to the Cancún Ministerial Conference, albeit not as much as had been hoped. Prior to the Cancún Ministerial Conference intensive consultations had led to some results, and as alluded to by others, it was important to build on those results. Her delegation agreed that the Chairman hold informal consultations over the course of the following months on the remaining Category I proposals. With respect to the Category II proposals, she said that the Special Session should maintain a supervisory role and she suggested that an official letter be sent to the Chairpersons underscoring the importance of finding solutions to those proposals. She also agreed with the representative of Kenya that after each meeting of the various bodies, a report should be made to the Special Session on the progress made. Her delegation believed that progress could be made on the Category II proposals if Members were committed to the work on S&D. She referred to the example given by the delegation of Canada on the transparency proposal on S&D notifications submitted in the SPS Committee. That was a positive achievement made in the SPS Committee. With respect to the Category III proposals, she said that the representative of Kenya had made a pragmatic suggestion of redrafting the proposals, which she believed would help in addressing some of those proposals. Her delegation agreed with others that the Special Session should build on what it

had achieved and continue to work on the remaining Agreement-specific proposals before taking up the cross-cutting issues. With respect to the suggestion made about addressing the proposals in clusters, she said that her delegation was not certain how that would be done. There were only 12 proposals remaining in Category I and another 12 in Category III. She asked whether these remaining 24 proposals would be clustered and how those clusters would be formed. She said that after the Doha Ministerial Conference a process of clustering had been followed but that was when there were a large number of proposals to be considered. However, with just a few proposals remaining she was not certain how such a clustering would be achieved. Nevertheless, her delegation was interested to see how such an approach would be adopted. The main focus needed to be on the remaining Category I proposals and if progress was achieved on those proposals then Members could move onto addressing the Category III proposals.

28. The representative of Thailand said that S&D was an important issue for developing countries. She said that she did not wish to repeat what had already been said but her delegation agreed that there was a need for some confidence-building measures. Members had already attempted to discuss the Agreement-specific proposals and the cross-cutting issues in parallel but that approach had not been fruitful. Her delegation was willing to adopt such an approach again but without progress on the Agreement-specific proposals she was not certain that Members could go far on the cross-cutting issues. Members also needed to be aware of the time available and since there were only 12 remaining Category I Agreement-specific proposals, it would be best to address those first. She said that her delegation was not certain how the clustering of proposals would work as the proposals had already been put into categories by the General Council Chairman in 2003. In light of that fact, Members needed to perhaps just concentrate on that categorisation. With respect to the Category III proposals, her delegation was willing to consider any redrafted language and would work constructively to reach an agreement on them. Regarding the Category II proposals, she agreed with others that the Special Session should maintain a supervisory role and also agreed that it would be useful to engage in informal consultations to move the process forward.

29. The representative of Ecuador said that his delegation was committed to actively participating in the work on S&D and would support the Chairman in his attempt to take the work forward. The work on S&D had different aspects that needed to be taken into account and most of the interventions demonstrated a positive and constructive spirit among Members to make progress. He said that S&D was important to Ecuador, not only from a defensive perspective but also from an offensive perspective, in terms of proposals that could increase developing country exports to other markets. His delegation felt that it was also important to keep in mind the mandate in paragraph 44 of the Doha Ministerial Declaration of ensuring that the S&D provisions were made more precise, effective and operational. His delegation recognised that the July Decision contained a framework for further work on S&D provisions. However, it was important that addressing the Agreement-specific proposals did not lead to a repetitive discussion. Members needed to make use of the experience that they had gained and to ensure that this experience led to positive results for developing countries. He agreed that it would be useful to hold informal consultations with Members as well as for developing countries to meet among themselves, as had been suggested by the Chairman. He said that consultations with the Chairpersons of those Committees to which Category II proposals had been referred would help to make progress on those proposals. He said that his delegation had no objection to putting the proposals into thematic clusters as long as it did not mean that Members would be reverting to issues that had earlier given rise to controversy. Members needed to stick to criteria that would assist in addressing issues in a systemic way and then that would provide Members with solutions on the various Agreement-specific proposals.

30. The representative of Japan said that since that was the first Special Session meeting after the July Decision, he would briefly touch upon his delegation's position on how Members could address work on S&D. He said that his delegation continued to be positively engaged in the discussions and would continue to do so in the future. In that spirit, his delegation could agree, if others so wished, to address the Agreement-specific proposals one by one. However, it was important that Members kept

in mind the discussions that had taken place on the proposals before the Cancún Ministerial Conference. This would avoid reopening the debate that Members had been involved in earlier. Although Members had not been able to reach consensus on adopting the 28 Agreement-specific proposals which they had agreed to in principle, they needed to avoid reopening discussions on those proposals, especially since many delegations believed that the discussions on those proposals had been exhausted. He said that discussions in the negotiating bodies were back on track with emphasis being placed on development issues. Members needed to therefore concentrate on the issues being dealt with in the Special Session and avoid duplicating the work taking place in other bodies. His delegation supported the Chairman's approach of consulting with the Chairpersons of other bodies who could report periodically to the Special Session. He also said that it would be constructive if some of the proposals in Category III were redrafted by the proponents. He went on to say that Members should deal with S&D in a more holistic manner. In that regard, it was appropriate that Members in the July Decision had agreed to discuss not only the Agreement-specific proposals, but also the cross-cutting issues, including the Monitoring Mechanism. Within that mandate Members needed to agree on how and what to discuss under the cross-cutting issues. His delegation placed high priority on discussing the cross-cutting issues. Although it was important to keep in mind the time-frame set in the July Decision, it was more important to reach agreement on what Members should discuss and how they should discuss that.

31. The representative of Indonesia said that he wished to share some views and provide some inputs on how the upcoming meetings of the Special Session could be organised. He said that there were only six weeks left until the Christmas break and although that was not much time, if Members showed the necessary flexibility then something could be achieved by then. His delegation had shown flexibility in the past when addressing the proposals and he urged other Members to do the same in order to make some concrete progress by the end of the year. He agreed that categorisation of the remaining Agreement-specific proposals could help to add more recommendations to those that had already been agreed to in principle. He did not believe that it would be possible to discuss the remaining Category I and III proposal in the six weeks up to Christmas. His delegation was willing to pick some of the remaining Category I proposals that could be addressed a priori. That was not to say that the other proposals were not important, it was just a matter of prioritising. He said that Members needed to undertake a stocktaking exercise in order to set up a systematic and focused programme of work for 2005. That was the only way that Members could achieve tangible results. Attempting to discuss everything at the same time would not result in any positive outcome. With respect to Category II proposals, he said that his delegation supported the suggestion that the Chairman keep in touch with the Chairpersons of the bodies to which those proposals had been referred. It would also be useful to provide feedback of those discussions to the Special Session. He said the Special Session had recently discussed the S&D proposals in another body, but had not been able to make progress. It was therefore important to find a way to get Members to engage in comprehensive discussions on those issues in those bodies.

32. The representative of China said that his delegation was pleased that the Special Session had resumed its work and that there was a new momentum among Members to pursue the work. He said that his delegation would be pleased if something could be achieved by the Christmas break and that it would play a constructive role and work closely with the Chairman to achieve results. With respect to the Category I proposals, he said that his delegation agreed that Members should focus their attention on the underlying issues that the different proposals were attempting to address. It would be helpful to examine the Agreement-specific proposals from a different angle, though this was easier said than done, especially since it might not be easy to define the underlying issues. With respect to the Category II proposals, he said that it was clear that the bodies to which those proposals had been referred were more likely to be able to deal effectively with the specific proposals referred to them. Those bodies had been mandated to address those proposals expeditiously. He said that he fully appreciated the Chairman's efforts in setting up a meeting with the Chairpersons of those bodies. With respect to the Category III proposals he said that his delegation was flexible with the approach

that had been suggested, though he believed that it may perhaps be better to take up the Category III proposals at a later stage, as that would give the proponents time to refine their proposals.

33. The representative of Kenya clarified that when proposals had been categorised by the General Council Chairman in 2003, some Members had expressed difficulties with the Category III proposals and had stated the need to redraft some of those proposals. In an attempt to move the work forward his delegation was ready to work with those Members that had problems with the Category III proposals and which felt that they needed redrafting. He said that a number of Members had suggested addressing the Agreement-specific proposals and the cross-cutting issues in parallel. However, if one looked at the mandate contained in the July Decision, there was a clear time-frame for addressing the Agreement-specific proposals. It was therefore clear that those proposals had to be addressed expeditiously. He said that the cross-cutting issues were on the table and would need to be addressed. However, to some extent this would depend on the progress made on the Agreement-specific proposals; then Members could decide which cross-cutting issues to address. He noted that the representative of the United States had mentioned that the proponents had not been present at some of the meetings where the Category II proposals had been taken up. This was because at times a number of meetings were scheduled at the same time. In that context, he reiterated the importance of the Special Session playing a supervisory role in ensuring, among other things, that the overlap of meetings was limited, to enable the proponents to effectively participate in the discussions. He said that his delegation preferred the work being carried out in informal meetings and consultations. He also supported the point made by the representative of Brazil that organizing meetings in different formats and with different groups would be useful.

34. The Chairman said that discussions on the Agreement-specific proposals would only be constructive if Members were willing to review the proposals with a view to finding the best solution to addressing the underlying concerns that had been raised in the proposals. Flexibility from the Members in considering the underlying problems that had been raised, as well as from the proponents in being willing to consider alternate ways of addressing those underlying challenges, would be necessary if real progress was to be made.

35. The representative of Cuba said that her delegation was willing to constructively engage in any efforts that would lead to fulfilling the Doha Mandate. She said that some views had been expressed on the way forward in terms of whether the Agreement-specific proposals and the cross-cutting issues should be addressed in parallel. Her delegation believed that work on the Agreement-specific proposals would also result in possible solutions to the cross-cutting issues. Some views that had been expressed by Members were contradictory to what had been agreed to in the July Decision. It was clear that the Agreement-specific proposals had to be addressed by a specified date. For that reason, her delegation felt that it would be better to deal with the cross-cutting issues at a later stage as difficulties could arise in addressing those issues. She said that Members needed to review the objectives of S&D and dedicate more time to dealing with the systemic issues.

36. The representative of Uganda said that his delegation felt that whatever was agreed to by the Christmas break should be of value to developing countries. His delegation agreed with a number of points that had been raised by many of the developing country Members. The mandate in paragraph 44 of the Doha Ministerial Declaration was what should govern the work on S&D. The mandate contained in the July Decision was merely a reiteration of that mandate. He insisted that all the Agreement-specific proposals needed to be addressed. His delegation could not agree to any a priori understanding that the Category III proposals would not be addressed. This was in the context of what one Member had said in relation to the discussions on the Category III proposals having been exhausted and that it might not be possible to make progress on those issues. He said that his delegation was flexible on the approach the Chairman might wish to take, whether addressing the Agreement-specific proposals before, or in parallel with the cross-cutting issues. His delegation agreed that the Chairman should hold informal consultations with the various groups so that by the time Members met as a whole they would have made some progress in coming up with agreeable

language. The Chairman had mentioned that in some cases there were differences even amongst developing countries. That was why he believed the Chairman should carry out consultations with those groups of Members. In his opinion, he believed that if the developed countries showed some flexibility then progress might be made. With respect to the Category II proposals, he said that it was perhaps important to consider the suggestion that had been made by the representative of Kenya. He said that the problem with the bodies to which the Category II proposals had been referred, was that they tended to focus on their work as a whole, because of which the S&D deadlines often got overlooked. It was therefore important to ensure that those bodies prioritised their S&D work so as to meet the deadline that had been set. He did not think that merely instructing the Chairpersons of those bodies to intensify their work would be sufficient. That was especially the case where different officers from the same delegation dealt with S&D issues in different bodies, and very often did not have the same instructions.

37. The Chairman said that he had heard Members say that they were willing to discuss all the issues but that progress could only be made if Members began to develop a creative approach to the way they addressed those issues. He was encouraged by some of the suggestions that had been made about how Members could approach their work on those issues. He said that the mandate was clear in that all the issues needed to be addressed and if Members tackled those issues in the way they had in the past, they were unlikely to make progress.

38. The representative of Argentina said that with respect to the Category I and III Agreement-specific proposals, the idea of clustering those proposals and seeing what they might have in common could be useful. Taking that approach was innovative and might allow Members to make some progress. Members of course would have to agree on the criteria used for clustering but that was a matter that could be worked out. He agreed that Members needed to take a step back and make an effort to understand other members' positions and the underlying reasons for those positions. He said that Members should be willing to make some adjustments and change the emphasis in some areas of the proposals. That, without changing the substance of the proposals, might enable Members to reach consensus on some of the proposals. With respect to Category II proposals, he said that he agreed with those Members that had stated that the Special Session should maintain a supervisory role. He said that his delegation was supportive of the proposal made by the representative of Kenya that if no progress was made on those proposals then the Special Session could consider dealing with the proposals itself. He went on to say that the question of addressing the Agreement-specific proposals and cross-cutting issues in parallel had been raised. As the representative of Kenya had said the Agreement-specific proposals had been given a certain degree of priority in the July Decision. He said that the July Decision also mentioned that work was needed to be carried out on the cross-cutting issues. A number of Members had emphasised the importance of dealing with the cross-cutting issues as that may help in making progress on the Agreement-specific proposals. If that was the case, then his delegation would not have a problem in addressing the Agreement-specific proposals and the cross-cutting issues in parallel. However, if that was not the case and work on the cross-cutting issues was likely to further complicate Members' work, then Members should avoid dealing with those two issues in parallel. He also agreed with the representative of Brazil that Members should undertake further work in informal meetings and in different formats, periodically providing an opportunity to Members to take stock in formal meetings.

39. The representative of Hong-Kong, China said that she hoped that her delegation's silence would not be taken as a lack of interest in the discussion that Members were having. It was certainly not a lack of readiness to engage constructively in any further discussions. She said that listening to the discussion her delegation sensed that there was general agreement on how Members should organise their work. Her delegation could go along with the clear and practical approach that had been suggested by the representative of Malaysia.

40. The representative of Costa Rica said that his delegation was flexible with respect to the Special Session's work plan. His delegation supported the positions of the delegations of Colombia

and Brazil who had spoken about the need for work being carried out in informal meetings. His delegation felt that it would be positive if progress could be made in the bodies to which the Category II proposals had been referred. He said that the representative of Canada had referred to its proposal in the SPS Committee. That was a significant breakthrough that could serve as an example for other Committees. He said that there were different ways of approaching the work on S&D and the delegations of Peru and Ecuador, whose statements his delegation endorsed, had alluded to that. Developing countries were also interested in pursuing what had been termed as the offensive approach on S&D, which was sometimes not so evident in the discussions. He agreed that Members needed to ensure a North-South dialogue as well as a dialogue between developing countries. Both were equally important. He said that all developing countries should benefit from S&D without any discrimination and as far as his delegation was concerned this was very important and Members needed to work on the basis of that fundamental principle.

41. The representative of the United States said she wished to clarify some of her earlier remarks. In relation to the Category III proposals, she had said that Members needed to be practical and recognise the fact that there were unyielding divergences of view, not just North-South, but even among developing countries. What her delegation had suggested, was that Members could let that concrete wall stop them or choose to go around it by accepting that they differed. Members needed to begin trusting one another and not immediately interpret statements with the most negative connotation possible. All Members had shown a positive spirit and willingness to work together. Her delegation was part of that process and hoped that others would see its remarks as constructive and positive, as they were meant to be. She said that the possibility of revisiting the 28 proposals on which Members had reached an in-principle agreement had been mentioned. While she understood that the Chairman did not wish to discuss them, her delegation wished to support the representative of Japan which had said that Members had reached a broad agreement on those proposals and therefore did not wish to see them reopened. On the question of the cross-cutting issues she said that her delegation agreed with others that there were some proposals that could be discussed in the context of some of the cross-cutting issues. The cross-cutting issues carried the potential to ensure that the overall results of the DDA were coherent, practical and effective. Beginning a discussion in parallel on issues like the Monitoring Mechanism, in terms of what could be monitored, what were the key elements involved; why would it be useful to monitor; elaborating the decision that Members had already taken; would all be helpful in that regard. Ultimately, Members would need to have some structure which pulled all the S&D components together, and beginning a discussion on architecture could be helpful. Her delegation agreed with others that while Members had a July deadline, it would be useful to find a way to ensure that discussions on the cross-cutting issues advanced as well. Her delegation was willing to sit down with other Members, developed and developing, to consider cross-cutting issues for example, like the Monitoring Mechanism. With respect to the individual proposals, she said that paragraph 44 of the Doha Ministerial Declaration mandated Members to review the existing S&D provisions and make them more precise, effective and operational. In her delegation's view, that did not necessarily translate into an agreement on the individual proposals that had been tabled. There were other ways that Members could consider making the existing provisions more precise. She said that the Chairman's approach was perhaps the best way of finding a way forward and her delegation would keep an open and flexible mind and hoped that others would do the same.

42. The representative of Switzerland said that she had listened with interest to the constructive proposals made by Members. Some Members had raised concern about dealing with the cross-cutting issues and the Agreement-specific proposals in parallel. She felt that the Committee had little time to argue over such issues but instead needed to quickly take up the constructive ideas that had been put forward. As it was, the Chairman had said there was no wall between the Agreement-specific proposals and the cross-cutting issues. Nevertheless, her delegation did not agree with the suggestions of dealing with the cross-cutting issues at a later stage.

43. The Chairman said that he was pleased to note a number of points of convergence. He believed that Members could make a breakthrough if the spirit of constructive engagement and willingness to find pragmatic solutions to the issues continued to prevail in the discussion. There were four points of convergence that he had noted. First, it seemed that Members agreed that the Special Session should closely monitor the work of the different bodies to which the Category II proposals had been referred and that he as the Chairman of the Special Session should coordinate the work going on in those bodies, including by meeting the various Chairpersons of those bodies. Second, although there had been some reservations about some of the Agreement-specific proposals, Members seemed to agree that they needed to address the underlying development challenges that the Agreement-specific proposals were attempting to raise in order to find solutions to those problems. Third, it seemed that Members agreed that the proposals needed to be addressed by clustering them around specific themes. He gave the example of those proposals which related to capacity constraints and technical assistance. He said that that could be one theme which Members could consider more closely and find a useful way of conceptualizing and addressing the underlying problem. Members felt that that would also lead to a discussion on the cross-cutting issues, because the thematic clusters would relate to one or the other of the cross-cutting issues that had been put forward. He said that the intention was to formulate pragmatic ways of identifying the problems rather than to develop new philosophies on specific areas that S&D had raised over the years. So rather than adopt an ideological approach, Members needed to take a pragmatic and problem-solving approach to those issues. How Members formulated the informal negotiating process was something they would have to think about. Fourth, there seemed to be a feeling that some progress should be made as quickly as possible. He said that while the Christmas break was too near to expect any significant progress, Members could consider harvesting whatever progress was made including possibly harvesting some of the proposals that had already been agreed to in principle. If there was any convergence on the cross-cutting issues then that too could be added.

44. The representative of Malaysia said that the Chairman had mentioned a number of points of convergence. These were not necessarily points of consensus. Although there was some consensus on some of the points there was clearly no clear consensus on the details. She said that Members should not forget that the July Decision had mandated the completion of the review of all the outstanding Agreement-specific proposals by July 2005. The question was how to approach the remaining work in a way that addressed the concerns of all Members. Her delegation agreed that further consultations would need to be held. There was consensus that the Special Session should proceed to address the Agreement-specific proposals, but how to do that was the question. Perhaps the best way would be to have further consultations on how to proceed.

45. The representative of Uganda said that the Chairman had captured the areas of convergence well. He said that those areas of convergence would be useful in the next stage of informal consultations. His delegation agreed that in the process of discussing the way forward, the cross-cutting issues had also been touched upon and therefore it was perhaps not necessary to discuss them again, unless there were some Members which had serious concerns that they wished to raise. He said that he had forgotten to mention that many of his African colleagues were not present at the meeting, not because they were not interested in the subject, but because there was a retreat being held to discuss various issues, including development issues.

46. The representative of Cuba reiterated that her delegation believed that the Agreement-specific proposals be dealt with first. She said that it would be useful if an agreement could be reached quickly so that Members knew what was going to be discussed, in the future meetings.

47. The representative of Canada said that the Chairman had captured the areas of convergence among Members. She said that it was clear that Members did not wish to have a lengthy discussion on the cross-cutting issues at that point of the meeting. However, it was also clear that many delegations such as her own were interested in ensuring that those issues were addressed in parallel with the Agreement-specific proposals. As long as that was ensured, her delegation would not mind

starting to consider the underlying issues behind the Agreement-specific proposals, and in the course of that also addressing some of the fundamental cross-cutting issues that Members had raised.

48. The representative of Kenya said that the Chairman had adequately captured the main areas of convergence and his delegation would inform the African Group about the discussions that had taken place. He said that there appeared to be consensus on commencing work on the Agreement-specific proposals. As he had mentioned earlier, there were some proposals that related to specific issues which had prevented convergence, even though certain Members had an inherent interest in those issues. He suggested that perhaps the Chairman begin consultations on those proposals in a smaller group. This was necessary because there were some issues where the Chairman would need to consult among the developing countries and then consult with the larger Membership. He said that he hoped that the cross-cutting issues would not take away attention from the Agreement-specific proposals. There were a number of cross-cutting issues that were pertinent and that even his delegation had raised, such as the transitional periods and technical assistance. Even then his delegation's preference was to first address the Agreement-specific proposals.

49. The representative of India said that the way the Chairman had summarised saying that there were a number of points of convergence and not consensus, had been taken in that spirit. He said that the Chairman had mentioned that he would attempt, including in consultation with the Secretariat, to find ways to develop a structure for future work. His delegation would also consider ways in which Members could move constructively. In this context, he welcomed the offer by the Chairman to contact him and suggest alternate approaches that could add value to the work on S&D in terms of fulfilling the Special Session's mandate. He had shared his delegation's view with respect to the cross-cutting issues and he agreed that making progress in line with the Doha Mandate should be Members' guiding template.

50. The representative of the European Communities said that he did not believe that there was any need for further discussions on the cross-cutting issues that afternoon. He, however, requested that Members consider the European Communities' submissions contained in TN/CTD/W/13, TN/CTD/W/20 and TN/CTD/W/26 which contained some of the broad themes and topics which his delegation believed were important in supporting the process of assessing the Agreement-specific proposals. That all went back to the key concern which the Chairman had identified in his remarks that morning that Members should work to support the fuller integration of developing countries into the multilateral trading system. He said that he had taken note of the way the Chairman had presented the inter-relationship between the cross-cutting issues and the Agreement-specific proposals which was something that Members needed to reflect on and which demonstrated the point his delegation had been attempting to make, of the need to pursue a mutually constructive relationship between the two areas of their work so as to ensure progress on all fronts.

51. The Chairman said that he appreciated Members constructive contributions and suggestions which had enabled progress to be made. He noted that the discussions were progressive in the sense that Members had added value instead of repeating points they had earlier made. He hoped to hear from Members on how best they thought the matrix of thematic clusters for the Agreement-specific issues could be created. He said that he would give it some thought himself. In conclusion, he said that it was his hope that Members could build upon the positivity shown in the meeting and make some headway before the Christmas break.

#### C. OTHER BUSINESS

52. No issue was raised under Other Business.

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