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# **WTO at 20: Lessons Learned and Still to Be Learned**

**Prospects and Issues for the Post MC-9 WTO System**

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# Prospects of the Post MC-9 WTO System

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## ❑ Doha Negotiation Momentum Regained

- ❖ “Agreement on Trade Facilitation” as the first addition to the WTO Agreement
  - Symbolic achievement for the new world trading system with interlinked trade and industry relationship – global supply chain
- ❖ Duty-free and quota-free market access for LDCs

## ❑ Limited Success and Long Way to “Conclude”

- ❖ Only four areas agreed: trade facilitation, agriculture, cotton and development
- ❖ The Trade Negotiations Committee is instructed to “prepare within the next 12 months a clearly defined work program on the remaining Doha Development Agenda issues.”
- ❖ “Interim mechanism for the issue of public stockholding for food security purposes”... “until a permanent solution is found”
- ❖ Even “Agreement on Trade Facilitation” needs to be elaborated in many aspects.
  - In a way, it is like a “framework” agreement that should be refined with more specific legal criteria and obligations.
- ❖ Again the WTO Members need a solution for how to “conclude”.



# Issues of the Post MC-9 WTO System

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## ❑ Dissolving Single Undertaking

- ❖ The work program to be developed in a way that is consistent with the “Guidance at the Eighth Ministerial Conference”
  - “certain areas of the single undertaking”
  - “Ministers commit to advance negotiations, where progress can be achieved, including focusing on the elements of the Doha Declaration that allow Members to reach provisional or definitive agreements based on consensus earlier than the full conclusion of the single undertaking” (WT/MIN(11)/11)
- ❖ Ministerial Decision on TRIPS Public Health, Plurilateral GPA revision
- ❖ Agreement on Trade Facilitation
- ❖ What next? TISA, ITA II, etc.



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## ❑ Break-Up Market Access Negotiation and Rules Negotiation

- ❖ Diminished Roles for Market Liberalization
- ❖ TPP, TTIP, RCEP, EU-Japan FTA and China-Japan-Korea FTA
- ❖ Still roles for the WTO negotiation in services and agricultural sectors
  - Plurilateral Trade in Services Agreement (TISA)
  - Doha negotiation on agriculture
- ❖ Committee-based rules negotiation

## ❑ WTO Dispute Settlement System

- ❖ Structural weakness of FTA dispute settlement systems
- ❖ Increasing importance of WTO jurisprudence as a basis of application and interpretation for diverse trade rules
- ❖ Increasing roles of WTO panelists for FTA dispute settlement system

