



*****Save the Date*****

3rd - 4th November 2015, Nairobi - Kenya

The Road to Nairobi: The Doha Development Round at the Crossroads

Introduction

The World Trade organization's (WTO) Tenth Ministerial Conference (MC10) will be held from 15th-18th December 2015 in Nairobi, Kenya. The Rosa Luxemburg Stiftung, SEATINI and the Kenya Human Rights Commission (KHRC) will hold a pre- WTO MC10 Civil Society Conference on the **3rd and 4th November 2015** in Nairobi to gather and debate views on this important process.

The conference will focus on the outcomes and subsequent discussions on Post-Bali work-plan and at a wider level, the major issues of contention that remain in the Doha Development Round (DDR) particularly for Africa. The event will also be used as a platform to discuss the recent challenges within the multilateral trading system and more specifically reflect on the first 20 years of the WTO.

Background

The Doha Development Agenda (DDA) was launched in November 2001 in Doha, Qatar, at the WTO's Fourth Ministerial Conference. The outcome document, the Doha Declaration focused on the concerns of the developing countries promising major reforms to agriculture, particularly reductions in subsidies and tariffs provided by developed countries, Non-Agricultural Market Access (NAMA), special and differential treatment for 'developing' countries, services, trade facilitation, among others.

However after 14 years of negotiations, the Doha Round has witnessed stalemates arising from major differences regarding the failure to come up with amicable solutions in agriculture, market access for industrial goods, opening of the service sector especially between so-called developed and developing countries. Developing countries have also noted concerns that the previous Doha mandates i.e. 2001 Doha Declaration, 2004 July Framework, 2005 Hong Kong Ministerial Declaration and the 2008 Revised Draft Modalities are being overlooked to satisfy the demands of mainly the United States and European Union.

It is also important to note that the emergence of the G 20 including Brazil, China, India, South Africa among others offset the ability of major powers to solely determine the agenda at the WTO. This shift in the balance of power has created 'negotiations headache' in the 14 years of the Doha Development Round and thus so called developed countries have been pressed to seek other alternatives as they deemed the WTO "too slow" and "too democratic".

Consequently, the European Union and the United States have over the last decade aggressively entered into negotiations for bilateral and plurilateral trading arrangements including mega-regionals such as Trans-Atlantic Trade and Investment Partnership (TTIP) and the Trans-Pacific Partnership (TPP) that are now set to define and tilt the global trade agenda. This phenomenon presents a new set of challenges for the WTO, the Doha Development Round and the future of multilateralism. It also presents a new challenge for 'developing' countries particularly those in Africa.

Furthermore, the more recent outcomes of the Bali Ministerial Conference in 2013 and the deadlock in the lead up to the Nairobi MC10 are manifestations that the development concerns of developing and least developed countries are being sidelined in the global agenda. The lack of convergence on important issues for developed countries and LDCs within the Doha Development Round especially after 2008 has been a key turning point to the future of the Round.

The current state of play reflects a major diversion from the original promises of the DDR and the expectations 'developing' countries and LDCs had in the process. In recent years, there has been a pronounced demand by developed members of the WTO to set aside permanently the entire development mandate of the Doha Round and to replace it with an alternative agenda so as to introduce new so called 21st century issues including investment, transparency in government procurement, intellectual property and competition. The growing importance of the above issues in the WTO agenda now is at odds with the development objectives of the Round which interestingly were vehemently rejected by 'developing' countries.

Given this context, the mandate of the world trade body has been brought into question and therefore the 10th Ministerial Conference in Nairobi is important at so many levels especially for various members that have demanded its reform. The key issues for 'developing' countries have been:

- Demands to reform agriculture in order to achieve considerable progressive cutbacks in agricultural support and protection by developed countries.
- Meaningful market access through duty-free, quota-free (DFQF) treatment for all goods originating from LDCs.
- "Singapore issues" (investment, intellectual property, transparency in government procurement, competition) are not brought back in the DDA.
- Special and Differential Treatment (S&DT) monitoring mechanism is operationalised with the ability to make recommendations to the applicable technical bodies.
- Demand for effective operationalization of LDC services waiver to permit significant preferential access to LDC services and services suppliers.
- All forms of export subsidies for cotton are eliminated by the rich industrialized countries and additionally offer Duty Free Quota Free access for cotton exports from LDCs.
- Food security and sovereignty concerns are addressed in agriculture and that a permanent solution is sought on Public Stock Holding and extended to all 'developing' countries.
- LDCs retain adequate policy space to design and implement policies for their transformation especially in light of mixed undertakings outside the WTO that are continuously undermining preferences afforded to LDCs.

However, on the other hand, some quarters have argued that the above demands are not new and that the Doha Development Round assurances to provide a well-functioning multilateral system that would safeguard against power-based relations have been unsuccessful. Therefore as the WTO marks its 20th anniversary and further attempts are made to end the Doha Development Round, it is also important to assess the WTO over the last two decades and more specifically Africa's participation in the Multilateral Trading System.

Objectives

The Conference will bring together a wide range of stakeholders (i.e. Government negotiators, policy makers, academics, representatives from donor agencies, EU, the private sector and civil society) from Africa, Europe etc to:

- a) Closely examine the implications of the current state of play in the Doha Development Round and engage key government negotiators on the main outstanding issues within the DDR.
- b) Discuss the recent challenges in World Trade Organisation particularly the budding plurilateral trade arrangements and their implications on the DDR and the Multilateral Trading System.
- c) Discuss and share civil society strategy for participation in MC10, in MC10 parallel events and beyond.

Format of the Conference

The conference agenda will cover key outstanding concerns in the Doha Development Round and have momentary discussion of the WTO over the last 20 years. Each session will be introduced by a key speaker followed with a discussion by a panel comprised of representatives from EAC governments and parliaments, EU representatives, civil society, academia, private sector, donor agencies etc. After the panel discussion, the plenary will be opened for a moderated debate led by a session chairperson to give participants an opportunity to discuss general and/or specific challenges and the way forward.

Participation

The conference will be composed of about 40 participants from EAC members' government departments, EAC Secretariat, private sector, media, academia, civil society and social movements in Africa, Europe etc.