



**Some Thoughts on the Process of the  
On-Going WTO Mini-Ministerial Negotiations of July 2008**  
*29 July 2008*

The intense ministerial-level negotiations going on among some Members at the WTO since last week are once again showcasing classic processes used in the past to hammer out trade agreements that have, by and large, benefited developed countries more than developing countries.

These processes have also been marked by the exercise of high-level political pressure (even up to the head of state or government level) from developed countries on developing countries. These are pressures that developing countries cannot and do not exert on their developed country counterparts.

Most of the ministers who have come to Geneva for these negotiations have not fully participated in the negotiations, in particular those from developing countries. Most other developing countries are, in fact, not represented by their trade ministers at all at these on-going negotiations. Real negotiations have generally taken place only a small group of ministers together with the facilitators for each negotiating issue and with the WTO Director-General.

The role of the WTO Director-General, as the Chair of the Trade Negotiations Committee (TNC), as a central figure in the negotiations has seen a resurgence with the DG raising textual suggestions reflecting his sense of the negotiating balance and ministers responding to such suggestions. This takes the DG's functions far beyond the relatively non-political role of the DG as being the head of a neutral service-oriented WTO Secretariat that many developing countries think should be the proper role of the DG. In these negotiations, the DG has become an active negotiating participant. In such a role, the DG will have difficulty remaining neutral with respect to the competing interests of his negotiating partners.

Negotiations are supposed to be about give and take. Unfortunately, there has been more take than give on the part of developed countries. They have focused on giving as little as possible with respect to their agricultural subsidies and market access and with providing for flexibilities for developing countries. They are, on the other hand, trying to take as much as possible with respect to obtaining increased agricultural, industrial goods and services market access in developing countries.

Furthermore, developed country-based media perceptions of the progress of the negotiations are shaped in large part by perceptions of what constitutes “progress” that reflect developed country interests. That is, the definition of “progress” in the negotiations is often shaped by characterizing developed country negotiating proposals as showing flexibility and developing country negotiating proposals as indicating stonewalling or inflexibility towards obtaining a negotiated outcome. The responsibility for achieving “progress” – in both the public mind and in the negotiating context – hence becomes apportioned disproportionately on developing countries, regardless of whether such “progress” would be in the best development interests of developing countries. Insistence on protecting food security and poor farmers in developing countries is hence placed on a lesser footing than obtaining greater market opportunities for developed country companies in growing markets such as India, China and other developing countries.

Finally, the legitimacy of the WTO as an effective multilateral institution capable of accommodating and promoting the development interests of the overwhelming majority of its membership now rests on the extent to which: (i) the negotiating process can be made inclusive and participatory for all WTO Members, in particular developing countries, similar to, for example, to the open and inclusive textual negotiating processes followed in United Nations negotiating forums; and (ii) any final negotiated outcome on the various negotiating issues reflect, as expressed in the Doha Development Agenda, the placement of developing countries’ “needs and interests at the heart” of the negotiations.