

# WTO Reform: Working Practices

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## Reform of WTO working practices needed in real time

In the crisis Members must:

1. Keep each other informed
2. Review implementation of existing obligations
3. Use informal opportunities to share experiences
4. Enhance the conduct of virtual meetings

Conclusion: some things the General Council can do now

- More in background papers

## Part 1 Notifications are a central issue for WTO reform

- “Compliance with notification requirements of the various WTO Agreements remains very uneven” WT/TPR/OV/22
- Communication from the United States and 9 others suggests inter alia penalties for non-compliance
  - “Procedures to Enhance Transparency and Strengthen Notification Requirements under WTO Agreements” JOB/GC/204/Rev.3

## Notification problem: bad faith, lack of capacity or ...?

- If the reason for a poor notification record is bad faith, then sanction may be appropriate
- If the problem is capacity, then technical assistance may be needed.
- Diagnosis needed in each committee:
  - Where is information objectively inadequate for Members' purposes?
  - How can Members provide the information in a way that lessens the burden on them?

See our earlier Working Paper ['Is World Trade Organization Information Good Enough?'](#)

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## Looking forward

- Ottawa Group June 2020 statement:
    - Measures introduced in response to COVID-19 should be promptly notified
    - Trade-related economic support measures should be included in the trade monitoring reports
  - June 2020 Secretariat monitoring report
    - Only 29% of Members shared COVID-19 related support measures
    - Annex on “general economic support” still not possible
    - Given billions spent on pandemic response, it will be crucial to do better
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## Part 2 Conflict management

- Basic proposition: Discussion of specific trade concerns (STCs) can lead to clarification and even resolution of trade irritants before recourse to dispute settlement. JOB/GC/211
- Discussing trade concerns expeditiously can be especially important when the trade landscape has been upended by the COVID-19 crisis
  - This part based on ideas from ['Reforming WTO Conflict Management: Why and How to Improve the Use of "Specific Trade Concerns"'](#)

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## So what's the working practices problem?

- Most committees have a basic review of notifications, some have questions about notifications, and some have formal STCs.
- Every committee has minutes of its meetings, but some are more detailed than others.
- Some committees have one or more document series to record questions and answers
- **But unlike SPS and TBT, most do not have a searchable database**
- **And largest traders are the most extensive users**

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## Scenarios for reform

- Two reform objectives
  1. **Increase** the number of Members able to raise trade concerns
  2. Make the trade concerns process **more effective** for all Members

Focus on proposal for guidelines for all WTO bodies led by EU supported by 19 other Members (WT/GC/W/**777**/Rev.5)



## 777 proposal: meeting arrangements

- Proposals on timelines for convening documents can facilitate work of small Geneva delegations who need to consult capitals
- **Missing**: Annotated agendas so everyone understands why an item is up for discussion

## 777: consideration of trade concerns

- Encourage written questions and answers.
  - If questions and answers are online ahead of a meeting, officials in capitals can interact through WTO without having to come to Geneva
  - Even more important when physical participation is constrained
- Examples:
  - TBT eAgenda system allowed for a documents-based meeting on STCs when in-person not possible
  - SPS similar
  - CoAg moving in this direction

## 777: Integrated database

- Every committee would have a database like SPS and TBT
- And they would be integrated: search on an issue without needing to know in which committee it had been raised

## Part 3 Enhanced opportunities for dialogue

- Ottawa Group: explore how best to pursue intensified engagement with stakeholders in order to better inform policymaking.
- Our advice: informal “thematic” meetings allow Committees to hear from stakeholders who use their agreements, including regulators, other IOs and the private sector
- Understanding novel trade policy challenges posed by the crisis might best be addressed first by each committee in an informal session

Part 3 is based on a new Policy Brief ['Informal Learning and WTO Renewal: Using Thematic Sessions to Create More Opportunities for Dialogue'](#).

## What is a “thematic session”?

- Meetings that are sponsored by or associated with a WTO body in some way, but that are not part of its formal meetings
  - informal, educational, workshop, information, forum, exercise, leadership dialogue, symposium, experience-sharing, dedicated, discussion group
- Over 100 in three years to December 2019.
  1. Nearly three quarters experience sharing
  2. Fewer sessions on trade-related issues not now well-covered at WTO, or new global trends or initiatives
  3. Some bodies have not held one in this period

## Enhanced capital-based participation

- Barely a third of capital-based speakers came from non-G20 Members.
  - More funding for speakers would help
- **Video conferencing technology** can increase participation

## Reform happening in real time

- Ottawa Group ministers met online
- CTG and CMA held virtual meetings in June
- Special meeting of the Committee on Agriculture on 18 June 2020: 55 delegations registering for physical attendance and 215 participants joined online
- Members clearly becoming more comfortable with Interpretify technology that allows online interpretation
- BUT while good for discussion, some reluctance to allow decisions

## General Council **decisions** needed now

- Every committee to review notification obligations
- Integrated database
- Central budget for capital-based participation in regular meetings and thematic sessions
- More support for technology for virtual meetings



## General Council **guidelines** for committees

- Advance documentation and agendas
- Annotated agendas
- Written questions and answers
- eAgenda system
- Virtual participation

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